



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. 18-13 OSCD

Date Filed 4/3/18

Fee Paid \$500.00

DEP Fee \$60.00

Unique ID 00467901

Date of Receipt 4/19/18

FILE

1. LAND LOCATION AND DESCRIPTION (for Zone Boundary Change Petitions):
 - a. Street Address: Rear of 318 Horsepond Road
 - b. Map: 80 Lot: 19 Zoning District: RU-2 Total Acreage: 22.10
2. TITLE OF PROJECT: "MARKHAM PLACE"
3. PETITIONER:
 - a. Name: Horsepond Estates, LLC
 - b. Mailing address: c/o 920 South Colony Road, Wallingford, CT 06492
 - c. Phone: 203-410-7649 Fax: 203-284-8509
 - d. If corporation, list names and addresses of officers:

 - e. Interest in property: Owner / Developer
4. RECORD OWNER (for Zone Boundary Change Petitions):
 - a. Name: Horsepond Estates, LLC / Car Wash Realty, LLC / Donn v & Mary Louise Dobson
 - b. Mailing Address: c/o 920 South colony Road, Wallingford, CT 06492
 - c. Phone: 203-410-7649 Fax: 203-284-8509 email: dominick@demartinorealty.com
5. DESIGNATED CONTACT:
 - a. Name: David V. Carson, Managing Principal OCC Group, Inc.
 - b. Mailing Address: 2091 Highland Avenue, Cheshire, CT 06410
 - c. Phone: 203-250-7526 Fax: 203-271-2727 email: office@occdesign.necoxmail.com
6. PROFESSIONAL ENGINEER:
 - a. Name: OCC Group, Incorporated
 - b. Mailing Address: 2091 Highland Avenue, Cheshire, CT 06410
 - c. Phone: 203-250-7526 Fax: 203-271-2727 email: office@occdesign.necoxmail.com
7. LICENSED LAND SURVEYOR:
 - a. Name: OCC Group, Incorporated
 - b. Mailing Address: 2091 Highland Avenue, Cheshire, CT 06410
 - c. Phone: 203-250-7526 Fax: 203-271-2727 email: office@occdesign.necoxmail.com

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: Dennis Cenevive
b. Mailing Address: 721 broad Street, Meriden, CT 06450
c. Phone: 203-237-8808 Fax: 203-237-4240 email: debbie@cenevivalaw.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, be 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).

6 Excavation Permits from 2004 thru 2015

- 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).

Conservation Easement Agreement

- 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).
5106 _____ (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.

Rear of property overlooks the Hammonasset River

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)

 Dominick DeMentino 3/28/18
signature print name date

signature

print name

date

OWNER(S)

 Dominick DeMentino 3/28/18
signature print name date

signature

print name

date

OCC Group, Incorporated

ENGINEERS • SURVEYORS • PLANNERS
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OSCD NARATIVE FOR "MARKHAM PLACE"

The Open Space Conservation District as proposed encompasses the undeveloped portions of the parcels previously owned by the heirs of the original Markham Estate off Horsepond Road. The undeveloped portions of these parcels will be merged into a single unified parcel of 22.10 Acres for the proposed development of "Markham Place".

As configured this unified parcel offers the opportunity to provide for more efficient housing development, while preserving significant perimeter areas of natural terrain as Open Space. This Open Space which encompasses 11.05 Acres will provide for the effective environmental protection of existing waterways (namely the Hammonasset River and Whedons Pond) under the watchful eye of the Madison Land Conservation Trust.

The centralized development area provides for the efficient layout of 16 lots supporting reasonably priced homes on a permanent cul-de-sac. These lots will have a minimum area of 25,000 SF, with 40' front yards, 20' side yards, and 25' rear yards, as well as support a 120' square in order to achieve a conventional subdivision appearance in terms of lot frontage and building setbacks. Street trees, lot corner fencing with planting beds, and typical house foundation shrubbery will be provided on all lots.

The efficiency provided by the proposed subdivision layout not only benefits the community with the preservation of undeveloped land on this specific parcel; but to a certain degree the probable preservation of other land within the community by addressing a greater percentage of the Town's overall housing inventory and diversity.

To further enhance the ecological value of the proposed Open Space, the entire perimeter of the development area will be planted with a variety of evergreen trees. In addition to improving the environmental aesthetics of the subdivision, this screening will also provide for increased wildlife habitat and soil conservation.

In conclusion we believe the designation of this area as an Open Space Conservation District will provide for the highest and best use of this land within the context of the Madison Zoning Regulations.

**Respectfully submitted,
OCC Group, Incorporated**

David V. Carson

**David V. Carson
Managing Principal**

OCC Group, Incorporated

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DEED DESCRIPTION OF OPEN SPACE CONSERVATION DISTRICT FOR "MARKHAM PLACE" OFF HORSEPOND ROAD, MADISON, CT

Commencing at a point on the easterly street line of Horsepond Road, said point being S 03° 08' 21" W a distance of 97.18 feet from a CHD Mon. and the northwesterly corner of the parcel herein described;

Thence proceeding clockwise around the parcel the following courses:

N 80° 16' 47" E a distance of 230.34 feet,

N 79° 24' 40" E a distance of 188.18 feet,

N 79° 56' 19" E a distance of 328.78 feet,

N 79° 46' 48" E a distance of 763.10 feet

to a fence post marking the northerly end of the Survey Closure Line,

N 79° 46' 48" E a distance of 123 +/- feet

to a point on the centerline of the Hammonasset River, said point being the northeasterly corner of the parcel herein described;

Thence proceeding southerly a distance of 807 +/- feet

along the centerline of the Hammonasset River, said line being the

Madison/Clinton Town Line, to a point marking the southwesterly corner of the parcel herein described;

Thence continuing clockwise around the parcel the following courses:

S 88° 47' 32" W a distance of 173 +/- feet

to a fence post marking the southerly end of the Survey Closure Line,

S 88° 47' 32" W a distance of 292.93 feet,

S 87° 54' 52" W a distance of 168.33 feet

to a point marked by an iron pin,

S 11° 50' 11" E a distance of 383.98 feet

to a point marked by an iron pipe,

S 02° 56' 40" E a distance of 67.79 feet

to a point marked by a monument,

N 75° 48' 25" W a distance of 388.11 feet,

N 09° 32' 01" E a distance of 98.84 feet,

S 87° 45' 39" W a distance of 310.13 feet,

N 03° 08' 21" W a distance of 237.29 feet,

S 86° 51' 39" W a distance of 250.02 feet, and

S 86° 35' 37" W a distance of 175.00 feet

**to a point on the easterly street line of Horsepond Road:
Thence proceeding northerly along said street line
N 03° 08' 21" W a distance of 243.30 feet
to the point and place of beginning.**

**The above described parcel encompasses 22.10 Acres and is more particularly
show on a map entitled: "Boundary Map of the proposed Open Space
Conservation District for the development of 'Markham Place' off Horsepond
Road, Madison, Connecticut; Scale: 1" = 60'; Date: Mar. 29, 2018" prepared by
OCC Group, Incorporated and certified Class A-2 by Eric D. Carson CTLS 70275**