

Town of

P.O. Drawer 519
**Department of Planning &
Inland Wetlands Agency**
*Gary A. Goeschel II, Director of Planning /
Inland Wetlands Agent*



East Lyme

108 Pennsylvania Ave
Niantic, Connecticut 06357
Phone: (860) 691-4114
Fax: (860) 860-691-0351

MEMORANDUM

To: East Lyme Planning Commission

From: Gary A. Goeschel II, Director of Planning/ Inland Wetlands Agent

Date: October 27, 2020

Re: CGS 8-3a Zoning Referral: Petition of Pazz & Construction LLC, to rezone 20.24 acres from RU-80/RU-40, its existing zoning designation, to Affordable Housing District (AHD); and approval of a Preliminary Site Plan which proposes an eighty (80) unit multi-family affordable residential housing development designated as "Brookside Apartments" for property identified on the westerly side of North Bride Brook Road in East Lyme, East Lyme Assessor's Map 09.0, Lot 37-2, pursuant to Connecticut General Statutes §8-30g

The proposed application proposes to rezone the above referenced parcel from RU-80/RU-40 to an Affordable Housing District ("AHD"). Upon review of the above referenced Zoning Referral with the 2009 Plan of Conservation and Development, as amended, I offer the following comments:

1. The 2009 Plan of Conservation and Development ("POCD"), as amended, recommends when planning for the location of future multi-family housing areas, this type of housing should have easy accessibility to shopping and business centers and be located near bus routes. While public transportation (a bus route) is not available along North Bride Brook Road, the proposed location is approximately 1-mile from Route 156 and the I-95 Rocky Neck Connector. As such, the proposed zone change and site development would appear to achieve this goal as it would permit multi-family type housing within a currently zoned Rural Residential RU-80/40 Zoning District that has relatively easy accessibility to shopping and business centers (albeit transit orientated) as it is located on a rural road 1-mile (as-the-crow-flies) to RT 156 and I-95 and approximately 3-miles to downtown Niantic, the village center.
2. The proposed change to an AHD Zoning District would not promote an additional variety of housing to the residential inventory near the Village Centers. The POCD recommends permitting multi-family housing development in designated growth areas when such development is used to combat housing sprawl to rural areas of town and consideration should be given to the following as characteristics of development sites in deciding the placement of multi-family housing:

- generally free of major site development constraints, such as wetlands, bedrock soils, steep slopes and primary aquifers
 - within the boundaries of, or readily connected to, the municipal water and sewer service area
 - accessible to arterial roadways
 - accessible to municipal services, particularly fire protection and schools
 - removed by distance, topography or vegetation from existing large-lot single-family residential development.
3. It should be noted, the proposed application doesn't propose to change the underlying zoning districts. The application has been submitted under Section 8-30g or the Connecticut General Statutes which, does not require an application for a zone change be submitted. However, the application has been referred to the Planning Commission for review of a proposed Zone Change at the above referenced site. As such, a zone change to an Affordable Housing District, would permit multi-family type housing within an area currently zoned RU-80 and RU-40 and has available Water and Sewer services are currently available to the site and has accessibility to an arterial roadway as well as an interstate highway.
4. Chapter 3, Section 3.3.1 of the 2009 POCD states "The public recognizes the need and the value of more housing choices in East Lyme. The 2007 Community Survey (Appendix B of the POCD) found support for more rental, senior housing, accessory units, and two-family homes. Residents voiced their preference for affordable housing where it would strengthen village centers and bring awareness that such residential development in Niantic and Flanders villages would provide pedestrian access to shopping, employment and Town facilities. Residents articulated their strong desire to accommodate affordable housing to reach the goal of 10-percent and their preference for well-planned affordable housing development that is compatible with the community's New England character."

In addition to providing affordable housing options for residents, they must also contribute to revitalizing villages and aging commercial strips. Smaller, more compact, dense housing is more appropriate for areas of village and mixed-use development where access to utilities and public transportation already exists. As such, the proposed zone change and site development based on its proposed location relative to Flanders or Niantic Village center would not necessarily strengthen the Flanders village center or would it provide for the safe and convenient pedestrian access to shopping, employment, and Town facilities located in Flanders or Niantic Village. However, as it does have easy access to North Bride Brook Road, RT 156, and Interstate 95 it could help strengthen Flanders Village and most likely will strengthen Niantic Village center as the development is within 3-miles of downtown Niantic.

It is worth noting, the POCD recommends that Incentive Housing Zones be considered and pursued in the certain identified areas. More specifically, it states "Designate incentive housing zones in areas outlined as locations where the Town wants to encourage affordable housing." As the East Lyme Zoning Commission has adopted Incentive Housing Zones

consistent with smart growth principles and the objectives of Public Act 07-4, the Town has identified where it wants to encourage affordable housing as well as where it would be most appropriately located and beneficial which, based on the 2009 POCD, is within a village or commercial centers of Niantic and Flanders where access to public transportation and utilities exist or are planned. However, an affordable Conservation Design Development single family subdivision verses an affordable multi-family development, would be more in keeping with the underlying RU-40 zoning district as it would provide for affordable single family detached dwelling units on individual parcels of land characteristic of the existing land use pattern in the immediate area.

Findings:

1.3 Objectives and Policies

Objective 1.1: To maintain the traditional New England character of the community and enhance the village identities of East Lyme.

Policy:

East Lyme offers an attractive residential environment and other quality-of-life factors, including expansive water views, extensive open spaces, a seaside village center, agricultural opportunities, recreational opportunities and quality public services. As such, the Town should maintain the unique character and personality of both Niantic and Flanders villages through the development of village area plans. Single family and two-family dwellings, small scale mixed-use, and senior housing, should be encouraged in the village districts. East Lyme should continue to provide for multifamily housing to meet need for a variety of housing types at affordable cost.

2009 POCD Compatibility

The proposed property is not located within the Niantic or Flanders Village District. In addition, the application proposes 80 Units comprised of 2-3bedrooms each. As such, the proposed zone change to permit the proposed site development does not appear to encourage single family and two-family dwellings or small scale mixed-use and senior housing in the village districts.

Section 32 of the East Lyme Zoning Regulations states “Wherever possible, the district shall be located in proximity to existing commercial districts and / or along a public transportation route.” The proposed application proposes to rezone an existing RU-80/RU-40 Zoning District to an AHD along North Bride Brook Road which, is in proximity to a major public transportation route, (Interstate-95 and CT Route 156). As such, a proposed zone change to permit the proposed site development does not appear to be inconsistent with Objective 1.1 of the 2009 POCD.

Chapter 3 Land Use

3.3 Mixed Use and Affordable Housing

“Residents voiced their preference for affordable housing where it would strengthen village centers and bring awareness that such residential development in Niantic and Flanders villages would provide pedestrian access to shopping, employment and Town facilities. Residents articulated their strong desire to accommodate affordable housing to reach the goal of 10-percent and their

preference for well-planned affordable housing development that is compatible with the community's New England character.”

**2009 POCD
Compatibility**

The proposed zone change would not provide for affordable housing within the Village centers of Niantic or Flanders but, rather within a Rural Residential RU-80/RU-40 zoning district. The proposed zone change would allow a residential development within an existing Residential Zoning district that permits residential uses.

Further, the Affordable Housing Study prepared for East Lyme by the SECHA (Southeastern Connecticut Housing Alliance), Appendix E of the POCD, recommends enhancing and reviving historic villages with architecturally compatible, infill development that adds life to East Lyme's community spaces and maximizes walkability and reduces auto-dependency for East Lyme residents by focusing on redevelopment rather than new development. The Zoning Commission adopted Incentive Housing Zones to take a proactive approach to the need for affordable housing and promote affordable housing development in our Village Centers. The proposed zone change does not encourage redevelopment or affordable housing within either of our village centers. In addition, the proposed zone change does not direct or focus affordable housing or redevelopment in the village centers where such development has been identified to be beneficial.

However, while the proposed location is within an existing RU-80/RU-40 zoning district outside the Niantic and Flanders Village centers, the site does have access to municipal services such as municipal water and sewer, direct easy access to a collector and arterial road leading to said village centers which are within 3-miles of the subject site.

Therefore, I offer the following resolution:

BE IT RESOLVED:

Pursuant to Section 8-3A of the Connecticut General Statutes, the Planning Commission of the Town of East Lyme, exercising its authority and having reviewed the proposal for a Zone Change, referenced above, **FINDS** the aforesaid proposal **CONSISTENT/INCONSISTENT** with the 2009 Plan of Conservation and Development as amended, based on the findings in the memorandum from Gary A. Goeschel, Director of Planning to the Planning Commission dated October 27, 2020, and offer the following comments and or recommendations:

- 1.
- 2.
- 3.
- 4.
- 5.

Etc...

