

33.13.4 Utility Easements: Any Application for a Certificate of Zoning Compliance for a development including one or more utility easements shall be accompanied by a submitted affidavit signed by the owner of the property affirming that the easements of the utility will comply with the requirements of each owner. Issuance of the Certificate of Zoning Compliance is conditional upon the applicant filing with the Commission a written affidavit certifying to the easements of the utility. The Commission may waive this requirement for such developments which are located in areas designated as an area of the State Historic District.

33.13 Conservation Residential Developments (CRD): It is the policy and intent of this Paragraph to accommodate conservation development of tracts of land determined to be environmentally sensitive, including viable farm and forest lands, by allowing permissible and inevitable development to occur in a manner that adapts to the physical circumstances of the land. It proposes to accomplish this by removing the constraints of traditional lot area, shape and frontage requirements except to the extent necessary to assure buildability and service to the lots. The product should be a design that works within the limitations of the site, yields significant conservation features and protects environmentally sensitive aspects of the site. Applications for conservation subdivision developments of single family residential building lots that promote preservation and reservation of environmentally sensitive areas and that respect the physical circumstances and limitations of a tract of land shall conform to the following additional standards:

33.13.1 Location: The tract or parcel of land on which the conservation subdivision development is proposed shall be located entirely within a Residence R-1A or an R-1 District or a combination thereof, as officially delineated on the **Building Zone Map** of the City of Shelton.

33.13.2 Parcel Area and Shape: Each such conservation development subdivision shall be located on a contiguous parcel of land having a minimum area of 10 acres with a minimum of 50 feet on a City-accepted street to accommodate appropriate extension of said street and shall be of such shape that a square with 400 feet on each side will fit on the parcel. A parcel of lesser area may be considered for a **CRD** by the Commission if the proposed open space preservation will be adjunct to other preserved open space outside the **CRD** or the proposed **CRD** will result in the preservation and protection of one or more significant and/or unique natural features, similar to those identified in Subparagraph 33.13.9 below. For purposes of this Subparagraph, the proper accommodation of the Blue Dot or similar trail system, the Recreation Path or similar linear park/walk-way system, if recommended by the Trails Committee/Conservation Commission, shall be deemed a sufficient basis for consideration of a smaller minimum parcel size.

33.13.3 Development Density: The maximum number of single family homes shall not exceed the number of lots that can be created on a preliminary subdivision plan of all land within the parcel, approved by the Commission as meeting the requirements of the Subdivision Regulations of the City of Shelton and showing a conventional layout of lots in accordance with the appropriate

Residence R-1A or R-1 District zoning standards, as applicable to the subject parcel. Said preliminary plan shall include open space provisions and shall receive a favorable report from the Shelton Inland Wetlands Agency and other appropriate City departments indicating the likely approval of such conventional subdivision plan.

33.13.4 Conservation Development Subdivision Plan: A preliminary conservation plan shall be prepared at a scale of not less than 100 feet to the inch, meeting the requirements of the Subdivision Regulations showing a conservation layout in accordance with the standards set forth herein, and including but not limited to proposed roads, lots, typical building footprints, orientations, driveway locations, utility lines, open space and conservation areas whether in "fee" or by easements, existing and proposed grading, etc. in sufficient detail to adequately evaluate the preliminary proposal. Said plan shall include adjacent areas at least 200 feet beyond the limits of the proposal.

33.13.5 Lot Standards: Individual lots for single family dwellings shall be established by formal subdivision of land in accordance with the procedures of the Subdivision Regulations of the City of Shelton. Lot sizes shall be as needed to accommodate the proposed Conservation Development Plan, with ample area for buildings and utility systems, but in no case shall the minimum lot area be less than 25,000 square feet. Each lot shall have a minimum frontage of 50 feet on a street. Setbacks shall conform to those required for a conventional R-1 lot as set forth in **SECTION 24 - AREA, LOCATION AND BULK STANDARDS, SCHEDULE B**. Notwithstanding other provisions set forth elsewhere in the Zoning Regulations, any number of interior lots are permitted if deemed appropriate on the Conservation Plan. Interior lots shall conform to the same area and setback requirements applicable to other lots as set forth above. Except as provided above, said interior lots shall comply with all provisions of Section 24.11. Notwithstanding the limitations of Section 24.11.1, the Commission may approve up to three (3) adjoining accessways to occur at any one location.

33.13.6 Utilities: All utility lines serving the development shall be located underground. Each building lot and all dwellings shall be served by public water supply. In unusual circumstances where extension of public water supply to one (1) or more remote or isolated lots is deemed by the Commission to be infeasible or impracticable, the Commission may permit those lots and the dwellings thereon to be served by an adequate on-site source, subject to the approval of the Valley Regional Health District. Under no circumstances shall such lots exceed 10% of the total lots in the development. In such instances of on-site water supply, the Commission may require such lots to contain a minimum lot area of 40,000 square feet and where two (2) or more such lots are contiguous to each other, the Commission may require them to be excluded from the CRD and designed as conventional lots conforming to all basic standards for residential lots in the Residence R-1 District. When located within an established service area, and when practicable, the development shall be served by extension of the Shelton municipal sanitary sewer system.

- 33.13.7 Parking:** Two off-street parking spaces shall be provided for each dwelling, at least one of which shall be located within an enclosed garage. Parking areas for boats, trailers and other recreational vehicles shall be located behind the front wall of the dwelling and shall be screened from view from the street or from any other lot.
- 33.13.8 Open Space and Conservation Area:** The Conservation Plan shall result in the preservation of not less than 25% of the gross area of the site or a minimum of five (5) acres, whichever number is greater, as natural area. This five (5) acre minimum requirement may be reduced for those Conservation Plans of parcels for which the Commission has approved a lesser minimum area than the 10 acres under the provisions of Subparagraph 33.12.2, provided the open space preservation is not less than 25% of the gross area. Said preservation shall be to the satisfaction of the Commission and accomplished by means of "fee" conveyance to the City, the Shelton Land Trust or other appropriate entity as may be approved by the Commission. In lieu of fee conveyance, the Commission at its sole discretion, may accept the permanent preservation of some of the land through conservation easements and the appropriate conveyance of development rights.
- 33.13.9 Protection/Preservation of Natural Features:** All stone walls, significant ledge outcroppings, major trees (exceeding 15 inches in diameter), unless situated in areas to be protected, unique wildlife habitats, environmentally significant or sensitive areas and other significant physical features of the site shall be appropriately delineated on an existing conditions map of the parcel. The conservation plan shall make provisions for appropriate protection of these areas or shall provide adequate justification for the proposed impacts on such areas. Adequate sediment and erosion control methods shall be employed to mitigate potential adverse impacts due to proposed construction activities.
- 33.13.10 Street Layout and Design:** Street planning should encourage curvilinear road layouts and cul-de-sacs where possible but should provide for through street connections when necessary for overall City and neighborhood circulation purposes. The Commission may permit alternative geometric design standards on permanent dead end streets to allow reverse curves, a pavement width reduction to 24 feet, clearing and grading only as needed to accommodate proposed construction, etc.
- 33.13.11 Referrals:** Upon receipt of a complete **Special Exception** Application, the proposal shall be referred to the Shelton Conservation Commission, the Inland Wetlands Agency, the Shelton Open Space Committee and such other Boards and Commissions as deemed appropriate, and the Commission shall solicit their comments concerning the degree of environmental sensitivity associated with the property. Any reports, recommendations, comments and suggestions provided by said groups shall be received by the Commission at least 5 days prior to the conclusion of the public hearing thereon and shall be considered by the Commission in rendering its decision on the Application.

33.13.12 Authorization: Approval of the **Special Exception** for the Conservation Residential Development constitutes approval of the development concept and the overall plans for the proposal, authorizing an **Application for Subdivision Approval** under the provisions of the Subdivision Regulations of the City of Shelton and in accordance with the modified standards of the approved **Special Exception**.

33.14 Special Exception Uses in the Office Park District: Within any Office Park District (OPD), all applications for **Special Exception** uses that primarily serve customers, clients and/or patients on the premises shall also conform to the following additional standards:

33.14.1 Definitions: For purposes of this Section, such uses shall include the customer service component of banking facilities, all patient-oriented medical and dental services, and other such activities having a significant component devoted to regular, daily customer activity on the premises. Such uses shall not include those business and professional offices with incidental, infrequent client activity, such as architects, lawyers, accountants, consulting physicians, etc. The Commission shall make a final determination for marginal activities.

33.14.2 Lot Area and Shape: The proposed use shall be located on a lot meeting the minimum requirements for a standard lot as set forth in **SCHEDULE B**. In addition to the proposed use, certain other permitted uses not in conflict with the proposed activity may be located on the same parcel when combined within the same structure.

33.14.3 Location: The lot on which the proposed use is to be located shall front directly on Bridgeport Avenue (Conn. Route 714), with direct access thereto or to an acceptable intersecting street at a point not more than 300 feet from Bridgeport Avenue (Conn Route 714). In its review of the proposed location, the Commission shall give full consideration to the affect of the proposed customer/patient activity on adjacent uses and activities. No building in which a use primarily serving customers/patients on the premises shall be located within 500 feet of any building containing another such activity.

33.14.4 Drive-up Facilities: Bank Drive-up lanes providing access to teller windows, remote teller stations, A.T.M. locations and similar facilities providing service to customers outside of the principal building are permitted, providing such facilities do not exceed three (3) in number and provided further that no such facility shall be located within 1,000 feet, as measured in a straight line, from any other drive-up facility.

33.14.5 Parking: There shall be at least one off-street parking space for each 200 square feet of floor space devoted to such business and professional use, and located on the same lot with the building. The Commission reserves the right to request such additional parking spaces as it deems necessary to satisfy the needs of the intended office tenants and their customers and clients. The Commission may, at its own discretion, permit a delay in the installation of up to 25% of the required parking provided it can be shown where the total parking will be provided and an acceptable mechanism established to guarantee