

April 27, 2009

Public Hearing  
Amendment to the Zoning Regulations  
Section 222.06 Permitted Uses

Present: Bart Flaherty, Chairman  
Doug Furtek  
Jeff Lawlor  
Ed Phipps  
Jim Tanner

Absent: Jared Heon

Others Present: Fred D'Amico, City Engineer  
Oswald Inglese, Planning Consultant  
Kevin Blake, Corporation Counsel- arrived 7:05 p.m.  
Steve Blume, President Board of Aldermen

The Public Hearing of the Planning & Zoning Commission to hear the Commission-initiated amendment to the Ansonia Zoning Regulations to insert a new subsection 222.06 – Permissible Uses was called to order at 7:00 p.m. by Chairman Flaherty.

All present rose and Pledged Allegiance to the Flag.

The secretary called the roll. There was a quorum present.

Chairman Flaherty read the call of the meeting as follows:

Notice of Public Hearing  
April 27, 2009  
Amendment to the Zoning Regulations  
City Center Zone – Section 222

Notice is hereby given that the Ansonia Planning and Zoning Commission will hold a public hearing , Monday, April 27, 2009 at 7:00 p.m. at the Ansonia City Hall, 253 Main Street,

Ansonia, CT on the Commission-initiated amendment to the Ansonia Zoning Regulations to insert a new subsection 222.06 - Permissible Uses in its entirety.

A copy of the proposed section 222.06 – Permissible Uses is on file at the Office of the Town & City Clerk, 253 Main Street, Ansonia, CT 06401.

At said hearing interested persons may appear and be heard and written communications will be received.

Dated at Ansonia, Connecticut this 16<sup>th</sup> day of April, 2009.

ANSONIA PLANNING & ZONING COMMISSION  
Bartholomew R. Flaherty, III, Chairman  
Jo-Lynn Flaherty, Secretary

Publish 2 times:  
Thursday, 4/16/09  
Thursday, 4/23/09

The proposed amendment is as follows:

### **PROPOSED AMENDMENT TO THE ANSONIA ZONING REGULATIONS**

To insert new subsection 222.06 in its entirety and to read as follows:

“Section 222.06 – Permissible Uses

Except for the uses prohibited and listed under Section 222.05, the following uses are permissible within the City Center Zone:

- a). Any other use permissible in the underlining zone;
- b). Mixed residential and retail uses providing that:
  - 1. the premises is on a site of no less than one half (1/2) acre in size and is located entirely within the City Center Zone;
  - 2. the residential and/or commercial/office uses will be confined to the upper floors and that the first street level floor will be used only for commercial retail uses and/or for restaurant purposes;
  - 3. the total number of dwelling units shall not exceed a density of one dwelling unit for each twelve-hundred (1,200) square feet of land area on the premises and that the dwelling units shall not contain more than two (2) bedrooms;
  - 4. that parking can be provided and/or will be available as required by the Zoning Regulations; and that

5. following special permit application, the Commission designates the site and approves the special permit application including the accompanying site plan.”

Reasons: To permit and encourage mixed use buildings having first floor level retail/commercial and upper floor levels residential and/or retail/office uses in accordance with the recommendations in the City Center Plan.

Draft: 03/25/09

Revisions: 03/31/09

Mr. Inglese stated this is a commission-initiated amendment and its purpose is to carry further the implementation of the City Center Plan. This is a very simple amendment and consists of one new subsection that would allow mixed land uses to coexist on the same premises. It is self-limited as it can only happen within the City Center Overlay Zone and providing that:

1. The commission designates the site
2. That the land involved is one half of an acre
3. That the lower floor area must invariable be for retail or restaurant purposes
4. 4 that the number of units does not exceed a density equivalent to one dwelling unit for every 1,200 square feet of land area
5. And that the there is parking available.

It is believed that mixed uses would help to revitalize the City Center by allowing dwelling units to occupy upper floors of buildings and by allowing retail and restaurant establishments to occupy first floor street-level spaces. These retail establishments would support not only the demand for goods and services of those living in the dwelling units above but it would also serve downtown visitors and shoppers.

The benefits of mixed use building in downtown areas has been recognized and put in practice in many communities around the country. In Connecticut it has been successfully used in Groton, New London, Meriden, Danbury and smaller towns like Ridgefield, Bethel, Southbury and others. I recommend that this proposal be adopted by the Commission for application in Ansonia.

Chairman Flaherty asked if this would be a floating zone in that area only.

Mr. Inglese said it would be only within the City Center Zone. It is protection for the area and revitalize or help to revitalize the area.

Chairman Flaherty asked if this change to the amendments would require a public hearing.

Mr. Inglese said yes, everything has to have a public hearing.

Chairman Flaherty said you said half acre.

Mr. Inglese said that is the minimum it would be at the discretion of the Commission.

Mr. Tanner said that half acre is good.

Chairman Flaherty said it is limited to retail – can we have offices on the first floor.

Chairman Flaherty asked if any Commissioners have anything to add or any questions or comments.

He said the Commission went into this extensively and it is in keeping with the City Center Plan, 2002 Plan of Conservation and Development amended in 2008, the Yale Study that states we should get more people downtown and to allow residential and the CT Plan of Conservation and Development.

Mr. D’Amico said will this allow offices on the first floor.

Chairman Flaherty said that it should allow offices on the first floor. We can amend it during the regular session. This is an item on the regular agenda and it can be discussed and amended at that time.

Chairman Flaherty asked if there was anyone from the public who wished to address the Commission.

Mr. John Sponheimer, Attorney  
275 Wakelee Ave.  
Ansonia, CT

Mr. Sponheimer said that he has a proposal for some buildings downtown and this amendment will benefit all proposals and should be incorporated in the Zoning tools for Ansonia.

Chairman Flaherty thanked Mr. Sponheimer. He asked if there was anyone from the public who wished to address the Commission. He asked three (3) times.

He asked if any Commission member had any comments or questions. There being no one he called for a motion to close the public session.

Mr. Phipps made a motion to close the public session. Mr. Tanner seconded. All in favor, so carried.

Chairman Flaherty explained that this is Item 6 on the agenda and the Commission will incorporate the changes in the language that were discussed at that time.

He asked three (3) times if there was anything else to be discussed.

Mr. Furtek made a motion to close the public hearing at 7:15 p.m. Mr. Phipps seconded. All in favor, so carried.

Respectfully submitted,

Jo-Lynn Flaherty  
Secretary