

ADOPTED: MAY 14, 2007

**ADOPTED NEW REGULATION TO
COMPLETELY REPLACE THE CURRENT § 4.1.6.15**

4.1.6.15 AGE 55 AND OVER HOUSING COMMUNITIES.

Housing communities for persons 55 years of age or older shall be permitted as a special case subject to the following development standards:

1. The community shall be a residential common interest ownership community as defined in Chapter 828 of the Connecticut General Statutes, with the buildings in the community limited to detached single-family dwelling units and a community building and other accessory buildings, provided any community building and accessory building is for the use of residents of the community for recreational, meeting, office and/or maintenance purposes. For the purposes of this section 4.1.6.15 "community" means the common interest ownership community described the first sentence of this paragraph and not any other or larger area.

2. None of the dwelling units in the community may be occupied by anyone who is less than eighteen (18) years of age, subject to state and federal housing laws.

3. At least 80% of the dwelling units shall be restricted such that they must be occupied by at least one person who is fifty-five years of age or older. The fifty-five years of age or older requirement for each of the 80% of the units that are so restricted is subject to such exceptions as are provided under the federal fair housing act.

Provided the following are allowed as exceptions under the federal fair housing act:

- (a) If a restricted dwelling unit is occupied by a person who is necessary to provide a reasonable accommodation to a disabled resident or residents of the community,
- (b) If restricted dwelling unit is no longer occupied by at least one person who is at least fifty-five years of age or older because a fifty-five years of age or older occupant has passed away,
- (c) If restricted dwelling is no longer occupied by at least one fifty-five years of age or older because the fifty-five years of age or older occupant requires care in an assisted living or continuing care facility,

The dwelling unit may continue to be occupied by the person under age of fifty-five.

4. The community shall conform to the following:

Minimum Lot Area (defined in Sec. 1.24.1)	20 acres
Contiguous Open Space	25% of Gross Parcel Area

Minimum Lot Depth	125 ft.
Minimum Lot Width	150 ft.
Maximum Building Height	30 ft.
Minimum Front Yard	When the parcel adjoins or abuts a. Single-family district, this setback shall be one and one-half (1 1/2) times the setback of the underlying district. Where the applicant's property line abuts an open space or recreational area, the setback shall be as required in the underlying district.
Minimum Side Yard	When the parcel adjoins or abuts a single-family district, this setback shall be two (2) times the setback of the underlying district. Where the applicant's property line abuts an open- space or recreational area, the setback shall be as required in the underlying district.
Minimum Rear Yard	When the parcel adjoins or abuts a single-family district, this setback shall be two (2) times the setback of the underlying district. Where the applicant's property line abuts an open space or recreational area, the setback shall be as required in the underlying district.
Minimum distance between Buildings	20 ft.
Maximum Floor Area for community Building	3,500 sq. ft.
Maximum Building Coverage	15% of Lot Area
Maximum Impervious Area	30% of Lot Area
Maximum Density	2.0 dwelling units per acre of Lot Area

Minimum Parking

Two spaces per dwelling unit and six spaces per 1,000 sq. ft. of community building floor area, for community building and visitor parking.

5. Only Single-family detached units shall be allowed; and each dwelling unit shall contain adequate areas, which may be utilized for storage. Each dwelling unit shall contain no greater than a maximum of three (3) bedrooms.

6. The Zoning Commission may require along the perimeter of the development adequate buffer screening and/or plantings within the rear building setback area.

7. The community shall be served by public sewer and water. All utilities shall be placed underground.

8. Open space as required in paragraph 4 above shall be generally well drained, and there shall be reasonable access to the land over non-wetlands sections of the property. Additionally, such open space shall have a minimum of 35 feet of frontage on a town approved road or a new road to be constructed within the development, unless the open space area can be accessed to adjoining open space or public land. No more than 60% of the open space land can be land that is designated as inland or tidal wetland or land that would be classified as having a slope of 25% or greater unless, in the opinion of the Zoning Commission, the protection of such environmentally sensitive areas outweighs the need for other forms of usable open space for that particular development or for the surrounding neighborhood. Such open space shall be of such overall character and shape that it will meet its intended purpose. The applicant shall demonstrate to the satisfaction of the Zoning Commission that the property will be held in a manner that will maintain the open space in perpetuity.