

Town of East Lyme

PO Box 519
 Niantic, CT 06357
 (860) 691-4114
 Fax: (860) 691-0351

Special Permit # _____

Date Entered into SP Log _____

APPLICATION FOR SITE PLAN

Date of Application: July 10, 2020 Zone: R-80 (8-30g) Affordable Housing Pre-Emption

Applicant's Name: Pazz & Construction, LLC

Applicant's Address: 21 Darrows Ridge Road, East Lyme, CT 06333 Telephone: (860) 961-2364

Location of Affected Premises: Westerly side of North Bride Brook Road - No assigned street number Assessor's Map/Block/Lot: 9/37-2

Owner of Record: Pazz & Construction, LLC Volume/Page: Volume 987, Page 4 and Volume 987, Page 7

Owner's Address: 21 Darrows Ridge Road, East Lyme, CT 06333 Telephone: (860) 961-2364

Application Details Application for an eighty (80) unit multi-family set-aside affordable housing development submitted pursuant to the provisions of Section 8-30g of the Connecticut

General Statutes. _____

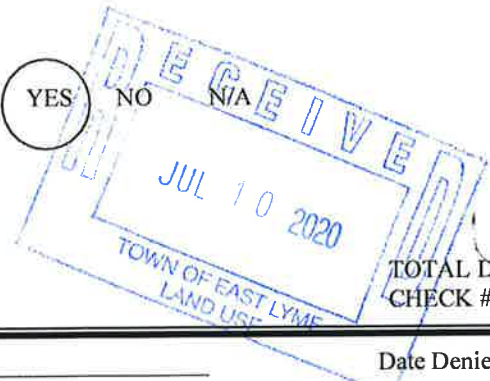
Signature of Owner: PAZZ & CONSTRUCTION, LLC
 By: Jason Pazzaglia, its Member PAZZ & CONSTRUCTION, LLC

Signature of Applicant: _____
 By: Jason Pazzaglia, its Member

Below this line for Office Use Only:

Attach a true copy a Site Plan {10 copies required}.

| | | | |
|---------------------|---|---|--|
| Site Plan Attached: | <input checked="" type="radio"/> YES <input type="radio"/> NO <input type="radio"/> N/A | PERMIT FEE: SITE PLAN FEE \$300.00 <u>300</u> STORM WATER \$ <u>300</u> <u>200.00</u> STATE FEE: \$60.00 TOTAL DUE: \$ <u>660</u> ⁰⁰ CHECK #: <u>39197</u> | |
|---------------------|---|---|--|



Date Approved: _____ Date Denied: _____

Approval subject to conditions below:

1. _____
2. _____
3. _____

Approval to become effective upon publication and date of entry into the land records of the Town of East Lyme affecting the premises as described in this application.

Date: _____ Attest _____
East Lyme Zoning Chairman

HELLER, HELLER & McCOY
Attorneys at Law
736 Norwich-New London Turnpike
Uncasville, Connecticut 06382

Sidney F. Heller (1903-1986)
Harry B. Heller (hellermccoy@sbcglobal.net)
William E. McCoy (hbm-bill@sbcglobal.net)

Mary Gagne O'Donal (hbm-mary@sbcglobal.net)



Telephone: (860) 848-1248
Facsimile: (860) 848-4003

July 10, 2020

Town of East Lyme Zoning Commission
Attn: Mr. William Mulholland, Zoning Enforcement Officer
108 Pennsylvania Avenue
Niantic, CT 06357

Re: Application of Pazz & Construction, LLC for site plan approval for an affordable housing multi-family residential development pursuant to Connecticut General Statutes §8-30g
Westerly side North Bride Brook Road, East Lyme, Connecticut

Dear Mr. Mulholland:

Enclosed herewith please find an application for site plan approval submitted on behalf of our client, Pazz & Construction, LLC for an eighty (80) unit multi-family affordable residential housing development designated as "Brookside Apartments" proposed to be located on real property situated on the westerly side of North Bride Brook Road in East Lyme, Connecticut. The application parcel is designated as Lot 37-2 on East Lyme Assessor's Map 9. The parcel contains 20.24 acres. This application is submitted pursuant to the provisions of §8-30g of the Connecticut General Statutes, preempting the use and bulk requirements of the East Lyme Zoning Regulations for development in the R-80 Zoning District.

Submitted herewith and constituting the application for site plan approval to the Town of East Lyme Zoning Commission are the following:

1. Original and nine (9) copies of the Application for Site Plan.
2. Authorization signed by Pazz & Construction, LLC thereby authorizing the law firm of Heller, Heller & McCoy, the engineering firm of Yantic River Consultants, LLC and the traffic engineering firm of Bubaris Traffic Associates to represent its interests in all matters concerning this application before the East Lyme Zoning Commission.
3. Ten (10) prints of the A-2 property line survey of the property entitled "Title: Limited Property Survey Lot Line Revision Prepared for Pazz & Construction, LLC Location: 90 North Bride Brook Road – Niantic, Connecticut Sheet Number 1 of 1 14036-SUB.dwg Scale: 1 Inch = 60 Ft. Drawn By: RDP Date: August 20, 2017 J. Robert Pfanner & Associates, P.C. Civil

Z:\Pazzaglia, Jason\East Lyme Zoning\ltr.Town re Submission.docx

Engineers & Land Surveyors 37 Grand Street Niantic, Connecticut 06357 Tel. 860-739-6216
Fax 860-739-0693”.

4. Ten (10) prints of the site development plan entitled “North Bride Brook Multi-Family Development Prepared For Pazz & Construction, LLC Overall Layout Plan N. Bride Brook Road (Assessor’s Map 9, Lot 37-2) East Lyme, CT Date 9/25/19 Revision Summary 1/15/20 Per Town Comments & Updated Survey Mapping 7/10/20 Revised Development Layout Scale: 1” = 60’ Project Number: 00057-00001 Yantic River Consultants, LLC 191 Norwich Avenue Lebanon, Conn 06249 Phone (860) 367-7264 E-mail: yanticriver@gmail.com Web: www.yanticriverconsultants.com”. The site development plan provides, inter alia, the following:
 - a. Topographical contour information, both existing and proposed, at 2’ contour intervals.
 - b. The location of delineated wetlands and watercourses on the application parcel. There are no slopes in excess of twenty-five (25) percent in the proposed development area.
 - c. Specific and engineered layout of all proposed buildings and structures.
 - d. Area proposed for open space and/or recreational purposes.
 - e. Sewage disposal and water supply will be provided by the Town of East Lyme Water and Sewer Department. The proposed project will interconnect to municipal utilities in North Bride Brook Road. An allocation of sewer capacity for this project was approved by the East Lyme Water and Sewer Commission on August 27, 2019.
 - f. A complete stormwater management plan, including both the attenuation of peak stormwater discharge during design storm events and compliance with the requirements of the 2004 Stormwater Quality Manual adopted by the State of Connecticut Department of Energy and Environmental Protection is incorporated into the grading and drainage plan, Sheet 3 of 7.
 - g. The soil types as determined by the NRCS Soil Survey are delineated on Sheet 1 of 7 of the Site Development Plan.
5. Ten (10) copies of a traffic impact study for the project entitled “Site Traffic Assessment Proposed Multifamily Residential Development 90 North Bride Brook Road East Lyme, Connecticut” prepared by Bubaris Traffic Associates dated December 22, 2018. Please note that the traffic impact analysis was based on a projected unit load of two hundred eight (208) apartments and forty-two (42) condominium units for a total of two hundred fifty (250) units. The project being presented for consideration contains eighty (80) proposed apartment units. Therefore, the analysis contained in the traffic report is extremely conservative for the currently proposed project.

6. Three (3) copies of the project stormwater management report entitled “Stormwater Management Report North Bride Brook Multi-Family Development North Bride Brook Road, East Lyme, CT Prepared For Pazz & Construction, LLC 297 Boston Post Road East Lyme, CT 06333 Date: November 1, 2019 Revised: July 10, 2020”.
7. Ten (10) copies of the preliminary design plan for the proposed buildings in the affordable housing development prepared by Springsteel Architect LLC.
8. Ten (10) copies of a table showing the number of units and number of bedrooms for each unit.
9. Ten (10) copies of an Affordability Plan for the project prepared in accordance with the requirements of Connecticut General Statutes §8-30g entitled “Affordability Plan Brookside Apartments July 10, 2020 Submitted by Pazz & Construction, LLC to the East Lyme Zoning Commission”.
10. Ten (10) copies of the August 27, 2019 meeting minutes of the East Lyme Water & Sewer Commission granting a sewer capacity allocation to the proposed project in the amount of 35,400 gallons per day.
11. The proposed affordable housing project will require the following permits and approvals in addition to the site plan approval which is the subject of the instant application:
 - a. A curb cut permit from the East Lyme Department of Public Works.
 - b. A zoning permit issued by the East Lyme Zoning Enforcement Officer.
 - c. Building permit(s) issued by the Building Official of the Town of East Lyme.
 - d. A registration under the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities with the State of Connecticut Department of Energy and Environmental Protection.
12. The site development plan submitted for consideration by the East Lyme Zoning Commission is a well thought out and engineered plan prepared by the Applicant’s consulting civil engineer with input and advice from the Applicant’s consulting traffic engineer. The site layout and development plan has been engineered in order to eliminate adverse impacts on public health and safety, including emergency services. The Applicant does not anticipate any adverse impacts to public health or safety resulting from the development of this affordable housing project, either to residents of the project or to neighboring properties.
13. Check in the amount of \$660.00 representing payment of the site plan application fee

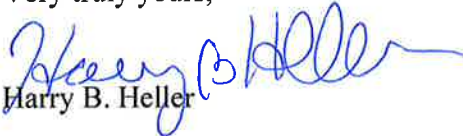
Town of East Lyme Zoning Commission
July 10, 2020
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(\$300.00), stormwater review (\$300.00) and State education fee (\$60.00).

We note that it has been East Lyme's past practice to incorporate a zone change application with an affordable housing application. This procedure has been held by the Connecticut Appellate Court to be inapplicable: See *Jag Capital Drive v East Lyme Zoning Commission* 168 Conn App 655 and *Wisniowski v Planning Commission of the Town of Berlin* 37 Conn App 303. Should the East Lyme Zoning Commission require a zone change application, the Applicant will summarily submit one. However, you are hereby advised that the Applicant is not submitting the instant site plan application under Section 32 of the East Lyme Zoning Regulations. Therefore, the Applicant would be submitting a text amendment application to create a regulation to accommodate the proposed project as well as a zone change application to change the zoning district classification of the application to that newly created zone. The cases cited hold that these procedural steps are not required for an affordable housing application as the zoning commission's permitted scope of review and inquiry is to determine that the project does not create any public health, safety and welfare issues; and if so created, to determine that those identified issues does not clearly outweigh the strong public policy of providing affordable housing in the State of Connecticut.

Request is hereby made that you place this matter on the agenda of the Town of East Lyme Zoning Commission for acceptance at its regularly scheduled meeting of Thursday, August 6, 2020. Should you have any questions concerning the application, or need any need anything further at this time, please feel free to contact the undersigned.

Very truly yours,


Harry B. Heller

HBH/rmb
enclosures

cc: Mr. Jason Pazzaglia
Mr. Brandon Handfield
Mr. Peter Springsteel

N. BRIDE BROOK MULTI-FAMILY DEVELOPMENT
BUILDING, UNIT, & BEDROOM COUNT

| BUILDING | UNIT COUNT | | | TOTAL UNITS |
|-------------------|------------------|---------------------|------------------|-------------|
| | TYPE A (3-BD) | TYPE B (2-EX BD) | TYPE C (2-BD) | |
| BUILDING A | 2 | 2 | 4 | 8 |
| UNIT A101 | 1 | | | |
| A102 | | 1 | | |
| A103 | | | 1 | |
| A104 | | | 1 | |
| A105 | | | 1 | |
| A106 | | | 1 | |
| A107 | | 1 | | |
| A108 | 1 | | | |
| BUILDING B | 2 | 2 | 6 | 10 |
| UNIT B101 | 1 | | | |
| B102 | | 1 | | |
| B103 | | | 1 | |
| B104 | | | 1 | |
| B105 | | | 1 | |
| B106 | | | 1 | |
| B107 | | | 1 | |
| B108 | | | 1 | |
| B109 | | 1 | | |
| B110 | 1 | | | |
| BUILDING C | 2 | 2 | 4 | 8 |
| UNIT C101 | 1 | | | |
| C102 | | 1 | | |
| C103 | | | 1 | |
| C104 | | | 1 | |
| C105 | | | 1 | |
| C106 | | | 1 | |
| C107 | | 1 | | |
| C108 | 1 | | | |
| BUILDING D | 2 | 2 | 6 | 10 |
| UNIT D101 | 1 | | | |
| D102 | | 1 | | |
| D103 | | | 1 | |
| D104 | | | 1 | |
| D105 | | | 1 | |
| D106 | | | 1 | |
| D107 | | | 1 | |
| D108 | | | 1 | |
| D109 | | 1 | | |
| D110 | 1 | | | |
| BUILDING E | 2 | 2 | 4 | 8 |
| UNIT E101 | 1 | | | |
| E102 | | 1 | | |
| E103 | | | 1 | |
| E104 | | | 1 | |
| E105 | | | 1 | |
| E106 | | | 1 | |
| E107 | | 1 | | |
| E108 | 1 | | | |



**N. BRIDE BROOK MULTI-FAMILY DEVELOPMENT
BUILDING, UNIT, & BEDROOM COUNT**

| BUILDING | | UNIT COUNT | | | TOTAL UNITS |
|---------------------------|------|----------------------|----------------------|----------------------|---------------------|
| | | TYPE A (3-BD) | TYPE B (2-EX BD) | TYPE C (2-BD) | |
| BUILDING F | | 2 | 2 | 2 | 6 |
| UNIT | F101 | 1 | | | |
| | F102 | | 1 | | |
| | F103 | | | 1 | |
| | F104 | | | 1 | |
| | F105 | | 1 | | |
| | F106 | 1 | | | |
| BUILDING G | | 2 | 2 | 6 | 10 |
| UNIT | G101 | 1 | | | |
| | G102 | | 1 | | |
| | G103 | | | 1 | |
| | G104 | | | 1 | |
| | G105 | | | 1 | |
| | G106 | | | 1 | |
| | G107 | | | 1 | |
| | G108 | | | 1 | |
| | G109 | | 1 | | |
| | G110 | 1 | | | |
| BUILDING H | | 2 | 2 | 6 | 10 |
| UNIT | H101 | 1 | | | |
| | H102 | | 1 | | |
| | H103 | | | 1 | |
| | H104 | | | 1 | |
| | H105 | | | 1 | |
| | H106 | | | 1 | |
| | H107 | | | 1 | |
| | H108 | | | 1 | |
| | H109 | | 1 | | |
| | H110 | 1 | | | |
| BUILDING I | | 2 | 2 | 0 | 4 |
| UNIT | I101 | 1 | | | |
| | I102 | | 1 | | |
| | I103 | | 1 | | |
| | I104 | 1 | | | |
| BUILDING J | | 2 | 2 | 2 | 6 |
| UNIT | J101 | 1 | | | |
| | J102 | | 1 | | |
| | J103 | | | 1 | |
| | J104 | | | 1 | |
| | J105 | | 1 | | |
| | J106 | 1 | | | |
| DEVELOPMENT TOTAL: | | 20 TYPE A | 20 TYPE B | 40 TYPE C | 80 UNITS |