

5.7 STONY CREEK VILLAGE DISTRICT

5.7.A Purpose

The purpose of the Stony Creek Village District (SCVD), which includes all properties within the boundaries of the Stony Creek Association, is to protect and enhance the unique character of Stony Creek and to ensure that the character of the Village is maintained for future generations in accordance with Connecticut General Statutes Section 8-2j Village Districts. The provisions of this district are intended to encourage the preservation of sites and buildings of unique historical and architectural value and to ensure that new structures and uses will be compatible with the established character of the Village of Stony Creek as follows:

1. that proposed form of buildings or modifications to existing buildings be harmoniously related to their surroundings;
2. that **the architectural character of** retail, service, office, marine, food/hospitality, and recreation/amusement **[uses] structures** be harmoniously integrated into the community where appropriate;
3. that the removal or disruption of distinct structures and architectural elements is minimized;
4. that buildings, the layout of buildings, and other site improvements reinforce existing lot size, building placement, building form, and streetscape patterns to assure there is no adverse impact on the existing patterns of Stony Creek;
5. that locally significant features of distinctive buildings and/or sight lines of vistas from within the Stony Creek Village District are integrated into the site design of new construction or enlargement, extension, reconstruction, or structural alteration of existing structures;
6. that building additions and attachments, exterior signs, site lighting, and accessory structures be compatible with their surroundings and support a consistent architectural theme on the site, where such a theme exists; and
7. that the scale, proportions, massing, and detailing of any new construction, **substantial reconstruction and rehabilitation of properties within such district and in view from public roadways** be in proportion to the scale, proportion, massing, and detailing of existing structures within the Stony Creek Village District. **For the purpose of this section, “substantial reconstruction” shall mean: Any visible exterior repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either before the improvement is started or, if the property has been damaged and is being restored, before the damage occurred.**

5.7.B General

All properties located in the Stony Creek Village District as shown on **[the Stony Creek Village District Map and/or]** the Branford Zoning Map shall be subject to the procedures specified in these Regulations.

1. The SCVD is in addition to and overlays other districts for the purpose of defining Stony Creek Village, where it is necessary to insure that the development, preservation, or use of land proceeds in a manner that focuses on design principles and results in creative solutions that preserve the village and existing character of the district and protects coastal resources, public health, safety, convenience, and property values.

2. The use of land, buildings, and other structures within the Stony Creek Village District shall be established and conducted in conformance with the underlying zoning classification, subject to the additional requirements of this Section.

5.7.C Procedures

1. No building or land shall be occupied or used, no use of an existing building or land shall be changed, and no building or other structure shall be constructed, reconstructed, altered, extended, or enlarged in whole or in part for any purpose until a Zoning Permit has been issued by the Zoning Enforcement Officer certifying that such activity conforms with these Regulations.
2. No application for a Zoning Permit shall be approved by the Zoning Enforcement Officer nor shall any Certificate of Zoning Compliance be issued by the Zoning Enforcement Officer until such a [use or] structure has been reviewed according to the procedures specified in these Regulations.
3. All site plan and Special Exception applications for new construction; **substantial reconstruction and rehabilitation of properties within such district and in view from public roadways** within the Stony Creek Village District shall be subject to review and recommendation by the Stony Creek Village District **Architectural** Review Board under the special provisions of this Section.
4. Applicants shall submit a copy of all application materials to the Stony Creek Village District **Architectural** Review Board no later than the date upon which the same application is submitted to the Commission.

5.7.D The Stony Creek Village District **Architectural Review Board**

1. The Stony Creek Village District **Architectural** Review Board shall be appointed by the Commission following the submission of a written recommendation by the Stony Creek Association Board of Directors.
2. The Stony Creek Village District **Architectural** Review Board will consist of not less than three appointees, at least one of whom shall be a registered architect, landscape architect or a planner certified by the American Institute of Certified Planners (AICP) and 2/3 of these appointees must be residents of Stony Creek.
3. The Stony Creek Village District **Architectural** Review Board shall conduct a formal review upon the submission of a complete site plan or Special Exception application to the Planning and Zoning Office for all new construction, **substantial reconstruction and rehabilitation of properties** within the Stony Creek Village District **and in view from public roadways. Additionally, new uses or changes in use that require changes in exterior design elements are subject to review.**
4. The Stony Creek Village District **Architectural** Review Board shall report to the Commission within thirty-five days of receipt of the application a written recommendation concerning whether, or not, the **configuration**, size, height, location, proportion of openings, roof treatments, and building materials of proposed new construction and/or the enlargement, extension, reconstruction, or structural alteration of existing structures is compatible with the local architectural motif and the maintenance of views, historic buildings, monuments

and landscaping within the Stony Creek Village District. The recommendation shall be for one of the following:

- i. for acceptance of the application as submitted;
 - ii. for acceptance of the application with modifications as stated;
 - iii. for denial of the application for specific reasons and request for revision and re-submittal;
 - iv. that the Commission take no action pending further discussion or resubmission.
5. Such report and recommendation shall be entered into the public record and considered by the Commission in making its decision concerning the approval or denial of the site plan or Special Exception application.
 6. Failure of the Stony Creek Village District **Architectural** Review Board to report within 35 days shall not alter or delay any other time limit imposed by the Branford Zoning Ordinance.

5.7.E Village District Design Standards

The following design standards are in addition to Section 6 “Basic Standards” of these Regulations and are intended to provide guidance to an applicant in support of the companion Stony Creek Village District Design Guidelines when preparing an application for a property within the Stony Creek Village District. **The Stony Creek Village District Design Guidelines are available at the Planning and Zoning Department or on the Town’s web page:**

1. **Use: When a new use or change in use includes new structures or changes to the exterior of a structure, or the physical layout of a property, such changes shall:**
 - A. Support the mixed-use and commercial character of properties along Thimble Island Road.
 - B. Support the marine, recreational, and tourism based character of properties along the shoreline of Stony Creek.
 - C. Support the cultural character of community institutions along Thimble Island Road.
 - D. **[Allow for] Support** owner-operated, live-work enterprises throughout the village.
2. **Architectural Design**
 - A. Use bays, wings, and secondary attached buildings to accommodate the needs of property owners while minimizing the visual impact of large floor plans.
 - B. Incorporate existing architectural features of neighboring buildings into new structures.
 - C. Reflect the massing and scale of neighboring buildings into new construction.
 - D. Incorporate roof lines of neighboring buildings in the design of new buildings.

- E. Encourage structures with pitched roofs to reinforce the pattern of existing buildings.
- F. Use building materials that are compatible with neighboring structures.
- G. Promote a made-by-hand craftsman appearance for all buildings.
- H. Visually break up cladding materials by including appropriate architectural trim and detailing at corners, windows, doors, bays, and similar building components.
- I. Orient principal building entrances toward and maintain the visibility of entrances from the street.
- J. Consider the location of mechanical equipment that is neighbor friendly as well as street friendly. Conceal views of equipment from the street with features that are incorporated into the architectural design of the building.

5.7.F Modified Permit Requirements

- 1. The following shall supersede the requirements for **the stated** Principal Uses and Activities in the Residence R-2, Residence R-3, Residence R -4, **and R-5** districts, as applicable (see Section 3.3.A). **All other requirements of Section 3.3.A not specifically modified by the following shall apply.**
- 2. Requires Zoning Permit. See Section 9.2

HOUSING USES.
(1) Single-family dwelling < 2000 sq. ft. net floor area limited to (one (1) per lot).
(2) Two-family dwelling < 2000 sq. ft. net floor area total (one (1) per lot).

- 3. Requires Site Plan Approval. See Section 9.6

HOUSING USES.
(1) Single-family dwelling between 2,000 - 4,000 sq. ft. net floor area (one (1) per lot).
(2) Two-family dwelling between 2,000 - 4,000 sq. ft. net floor area total (one (1) per lot).

- 4. Requires Special Exception Approval. See Section 9.8

HOUSING USES.
(1) Dwellings containing three (3) to four (4) dwelling units.
(2) Single-family dwelling > 4,000 sq. ft. net floor area (one (1) per lot)
(3) Two-family dwelling > 4,000 sq. ft. net floor area total (one (1) per lot).

5.7.G Casualty [Staff recommends removing this section as there is already a section dealing with casualty within the Branford Zoning Regulations. If the Commission prefers this particular language it should be changed in the main Regulations so that we don't have two different sets of standards.]

Notwithstanding the provisions of Section 8.1.E of the Branford Zoning Regulations, all buildings within the boundaries of the Stony Creek Village District and in existence at the date of adoption of this Section are hereby declared to be in conformance with the requirements of this Section, provided that if such buildings are destroyed by fire, explosion, act of God, or act of public enemy to any extent they may be reconstructed in-kind, where the height, bulk, location, and use of the building is exactly as it had

previously existed, except as modified where necessary to conform with the flood hazard zone and coastal area management provisions of these regulations, provided that such reconstruction is started within a period of two (2) years from such casualty and is diligently prosecuted to completion. The owners of such properties shall document, by an A-2 Survey or other means, the height, bulk, location and use of the building as it had previously existed. In the event of failure to start such reconstruction or repair within a period of two (2) years from such casualty and to complete the same within 24 months from such casualty, or within such additional period, not exceeding six (6) months, as the Commission may grant upon written application made to it, the right to reconstruct or repair such building or other structure shall be lost and terminated.

5.7.H Hearing Notification [Staff recommends not adopting this provision since there is a provision in the existing regulations and this would present budgetary and administrative issues for the Department

In addition to the legal notice and certified mail requirements set forth in these Regulations, whenever a public hearing is scheduled for an application in the Stony Creek Village District, the applicant shall post on the property, which is the subject of the public hearing, a sign issued by the Town's Planning & Zoning office. The sign shall be visible and legible to passersby on the principal street at the affected property. Such sign shall state the date, time, and place of the public hearing, shall indicate the subject matter of the public hearing, and shall be in evidence for the continuous period of ten (10) calendar days preceding the date of the public hearing. Failure to maintain the sign shall be deemed a defect, requiring that the public hearing be rescheduled.

Need to add a subsection

No approval under this section shall be effective until a copy thereof, certified by the commission, containing the name of the owner of record, a description of the premises to which it relates and specifying the reasons for its decision, is recorded in the Branford land records. The town clerk shall index the same in the grantor's index under the name of the then record owner and the record owner shall pay for such recording.

Application Materials

Projects qualifying for the Stony Creek Village District Architectural Review Board should follow the list of procedures and documentation noted in Section 9.5 of these Regulations.