

REF 17-079



TOWN OF MADISON
CONNECTICUT
LAND USE OFFICE

8 CAMPUS DRIVE
MADISON, CONNECTICUT 06443-2563
(203) 245-5632
FAX (203) 245-5613

September 28, 2017

Received for record 10/2/17
at 10:30 AM and recorded by
Sharon Uricchio Town Clerk

Sharon Uricchio
Town Clerk
54 East Main Street
Clinton, CT 06413

RE: 17-25. Zone Change & Regulation Amendment. Applicant: Shoreline Warehousing, LLC.
Petition for a Zone Boundary Change from R-2 District to Light Industrial District at 1 Bishop Lane,
12 Bishop Lane, and other land on Bishop Lane (Map 50, Lot 5). Also, Petition for a Regulation
Amendment to Section 7.1.1 to allow all uses in the C District.

Dear Ms. Uricchio:

Pursuant to the Connecticut General Statutes, you are hereby notified of the pendency of
the above referenced application before the Madison Planning and Zoning Commission.
A copy of the application is enclosed.

This application will be before our Planning and Zoning Commission on Thursday,
October 19, 2017, at 7:30 P.M., Room A, Madison Town Hall, 8 Campus Drive,
Madison, Connecticut.

We look forward to your comments after your review.

Sincerely,

Mary R. Haburay
Land Use Assistant

Enclosure

I hereby certify that the
foregoing is a true copy.
Ashley Unitas, Asst. Town Clerk
Ashley Unitas, Asst. Town Clerk



MADISON PLANNING & ZONING COMMISSION

TOWN OF MADISON
Land Use Office, 8 Campus Drive, Madison, CT 06443
203 245-5632

- PETITION FOR REGULATION AMENDMENT
- PETITION FOR ZONE BOUNDARY CHANGE

(FOR OFFICE USE ONLY)

Appl. No. 17-25
 Date Filed 9/20/17
 Fee Paid \$500.00
 DEP Fee \$60.00
 Unique ID 00333800
 Date of Receipt 10/19/17

FILE

1. LAND LOCATION AND DESCRIPTION (for Zone Boundary Change Petitions):
 - a. Street Address: One Bishop Lane, Madison, CT
 - b. Map: 50 Lot: 17 Zoning District: R-2 Total Acreage: 7.04 Acres

2. TITLE OF PROJECT: Proposed Zone Boundary Amendment - To Change LI Zone Boundary to Add Three Properties Currently In R-2 Zone

3. PETITIONER:
 - a. Name: Shoreline Warehousing, LLC
 - b. Mailing address: One Bishop Lane, Madison, CT
 - c. Phone: _____ Fax: _____
 - d. If corporation, list names and addresses of officers:

 - e. Interest in property: Fee ownership

4. RECORD OWNER (for Zone Boundary Change Petitions):
 - a. Name: Shoreline Warehousing, LLC
 - b. Mailing Address: One Bishop Lane, Madison, CT
 - c. Phone: _____ Fax: _____ email: _____

5. DESIGNATED CONTACT:
 - a. Name: Atty. Timothy W. Shields, Cronan and Shields, LLC
 - b. Mailing Address: 20 Water Street, Guilford, CT 06437
 - c. Phone: 203-453-2786 Fax: 203-689-5961 email: TShields@cands-lawfirm.com

6. PROFESSIONAL ENGINEER:
 - a. Name: Hendricks Associates, LLC
 - b. Mailing Address: 71 Lyme Street, P.O. Box 965, Old Lyme, CT 06371
 - c. Phone: 203-453-0853 Fax: _____ email: _____

7. LICENSED LAND SURVEYOR:
 - a. Name: Hendricks Associates, LLC
 - b. Mailing Address: 71 Lyme Street, P.O. Box 965, Old Lyme, CT 06371
 - c. Phone: 203-453-0853 Fax: _____ email: _____

8. LICENSED ARCHITECT:

- a. Name: N/A
b. Mailing Address: _____
c. Phone: _____ Fax: _____ email: _____

9. LANDSCAPE ARCHITECT / LANDSCAPER:

- a. Name: N/A
b. Mailing Address: _____
c. Phone: _____ Fax: _____ email: _____

10. ATTORNEY:

- a. Name: Atty. Timothy W. Shields, Cronan and Shields, LLC
b. Mailing Address: 20 Water Street, Guilford, CT 06437
c. Phone: 203-453-2786 Fax: 203-689-5961 email: TShields@cands-lawfirm.com

11. This Petition requests an amendment to the Zoning Map or to boundaries of certain Zoning Districts, and there is attached:

- A map clearly indicating the area to be reclassified and specifying the present classification and proposed new classification with existing and proposed boundaries;
- A list, keyed to the map, of the names and addresses of the record owners of land within, and within 500 feet outside, the area to be affected by such reclassification;
- Area computations, by record owner, for all parcels or portions of parcels within, and within 500 feet outside, the area to be affected by such reclassification;
- A complete written description by metes and bounds or courses and distances, of the location of any new District boundary or boundaries proposed.

AND/OR

12. This Petition requests an amendment to the text of the Regulations and there is attached:

- A full text of the proposed change in the Regulations, clearly indicating existing provisions to be repealed and new provisions to be enacted.

13. **SUBMISSION REQUIREMENTS include a complete and comprehensive statement of the reasons for any proposed change, including any special interest the Petitioner(s) may have in such change.**

14. COASTAL BOUNDARY. Petitions affecting land partially or fully within the Madison Municipal Coastal Boundary must be referred to CT DEP Office of Long Island Sound Programs.

Site is is not within the Coastal Boundary.

15. ADJOINING MUNICIPALITIES. Petitions affecting sites within 500 feet of, or affecting, an adjacent municipality require notification to that municipality and to the regional planning agency.

- Site is within 500 feet of an adjoining municipality.
- Site is not within 500 feet and will not impact any adjacent municipality.

16. WATER COMPANY NOTIFICATION. The applicant must provide written notice to the affected water company and to the CT Department of Public Health when any petition affects an aquifer protection area or watershed of that water company.

- Project is not within an aquifer protection area or watershed of a water company.
 Project is within an identified Level A Aquifer Protection Area or a water company watershed and that company and the CT DPH have been notified.

20. CONSERVATION COMMISSION INFORMATION.

- a. Is the property enrolled in any local or state forest, open space or farm tax abatement program? yes no. If yes, then please describe:

- b. Have any prior proposals and/or applications been submitted for this site?
 yes no. If yes, please describe (attach additional sheets if necessary).

- c. Identify all known dedicated or managed open space (e.g., Madison Land Conservation Trust, Subdivision Open Space), and any conservation easements (e.g., Madison Land Conservation Trust, Nature Conservancy) and indicate locations on the Plan(s).

None

- d. WATERSHED. Identify by name and number the Subregional Drainage Basin in which the property is located and indicate the boundaries on the Plan(s).
5000-15 (Boundary maps are available for viewing in the Land Use Office or on the CT ECO website, www.cteco.uconn.edu/index.htm.)

- e. UNIQUE HABITATS/SPECIAL AREAS. Site has does not have Unique Habitats or Special Areas as identified by DEP and/or the Town of Madison Plan of Conservation and Development. (DEP information available at CT ECO website, www.cteco.uconn.edu/index.htm. If yes, provide details and indicate the location on the Plan(s).

- f. HISTORIC RESOURCES. Does the property contain any of the following? Check all that apply.

- Archaeologically significant sites Stone walls
 Historically significant sites (e.g., iron works, mill sites)

Locate on the Plan(s) and describe in the space below. For information on archaeological sites, contact the Office of State Archaeology (State Archaeologist Nicholas Bellantoni, phone 860-486-5248, email nicholas.bellantoni@uconn.edu).

g. RECREATIONAL RESOURCES. Does the property contain, or is it adjacent to, any of following? Check all that apply.

Maintained trails

Recreational areas

Other: _____

Locate on the Plan(s) and describe in the space below. (Information may be obtained from the Madison Land Conservation Trust, the Regional Water Authority, the Madison Recreation Department, the Madison Plan of Conservation and Development.)

h. SCENIC RESOURCES. Does the property contain any scenic vistas, scenic areas, or scenic roads? yes no. If yes, locate on the Plan(s) and describe in the space below.

i. Attach any additional information which may be helpful to the Commission's review.

17. SIGNATURES REQUIRED ON THIS APPLICATION. The following is the legal agreement regarding this petition which must be signed by the applicant and by all property owners of property for which a zone boundary change is petitioned.

The undersigned hereby applies for approval of the foregoing Zone Boundary Change and/or Regulation Amendment and declares that the statements contained in this application and in all documents and/or drawings submitted as part of same are, to the best of his/her knowledge and belief, true and accurate as presented.

PETITIONER(S)



signature

Shoreline Warehousing, LLC

print name

date

9/18/17

signature

print name

date

OWNER(S)



signature

Shoreline Warehousing, LLC

print name

date

9/18/17

signature

print name

date

g. RECREATIONAL RESOURCES. Does the property contain, or is it adjacent to, any of following? Check all that apply.

- Maintained trails
- Recreational areas
- Other: _____

Locate on the Plan(s) and describe in the space below. (Information may be obtained from the Madison Land Conservation Trust, the Regional Water Authority, the Madison Recreation Department, the Madison Plan of Conservation and Development.)

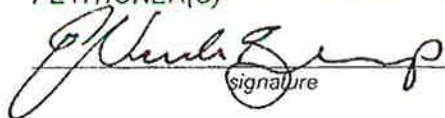
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PETITIONER(S)


Shoreline Warehousing, LLC
9/18/17

signature
print name
date

signature
print name
date

OWNER(S)


Shoreline Warehousing, LLC
9/18/17

signature
print name
date

signature
print name
date

Proposed Text Amendment

LIGHT INDUSTRIAL DISTRICTS

7.1 Uses permitted in LI Districts by Special Exception only pursuant to §4.2 through §4.8.

7.1.1 Any use permitted in a CB District, ~~excluding residential.~~

Statement of Purpose

Application to Amend Zone Boundary - One Bishop Lane, Madison, CT

with

Accompanying Application to Amend Text of Zoning Regulations

The applicant and the owner of the property located at One Bishop Lane, Madison, CT has filed this application to amend the Zone Boundary of the Madison Light Industrial Zone to include 3 properties within the Light Industrial Zone for the reasons set forth herein. The properties to be included in the proposed expanded zone are as follows:

The application also includes a proposal to amend the text of Section 7 of the Zoning Regulations (Light Industrial District), to permit the continued use of properties for residential purposes.

The property located at 12 Bishop Lane (Assessor's Map 50/6) and owned by New Bishop Park Associates, LLC is already partially within the LI Zone. The property shown as Assessor's Map 50/5, having an address shown only as "Bishop Lane" (no street number) and owned by Charles A. Henriques, is also already partially within the LI Zone. The inclusion of these properties in the proposed expanded zone would be consistent with the Commission's policy of seeking to make zone boundary lines congruent with property boundary lines and to thereby eliminate lots that are bifurcated by zone lines.

The applicant's property (Assessor's Map 50/17) is directly across Bishop Lane from the other two properties proposed for inclusion in the expanded zone and lies approximately ±325 feet to the east of the current Light Industrial Zone boundary.

All of these properties are presently covered by a "site specific special exception" (Section 4.1.9) which specifically references, and permits by Special Exception, the following uses presently permitted in Section 7 of the Zoning Regulations (Light Industrial Districts.)

7.1.2 A laundry, cleaning and dyeing works, and carpet or rug cleaning.

7.1.3 The manufacturing, processing or packing of foods, non-alcoholic beverages, toilet supplies, pharmaceuticals, perfumes and similar products.

7.1.4 The manufacturing of pottery and ceramic products, provided the kilns are fired by gas or electricity only.

7.1.5 The finishing or assembling of articles made from woods, metals, plastics, textiles, paper, glass, leather, fiber and similar products.

7.1.6 A foundry casting non-ferrous metal.

7.1.7 A paint, woodworking, sheet metal, blacksmith or machine shop, but excluding drop hammers, provided that any such use creates no objectionable noise, dust, smell, smoke or gas which is noticeable outside the LI District in which it is located.

7.1.8 A storage warehouse.

7.1.9 The manufacturing of concrete products.

7.1.10 The storage of petroleum products, provided that tanks for such purpose do not exceed 20,000 gallons capacity.

7.1.11 Customary accessory uses. Trailers shall not be kept on any property unless a Special Exception Permit application has been made to and approved by the Commission.

7.1.12 Sign pertaining only to a business conducted on the premises and otherwise as provided in Section 10.

Section 7 also presently permits the following uses by Special Exception:

7.1.13 In the Light Industrial District on the Hammonasset River, marinas, provided that customary uses under §7.11 not include swimming pools.

7.1.14 Clubs.

7.1.15 Municipal buildings, fire houses, bus or railroad passenger stations, and other public utility buildings.

7.1.16 Philanthropic, educational, recreational or religious use by a duly incorporated, non-profit body or governmental unit, excluding correctional institutions and mental institutions.

7.1.17 Parks and playgrounds operated by a governmental unit, non-profit corporation or community association.

7.1.18 A day care center or a nursery school for more than six persons at any one time, provided that no objectionable noise is audible off the premises.

7.1.19 Veterinary hospitals and indoor boarding kennels for dogs, cats and similar small animals.

7.1.20 The keeping of trailers for purposes accessory to the primary use of the lot, subject to the following:

- a. No trailer is to be used for dwelling purposes.
- b. No trailer is to be permanently installed on the property.

7.1.21 Medical Marijuana Production Facilities.

The use specified in Section 7.13 has no applicability here since the Zone Boundary which would be affected by this application does not border of the Hammonasset River.

The uses specified in Sections 7.14 through 7.19 are nothing more than uses permitted in Residential Districts and are already permitted under the "site specific special exception". It is noted, however, that the language presently used in Section 7 expressly prohibits residential uses although the basis for such an exclusion are not obvious. Moreover, this issue could be addressed by a textual change to permit residential uses by Special Exception.

The use specified in Section 7.19 is no more than a sensible extension of ancillary uses in commercial zones.

The use specified in Section 7.20 is acknowledged to involve a expansion of the uses presently permitted by the "site specific special exception".

In summary, by approving the proposed Zone Boundary Amendment, especially if it is amended to incorporate all of the area presently covered by Section 4.1.9 (the "site specific special exception"), the Commission could accomplish another of its salient goals of eliminating site specific special exceptions and moving the Town towards a more homogeneous and rationalized scheme of zoning regulation.

Approving this application could also be accomplished without in any way affecting or changing the present character to the neighborhood since the uses permitted under the present "site specific special exception" are virtually identical to those permitted in the Light Industrial Zone.

For all the foregoing reasons, we respectfully request the Commission approve the accompanying application.
