

Zoning Regulation Section 5.D
Dattilo Village Zone

D. DATTILO VILLAGE ZONE

1. PURPOSE. The Dattilo Village Zone (“DVZ”) is intended to allow the development of multi-family apartment homes at 26 Kirtland Street and surrounding parcels, with regulations and standards that are generally consistent with the regulations governing the Incentive Housing Overlay Zone, with modifications to allow development on the subject property that will qualify as a “set-aside development” as defined in General Statutes § 8-30g(a)(6).

2. ELIGIBLE LOCATIONS.

1. Only land within the following districts and served by a public utility for water, as defined in Section 11.C, shall be considered for the DVZ:
 - a. Neighborhood Commercial (NCD); or
 - b. Medium Density Residential (MDR).

3. PERMITTED USES.

1. A DVZ development that qualifies as a “set-aside development” as defined in General Statutes § 8-30g(a)(6).
2. Multifamily dwelling as permitted and limited by this section.
3. Accessory uses that are customary with and incidental to the above permitted uses.
4. Open space and/or recreation areas.

4. DEVELOPMENT REQUIREMENTS.

1. Minimum Lot Area: 15,000 square feet
2. Maximum Density Requirement: A development within the DVZ shall not exceed 20 units/acre of developable land, as defined by the Glossary, Section 11.C
3. Minimum Frontage: minimum 25 feet
4. Maximum Building Coverage: 30 percent
5. Maximum Floor Area Ratio: 0.30
6. Bulk Requirements:
 - a. Minimum Building Separation: 24 feet
 - b. Maximum Building Height: 35 feet

- c. Maximum Units Per Building: 10 units
7. Buffers: A landscaped buffer at least 15 feet in width, solid fencing or a combination of planting and fencing shall be provided along the property line where any DVZ development abuts any other property line. All buffer areas shall be planted or preserved in a natural state in a mixture of evergreen and deciduous trees and shrubs and shall be maintained in proper order. A landscaped buffer shall not be required along driveways or roadways providing access to or from a DVZ development or in any area requiring drainage runoff improvements, such as drainage swales or detention basins.
8. Design Standards:
- a. Architectural and site designs shall comply with the area and dimensional standards of this section.
 - b. All developments shall comply with handicap accessibility requirements mandated by local, state and federal laws.
 - c. All site plans shall make adequate provision for facilities and access for fire, police and other emergency protection.
9. Landscaping and Screening:
- a. Landscaping shall be provided and permanently maintained on the lot with an intent to reduce excessive heat, glare and dust, to provide privacy from noise and visual intrusion, to control erosion of soil and stormwater runoff, to enable recharge of groundwater and to avoid degradation of groundwater, wetlands and watercourses.
 - b. The use of native plant species, where feasible, is strongly encouraged.
 - c. The introduction of invasive plant species is prohibited and eradication of existing invasive species may be a required element of the landscaping plan.
 - d. All parking, service and storage areas adjacent to perimeter buffers required by Section 5.D.4.6 shall have enhanced screening from visible adjacent abutting properties.
 - e. Low Impact Development techniques shall be fully integrated with the overall landscaping of the site.
10. Open Space or Recreational Areas:
- a. No less than 20 percent of any DVZ development shall be designated as open space / recreational area.
 - b. Land reserved for open space or recreation shall not be used for the storage of equipment or the deposit of debris. Any physical improvements to open space /

recreation areas approved as part of the DVZ development shall be completed prior to issuance of a certificate of zoning compliance.

11. Parking Requirements:

- a. Off-street parking shall be provided in the amount of 1.5 parking spaces for each dwelling unit.

12. Signs:

- a. The provisions of Sections 7.B.3 and 7.B.4 shall apply to any DVZ development.

13. Lighting:

- a. All lighting shall conform to the requirements of Section 7.I.

14. Stormwater Management:

- a. All applications for a DVZ development must include a Stormwater Management Plan, prepared in accordance with Regulations Section 7.N.

15. Soil Erosion & Sediment Control:

- a. Soil erosion and sediment control standards shall conform to the requirements of Section 7.K.3.

16. Earth Excavation, Removal and Deposit:

- a. Earth excavation, removal, and/or fill is permitted for any DVZ development without the need for additional approval provided that such excavation, removal and/or fill is conducted in connection with the construction or alteration of a building or other structure for which the Zoning Commission has issued a site plan approval or for which a building permit has been issued. Earth excavation, removal, and/or fill for a septic system for which a septic permit has been issued is also permitted for any DVZ development.
- b. All Earth excavation, removal, and/or fill for any DVZ development shall comply with the standards in Section 7.L.1.6 and 7.L.2.

5. AFFORDABILITY REQUIREMENTS.

An application for a DVZ development shall include the following:

1. Documentation demonstrating that at least 30 percent of the dwelling units will be rented or conveyed subject to a restriction requiring that, for at least forty years after the initial occupation of the proposed development, the dwelling units will be sold or rented at, or below, prices that will preserve them as affordable units. In determining compliance with this paragraph, the Commission will utilize regulations or guidelines published by the Connecticut Department of Housing.

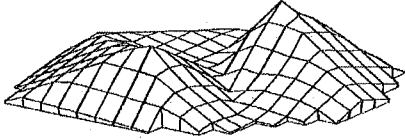
2. A "Housing Affordability Plan" prepared in accordance with General Statutes § 8-30g, §§ 8-30g-1 *et seq.* of the Regulations of Connecticut State Agencies, including:
 - a. The name and address of the proposed Administrator of the affordable units;
 - b. An affirmative fair housing marketing plan governing the sale or rental of the units;
 - c. The building schedule and location of the affordable units;
 - d. A sample calculation of rental rates for the affordable units;
 - e. Proposed enforceability;
 - f. Provision that the proposed Administrator shall file an annual report to the Commission, in a form specified by the Commission, certifying compliance with the provisions of this Section; and
 - g. Provision that the affordable units will be:
 - i. comparable to market rate / non-restricted units with regard to design, materials, finishes, and quality; and
 - ii. equitably located throughout the DVZ development.

6. APPLICATION PROCEDURE.

1. All applications for a DVZ development shall be subject to site plan review, in accordance with Section 9.D.2.
2. Site plans for a DVZ development shall include the following information in schematic form at a minimum scale of 1" = 100':
 - a. A location map showing all currently existing buildings or structures within 100 feet of the boundary lines of the DVZ development.
 - b. North arrow, date and scale.
 - c. A certified boundary survey conforming to the standards of Class A-2.
 - d. A topographic survey including contours at two-foot intervals in areas to be developed or otherwise disturbed, and ten-foot contour intervals for areas to remain undisturbed; flood plain delineations as shown on the most recent Flood Insurance Rate Map, Town of Westbrook; boundaries of all inland and tidal wetlands and watercourses as defined by CGS Sections 22a-29 and 22a-38.
 - e. Site, grading, drainage, and utility plans that adequately illustrate proposed land uses, the approximate location of residential lot lines and number of homesites, the location and type of proposed accessory and active recreational uses, the

location of proposed open space, prominent natural environmental features such as large areas of exposed ledge, specimen trees, lakes, ponds, streams or swamps, and the proposed location of roads, easements, buffers, public areas, and other major facilities.

- f. Soils map.
- g. Vegetation map, including existing tree lines.



Resource Management & Mapping

61 Liberty Street, Chester, CT 06412 860.526.2530 fred.guenther.rmm@gmail.com

LEGAL DESCRIPTION – DATTILO VILLAGE ZONE

A parcel of land located along the north side of Boston Post Road (US Route 1) in the Town of Westbrook, Middlesex County, State of Connecticut and shown as DATTILO VILLAGE ZONE on a plan titled "ZONE CHANGE DATILLO VILLAGE NEW DATTILO VILLAGE/NCD ZONES PREPARED FOR DATTILO FAMILY HOLDINGS LLC BOSTON POST ROAD WESTBROOK, CONNECTICUT" scale: 1"=50' and dated 04-28-21 prepared by Resource Management & Mapping and more particularly described as follows:

Beginning at a point at the southwest corner of the intersection of Boston Post Road and Kirtland Street marked by a Connecticut Highway Department (CHD) monument;

Thence generally northeasterly along the southwesterly street line of said Kirtland Street the following six (6) courses:

- 1) Thence N39°08'26"E bounded southwesterly by land now or formerly of the Southern New England Telephone Company a distance of 90.45 feet;
- 2) Thence N34°15'11"E bounded southwesterly partially by land now or formerly of the Southern New England Telephone Company and partially by land now or formerly of Julie A. Barrett & Jon A. Barrett, Trustees a distance of 130.63 feet;
- 3) Thence N35°00'44"E bounded southwesterly by land now or formerly of Julie A. Barrett & Jon A. Ttees a distance of 96.36 feet;
- 4) Thence N35°00'44"E bounded southwesterly by land now or formerly of Patricia K. Wright a distance of 102.44 feet;
- 5) Thence N50°34'01"E bounded southwesterly by land now or formerly of Doreen Holton a distance of 17.86 feet;
- 6) Thence N36°15'07"E bounded southwesterly by land now or formerly of Doreen Holton a distance of 64.29 feet to a point whence a steel pin with plastic cap stamped "LS 16528" bears N72°13'06"W a distance of 6.22;

Thence S72°13'06"E bounded northeasterly by land now or formerly of Frederick T. & Diane R Ruehl a distance of 42.00 feet to a steel pin with plastic cap stamped "LS 16528";

Thence S72°13'06"E departing said street line and bounded northeasterly by land now or formerly of Frederick T. & Diane R Ruehl a distance of 200.23 feet to an iron pipe;

Thence S69°45'44"E bounded northeasterly by land now or formerly of Timothy G. & Rita M. Stino a distance of 241.03 feet to an iron pipe;

Thence S67°42'29"E bounded northeasterly by land now or formerly of Timothy G. & Rita M. Stino a distance of 144.75 feet to a concrete monument;

Thence S19°19'20"W bounded easterly by land now or formerly of Barbara Stotler a distance of 196.89 feet to a steel pin and plastic cap stamped "LS 16528";

Thence S68°06'43"E bounded northerly partially by land of said Stotler and partially by land now or formerly of Sheila Robertson a distance of 151.09 feet to a steel pin and plastic cap stamped "LS 16528";

Thence S18°41'33"W bounded easterly by land now or formerly Michael Dattilo a distance of 187.33 feet to a wall corner;

Thence S29°42'54"W along said wall and bounded easterly by said land of Michael Dattilo a distance of 243.42 feet to a point whence a steel pin and plastic cap stamped "RMM LS 16528" bears N29°42'54"E a distance of 54.88 feet;

Thence N63°15'11"W a distance of 88.05 feet;

Thence N25°11'40"E a distance of 16.56 feet;

Thence N64°48'20"W a distance of 88.36 feet;

Thence N23°33'33"E a distance of 94.86 feet to a point on a stone wall marked by a drill hole;

Thence N62°40'55"W along said stone wall bounded southeasterly by said land of 1566 Boston Post Rd LLC a distance of 54.05 feet;

Thence N64°14'13"W along said stone wall bounded southeasterly by said land of 1566 Boston Post Rd LLC a distance of 70.48 feet to a wall corner;

Thence N23°34'44"E along said stone wall and bounded westerly by land now or formerly of Westbrook Land Conservation Trust a distance of 16.68 feet;

Thence N49°38'55"W along said stone wall and bounded southwesterly partially by said land of Westbrook Land Conservation Trust and partially by land now or formerly of Connecticut Water Company a distance of 200.02 feet to a drill hole;

Thence N58°14'50"W departing said stone wall and bounded southwesterly by land now or formerly of Dattilo Family Holdings LLC a distance of 10.15 feet;

Thence N48°37'23"W bounded southwesterly by land now or formerly of Dattilo Family Holdings LLC a distance of 77.71 feet;

Thence N51°29'03"W bounded southwesterly by land now or formerly of Dattilo Family Holdings LLC a distance of 111.64 feet to a point on a stone wall marked by a drill hole;

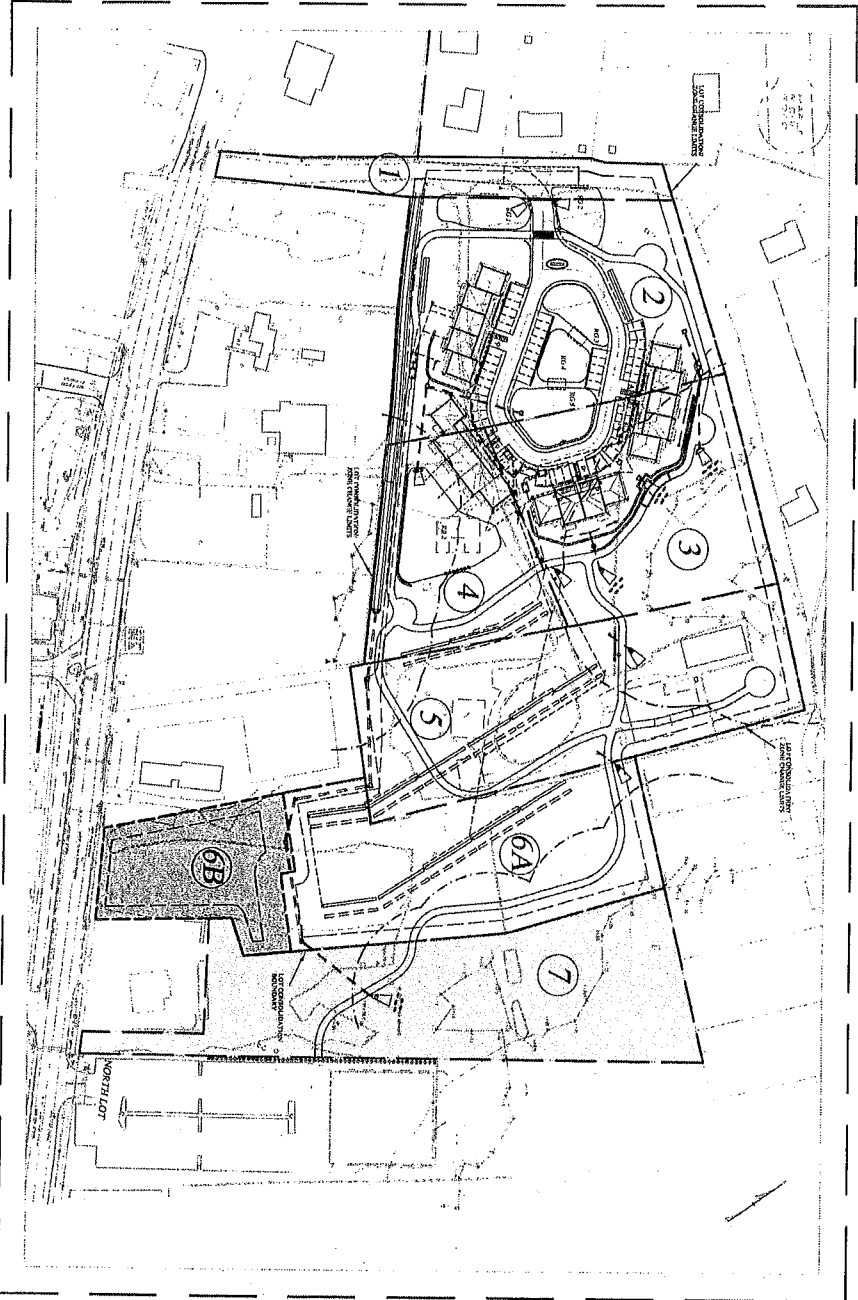
Thence N48°34'48"W bounded southwesterly by land now or formerly of Karen Lynn Hyde a distance of 122.82 feet to a steel pin on the southeasterly street line of said Kirtland Street;

Thence S40°25'40"W along said street line and bounded southeasterly by said land of Karen Lynn Hyde a distance of 222.72 feet to a point on the northeasterly highway line of said Boston Post Road marked by a railroad spike;

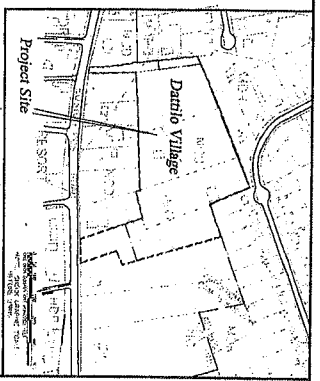
Thence N42°26'37"W along said highway line a distance of 29.42 feet to the point and place of beginning,

The above described parcel contains an area of 350,285 square feet (8.04 acres), more or less.

APPLICATIONS FOR:
DATTILO VILLAGE
WESTBROOK, CT.
 SUBMISSION TO:
ZONING COMMISSION
TOWN OF WESTBROOK, CT.



PROPOSED CHANGE OF ZONE EXHIBIT
 NTS



LOCATION MAP
 ZONING DISTRICTS

PROPOSED DATTILO VILLAGE ZONE

Lot Identifier

- ① Lot 182/003
- ② Lot 177/122
- ③ Lot 181/001
- ④ Lot 181/002
- ⑤ Lot 181/003
- ⑥A Lot 181/006

AREAS TO REMAIN ZONE "NCD"

- ⑥B Lot 181/006
 (lot lines to be revised)

- ⑦ Lot 181/188