

## 7.0 APPLICATIONS + PERMITS

### 7.1 Application

7.1.1 No building or structure shall be erected, changed, or enlarged unless and until the owner of the property shall have obtained a permit from the Enforcement Officer. Except in the case of gardening or agricultural operations no new land use shall be undertaken not any existing land or building use enlarged or changed unless and until the owner of the property shall have obtained a permit from the Enforcement Officer. Nothing herein shall be construed to authorize the extension, expansion or enlargement in scope, area or intensity, of any non-conforming use.

7.1.2 The Enforcement Officer shall require that the application for a permit to use, change of use, erect, or enlarge a building, structure or premises shall be accompanied by a Site Plan of the land where the use, change of use, construction or enlargement is to take place. Said Site Plan shall be based on a survey done according to A-2 standards of accuracy prepared by a land surveyor licensed to practice in the state of Connecticut, at a scale of not less than 1"= 40'. He shall also require that the boundaries of the land be denoted on the land either by visible permanent natural features or by visible merestones or other suitable permanent markers. The map shall contain at least the following information:

- A. Soil erosion and sedimentation control devices (approved as necessary by the Town Plan and Zoning Commission).
- B. All property corner monuments must be set and noted.
- C. The location of all existing and proposed buildings, accessory structures, swimming pools, tennis courts, etc., and their property line setbacks. In the case of a dwelling, the number of bedrooms must be shown.
- D. Location of driveway (s).
- E. Location of well or public water supply tie-in.
- F. Location of septic system including the reserve area (approved as necessary by the Quinnipiac Valley Health District), or public sewer tie-in.
- G. Location and size of oil tank.
- H. Location of underground utilities.
- I. Amount of fill to be brought to the site or ex-

cavation contemplated in cubic yards and square feet for driveway, septic system, regrading, etc., (approved as necessary by the Town Plan and Zoning Commission).

- J. Existing water courses, wetlands (approved as necessary by the Town Plan and Zoning Commission), flood zones (approved as necessary by the Town Plan and Zoning Commission), existing and proposed easements.
- K. Name and address of current owner in fee including the abutting owners and those across the street; north arrow and scale.
- L. The Zoning District classification of a property.
- M. Indicate in comparative tabular form the information required by Section 4.1 of the Zoning Regulations entitled "Table of General Bulk Regulations" showing: (a) existing dimensions; (b) standards required by Section 4.1 and (c) standards proposed by the applicant.
- N. Variance if granted (show date and type).
- O. Show in a Title Block in the lower right hand corner: (a) Name of the current owner; (b) Street address; (c) Name of Architect, Engineer and/or Land Surveyor; (d) Date, revision and scale.

The TPZ shall have the authority to waive any of the above requirements if in his opinion the nature of the work proposed does not warrant full compliance with the requirements of this section or the requirements can be met in other ways. Depending on the complexity of the application, additional information such as existing and proposed grades, landscaping, drainage, soil types, signs and lighting may be required.

7.1.2.2 Before the actual pouring of concrete or placement of other material for the foundation of any building or structure, the owner or contractor shall notify the Enforcement Officer, and shall give him/her an opportunity to determine that the location of such foundation, or any part of the building to be erected thereon, will not encroach over the established building lines or in any way violate any of these Regulations, and shall obtain his written approval endorsed upon the permit.

## 7.0 APPLICATIONS + PERMITS

7.1.3 Every application for a zoning permit for the erection of a residence or for a permit for any other use, change of use, building or enlargement shall be accompanied by a fee as set forth in Chapter 5, Article VIII of the ordinances of the Town of Woodbridge entitled Schedule of Land Use Fees, as amended from time to time. Such fees shall be collected by the Enforcement Officer and shall be remitted to the Treasurer of the Town.

7.1.4 Any permit by the Enforcement Officer issued under this Section shall be valid for one year from the date of issue.

### 7.2 Pending Application for Building Permits

7.2.1 Nothing herein contained shall require any change in the plans, construction, site or designated use of a building (a) for which a zoning permit has been granted or (b) for which an acceptable application was on file with the Selectmen or their duly authorized agent before the effective date of these Regulations, and the construction of which shall be started within six (6) months after such date.

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### 7.3 Certificate of Compliance

7.3.1 It shall be unlawful to use or permit the use of any building, structure or premises or part thereof hereafter changed or converted, altered or enlarged, wholly or partly, in its use or structure, until a Certificate of Compliance shall have been issued showing that such building, structure or premises or part thereof, and the proposed use thereof, are in conformity with the provisions of these Regulations. A certificate of Compliance shall be issued by the Enforcement Officer immediately upon the satisfactory completion of the building or establishment of a land use other than gardening or agricultural operations.

# 8.0 ZONING BOARD OF APPEALS

## SECTION 8 ZONING BOARD OF APPEALS.

### 8.1 Powers and Duties

8.1.1 The Zoning Board of Appeals shall have the following powers and duties:

- (a) To hear and decide appeals where it is alleged that there is an error in any order, requirement or decision made by the Enforcement Officer in connection with the enforcement of these Regulations.
- (b) To hear and decide all matters including special exceptions upon which it is required to pass by the specific terms of these Regulations or any amendments thereof.
- (c) To determine and vary the application of these Regulations in harmony with their general purposes and intent and with due consideration for conserving the public health, safety, convenience, welfare and property values solely with respect to a parcel of land where, owing to conditions especially affecting such parcel but not affecting generally the district in which it is situated, a literal enforcement of these Regulations would result in exceptional difficulty or unusual hardship so that substantial justice will be done and the public safety and welfare secured.

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### 8.2 Hearing Procedure

8.2.1 The Zoning Board of Appeals shall hold a public hearing on all appeals. Notice of the time and place of such hearing shall be published according to law and a copy of said notice and petition is to be forwarded to the Town Plan and Zoning Commission.

### 8.3 Approval Procedure

8.3.1 Before any exception or variance is granted, the Zoning Board of Appeals shall include a written finding in its minutes as part of the record in each case, stating specifically the exceptional conditions, the practical difficulties, or unnecessary hardship involved. Any variance or exception in the use of buildings or land which is granted by the Zoning Board of Appeals shall be filed in the Office of the Town Clerk with a copy to the Town Plan and Zoning Commission.

## 9.0 AMENDMENTS, VALIDITY, EFFECTIVE DATE

### 9.0 Amendments, Validity, Effective Date

#### 9.1 Amendments

9.1.1 These Regulations may be amended, changed or repealed as provided by Chapter 124, of the Connecticut General Statutes, 1958 Revision, as amended from time to time.

9.1.2 Publication of Notice. Notice of the time and place of a hearing on a proposed amendment shall be published at least twice in a newspaper having a substantial circulation in the Town. Such publication shall be at intervals of not less than two days, the first not more than fifteen days nor less than ten days, and the last not less than two days before such hearing, and a copy of such proposed amendment shall be filed in the Office of the Town Clerk at least ten days before such hearing. Such additional notice shall be given as the Commission may prescribe.

9.1.3 Protest. If a protest against such change is filed at such hearing and such protest is signed by the owners of twenty percent or more of the area of the lots included in such proposed change or of the lots within five hundred feet in all directions of the property included in the proposed change such change shall not be adopted except by a vote of two-thirds of all the members of the Commission.

9.1.4 Application Requirements. No application for a change in zone boundaries shall be received unless accompanied by a map drawn to a scale by licensed engineer or land surveyor, showing the property or properties involved.

9.1.5 Application Fee. A fee as set forth in Chapter 5, Article VIII of the Ordinances of the Town of Woodbridge entitled Schedule of Land Use Fees, as amended from time to time, shall be charged for each application to the Commission for a change of these Regulations or zoning boundaries and this fee must be paid at the time of submitting the application. All fees so collected shall be remitted to the Treasurer of the Town.

#### 9.2 Validity

9.2.1 If any section or provision of these Regulations as contained herein or as amended hereafter is declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of these Regulations as a whole or any other part thereof other than the part so declared to be invalid.

### SECTION 10:

#### 10.0 Reserved for future use

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# SECTION 11: FLOOD HAZARD REDUCTION PROVISIONS

## 11.0 STATUTORY AUTHORIZATION, FINDING OF FACT, PURPOSE AND OBJECTIVES.

### 11.1 Statutory Authorization

The legislature of the State of Connecticut has, in Section 8-2 of the CT General Statutes, delegated the responsibility to Zoning Commissions to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the Town Plan and Zoning Commission of the Town of Woodbridge hereby promulgates the following:

#### A. Finding of Fact

1. The flood hazard areas of the Town of Woodbridge are subject to periodic inundation which results in loss of life, property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare;
2. These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights, velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

#### B. Statement of Purpose

The purpose of these regulations is to promote the public health, safety, and general welfare, and to minimize the public and private losses due to flood conditions in specific areas by provisions designed to:

1. Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
2. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
4. Control filling, grading, dredging and other development which may increase erosion or flood damage, and;
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

#### C. Objectives

The objectives of these Regulations are to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. Help maintain a stable tax base by providing for the sound use and development of prone areas in such a manner as to minimize flood blight areas; and
7. Insure that potential home buyers are notified that property is in a flood area.

#### D. Definitions

1. Unless specifically defined below or in the Zoning Regulations of the Town of Woodbridge, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations its most reasonable application.
  - a. Addition (to an existing building). Any walled and roofed expansion to the perimeter of an existing building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall

## SECTION II: FLOOD HAZARD REDUCTION PROVISIONS

or is separated by independent perimeter load-bearing wall is new construction.

- b. Appeal. A request for a review of the Town Plan and Zoning Commission's interpretation of any provision of these regulations or a request for a variance.
- c. Area of Special Flood Hazard. The land in the flood plain within a community subject to one percent or greater chance of flooding in any given year.
- d. Base Flood. The flood having a one percent chance of being equaled or exceeded in any given year.
- e. Base Flood Elevation (BFE). The elevation of the crest of the base flood or 100-year flood. The height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the flood-plains of coastal and riverine areas.
- f. Basement. Any area of a building having its floor subgrade (below ground level) on all sides.
- g. Building. A walled and roofed structure which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.
- h. Cost. As related to substantial improvements, the cost of any reconstruction, rehabilitation, addition, alteration, repair or other improvement of a building or structure shall be established by a detailed written contractor's estimate. The estimate shall include, but not be limited to: the cost of materials (interior finishing elements, structural elements, utility and service equipment); sales tax on materials, building equipment and fixtures, including heating and air conditioning and utility meters; labor; built-in appliances; demolition and site preparation; repairs made to damaged parts of the building worked on at the same time; contractor's overhead; contractor's profit; and grand total. Items to be excluded include: cost of plans and specifications, survey costs, permit fees, outside improvements such as septic systems, water supply wells, landscaping, sidewalks, fences, yard lights, irrigation systems, and detached structures such as garages, sheds, and gazebos.
- i. Development. Any man-made change to improved or unimproved real estate, including, but not limited to, the construction of buildings or structures; the construction of additions, alterations or substantial improvements to buildings or structures; the placement of buildings or structures; mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment; the storage, deposition, or extraction of materials; and the installation, repair or removal of public or private sewage disposal systems or water supply facilities.
- j. Elevated Building. A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (post and piers), shear walls, or breakaway walls.
- k. Federal Emergency Management Agency (FEMA). The federal agency that administers the National Flood Insurance Program (NFIP).
- l. Finished Living Space. As related to fully enclosed areas below the base flood elevation (BFE), a space that is, but is not limited to, heated and/or cooled, contains finished floors (tile, linoleum, hardwood, etc.), has sheetrock walls that may or may not be painted or wallpapered, and other amenities such as furniture, appliances, bathrooms, fireplaces and other items that are easily damaged by floodwaters and expensive to clean, repair or replace.
- m. Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from the:
  - i. Overflow of inland water; or
  - ii. Unusual and rapid accumulation or runoff of surface waters from any source.
- n. Flood Insurance Rate Map (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated

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both the areas of special flood hazard and the risk premium zones applicable to the community.

- o. Flood Insurance Study (FIS). The official report by the Federal Emergency Management Agency (FEMA). The report contains flood profiles, as well as the Flood Insurance Rate Map (FIRM) and the water surface elevation of the base flood.
- p. Floodway. The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
- q. Floor. The top surface of an enclosed area in a building (including basement) i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.
- r. Functionally Dependent Use or Facility. A use or facility that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities. The term does not include seafood processing facilities, long-term storage, manufacturing, sales or service facilities.
- s. Highest Adjacent Grade. The highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a structure.
- t. Historic Structure. Any structure that is: (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (1) By an approved state program as determined by the Secretary of the Interior or (2) Directly by the Secretary of the Interior in states without approved programs.
- u. Lowest Floor. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access for storage, in an area other than a basement area is not considered a building's lowest floor.
- v. Manufactured Home. A structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term also includes park trailers, travel trailers, recreational vehicles and other similar vehicles or transportable structures placed on a site for one hundred and eighty (180) consecutive days or longer and intended to be improved property.
- w. Mean Sea Level (MSL). For purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.
- x. Market Value. Market value of the structure shall be determined by the appraised value of the structure prior to the start of the initial repair or improvement, or in the case of damage, the value of the structure prior to the damage occurring
- y. New Construction. Structures for which the "start of construction" commenced on or

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after the effective date (July 18, 1980), the effective date of the Flood Hazard Area Regulations, and includes any subsequent improvements to such structures.

- z. **Recreational Vehicle.** A vehicle which is: (a) built on a single chassis; (b) four hundred (400) square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.
- aa. **Start of Construction.** (For other than new construction). Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations for the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- bb. **Structure.** A walled and roofed building which is principally above ground, including a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.
- cc. **Substantial Damage.** Damage of any origin sustained by a building or structure, whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
- dd. **Substantial Improvement.** Any combination of repairs, reconstruction, alterations or improvements to a building or structure, taking place during the life of the building or structure, in which the cumulative cost equals or exceeds fifty percent of the market value of the building or structure. The market value of the building or structure should be (1) the appraised value of the building or structure prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building or structure prior to the damage occurring. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building or structure commences, whether or not that alteration affects the external dimensions of the building or structure. The term does not however include any project for improvement of a building or structure required to comply with existing health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.
- ee. **Variance.** A grant of relief from the requirements of these regulations which permits construction in a manner otherwise prohibited by these regulations where specific enforcement would result in unnecessary hardship.
- ff. **Violation.** Failure of a building or structure or other development to be fully compliant with the Flood Hazard Area Regulations. A structure or other development without required permits, lowest floor elevation documentation, flood-proofing certificates or required floodway encroachment calculations is resumed to be in violation until such time as that docu-

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mentation is provided.

- gg. Water Surface Elevation. The height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplain of riverine areas.

## E. General Provisions

1. Lands to Which These Regulations Apply. These regulations shall apply to all areas of special flood hazard within the jurisdiction of the Town of Woodbridge;
2. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard within the Town of Woodbridge are identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated May 16, 2017, accompanying Flood Insurance Rate Maps (FIRM), dated May 16, 2017, and other supporting data applicable to the Town of Woodbridge, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance. Since mapping is legally adopted by reference into this ordinance it must take precedence when more restrictive until such time as a map amendment or map revision is obtained from FEMA. The area of special flood hazard includes any area shown on the FIRM as Zones A and AE, including areas designated as a floodway on a FIRM. Areas of special flood hazard are determined utilizing the base flood elevations (BFE) provided on the flood profiles in the Flood Insurance Study (FIS) for a community. BFEs provided on Flood Insurance Rate Map (FIRM) are only approximate (rounded up or down) and should be verified with the BFEs published in the FIS for a specific location;
3. Establishment of the Floodplain Management. A zoning permit or subdivision plan approval shall be required in compliance with the provisions of the Zoning Regulations and/or Subdivision Regulations (including these Flood Hazard Area Regulations) prior to commencement of any development activities;
4. Compliance. No structure or land shall hereafter

be located, extended, converted or structurally altered without full compliance with the terms of these regulations and other applicable regulations;

5. Abrogation and Greater Restrictions. These regulations are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restriction. However, where these regulations and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail;
6. Interpretation. In the interpretation and application of these regulations all provisions shall be: (1) considered as minimum requirements; (2) liberally construed in favor of the governing body and; (3) deemed neither to limit nor repeal any other powers granted under state statutes;
7. Warning and Disclaimer of Liability. The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the Town or by any officer or employee thereof for any flood damages that result from reliance on these regulations or any administrative decision lawfully made thereunder.

## F. Administration

1. Designation of the Flood Plain Prevention Administrator. The Town Plan and Zoning Commission shall administer and implement the Flood Hazard Area Regulations;
2. Permit Procedures. Application for a flood hazard permit shall be made to the Town Plan and Zoning Commission on forms furnished by it prior to any development activity, and may include, but not be limited to, the following plans (in a number specified by the Commission) drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing and proposed struc-

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tures, fill, storage of materials, drainage facilities and the location of the foregoing. Specifically, the following information is required:

- a. Application Stage.
  - i. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all structures as required by Section 11.H.a;
  - ii. Elevation in relation to mean sea level to which any non-residential structure will be flood-proofed as required by Section 11.H.b.ii.
  - iii. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
  - iv. A statement as to whether or not proposed alterations to any existing structure meets the criteria of the substantial improvement definition defined in Section 13.1.30.
  - v. A statement as to whether there will be dry access to the structure during the 100 year storm event. Where applicable the following certifications by a registered engineer or architect are required and must be provided to the Commission; "The design and methods of construction are in accordance with accepted standards of Practice, and with the provisions of Section 11.H of the Flood Damage Prevention Regulations."
  - vi. Non-residential Flood Proofing – must meet the provision of Section 11.H.b;
  - vii. Enclosed Areas Below the Base Flood Elevation – if the minimum design criteria in Sections 11.H.a – 11.H.c are not used then the design and construction methods must be certified as explained in Section 11.H.3;
  - viii. No increase in Floodway Heights may be allowed. Any development in a floodway must meet the provisions of Section 11.H.;
- b. Construction Stage. Upon completion of the applicable portion of construction, the applicant shall provide verification to the Commission of the following, as applicable, and pertaining to the lowest floor elevation. The applicant

must provide elevation verification that:

- i. The top of the lowest floor (including basement) in a building or structure located in an A Zone meets the elevation requirements of Section 11.H.a;
- ii. A building or structure which has been floodproofed is the elevation to which the floodproofing is effective as required by Section 11.H.b.  
Deficiencies detected by the review of the above listed shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.
- c. Duties and Responsibilities of the Commission. Duties of the Commission, or its appointed agent, shall include but not be limited to:
  - i. Review all permit applications to determine whether proposed building sites will be reasonable safe from flooding;
  - ii. Review all development permits to assure that the permit requirements of these regulations have been satisfied;
  - iii. Advise applicant that additional Federal or State Permits may be required, and if specific Federal or State Permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit. Possible permits include, but are not limited to: Water Diversion, Dam Safety, Corps of Engineers 404;
  - iv. Notify the Regional Planning Commission and the affected municipality at least 35 days prior to the public hearing if any change of the regulations or use of a floodplain zone will affect an area within 500 feet of another municipality;
  - v. Notify adjacent communities and the Department of Environmental Protection, Water Resources Unit prior to any alteration or relocation of a watercourse, and submit

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- evidence of such notification to the Federal Emergency Management Agency;
- vi. Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
  - vii. Record the elevation (in relation to mean sea level) of the lowest floor (including basement of all new or substantially improved structures, in accordance with Section 11.H.a;
  - viii. Record the elevation (in relation to mean sea level) to which the new or substantially improved structures have been flood-proofed, in accordance with Section 11.H.b (b);
  - ix. When Flood-proofing is utilized for a particular structure the Commission shall obtain certification from a registered professional engineer or architect, in accordance with Section 11.H.b;
  - x. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the Commission shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided herein;
  - xi. When base flood elevation data or floodway data have not been provided in accordance with Section 14.2 hereof, then the Commission shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source in order to administer the provisions of Section 11.
  - xii. All records pertaining to the provisions of these regulations shall be maintained in the Office of the Zoning Enforcement Officer.
- I. General Standards. In all areas of special flood hazard the following provisions are required:
    - a. New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
    - b. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
    - c. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
    - d. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
    - e. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
    - f. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
    - g. ThiOn-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
    - h. In any portion of a watercourse which is altered or relocated, the flood carrying capacity shall be maintained.
    - i. A building or structure already in compliance with the provisions of these regulations shall not be made non-compliant by any alteration, repair, reconstruction or improvement to the building or structure.
    - j. Aboveground Storage Tanks. Above-ground storage tanks (oil, propane, etc.) which are located outside or inside of a building or structure must either be elevated above the base flood elevation (BFE) on a concrete pad, or be securely anchored with tie-down straps to prevent flotation or lateral movement, have the top of the fill pipe extended above

### G. Provisions for Flood Hazard Reduction

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the BFE, and have a screw fill cap that does not allow for the infiltration of flood water.

- k. **Portion of Structure in Flood Zone.** If any portion of a building or structure lies within any portion of an area of special flood hazard the entire building or structure is considered to be entirely located within the special flood hazard area. The entire building or structure must meet the construction requirements of the flood zone. For purposes of this regulation, a building or structure includes any attached additions, garages, decks, sunrooms, or any other building or structure attached to the main building or structure. Decks or porches that extend into a more restrictive flood zone will require the entire building or structure to meet the standards of the more restrictive zone.
  - l. **Structures in Two Flood Zones.** If a building or structure lies within two or more flood zones, the construction standards of the most restrictive zone apply to the entire building or structure. The structure includes any attached additions, garages, decks, sunrooms, or any other structure attached to the main structure. Decks or porches that extend into a more restrictive zone will require the entire structure to meet the requirements of the more restrictive zone.)
  - m. **No Structures Entirely or Partially Over Water.** New construction, substantial improvements and repair to structures that have sustained substantial damage cannot be constructed or located entirely or partially over water unless it is a functionally dependent use or facility.
2. **Standards for Streams Without Established Base Flood Elevations and/or Flooding.** Obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, including data developed pursuant to Section 15.3.1 (k) of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A on the Town's FIRM meet the standards of Section 11.H.1, 11.H.3, 11.H.4 and Section 12 hereof.
- H. **Specific Standards**
1. In all areas of flood hazard A and AE where base flood elevation data has been provided, as set forth in Section 14.2 or 15.3.1 (k), the following provisions are required:
    - a. **Residential Construction.** New Construction or substantial improvement of any commercial, industrial, or non-residential structure located in Zone A and AE shall have the lowest floor, including basement, elevated at least to one (1) foot above the level of the base flood elevation; or
    - b. **Non-Residential Construction.**
      - i. New construction or substantial improvement of any commercial, industrial, or non-residential structure located in Zone A or AE shall have the lowest floor, including basement, elevated at least to one (1) foot above the level of the base flood elevation; or
      - ii. Non-residential structures located in Zone A or AE may be flood-proofed in lieu of being elevated provided that together with all attendant utilities and sanitary facilities the areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall review and/or develop structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with acceptable standards of practice for meeting the provisions of this subsection.
  3. **Elevated Buildings.** New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation

## SECTION 11: FLOOD HAZARD REDUCTION PROVISIONS

and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

- a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
    - i. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
    - ii. The bottom of all openings shall be no higher than one foot above grade; and,
    - iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
  - b. Electrical, plumbing, and other utility connections are prohibited below the base flood elevation;
  - c. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).
4. **Base Flood Elevations Determined But Before Floodway is Designated.** In A Zones where base flood elevations have been determined, but before a floodway is designated, require that no new construction, substantial improvement, or other development (including fill), be permitted which would increase base flood elevations more than one (1) foot at any point along the watercourse when all anticipated development is considered cumulatively with the proposed development.
5. **Floodways.** Located within areas of special flood hazard are areas designated as floodways on the Town's Flood Insurance Rate Map or which may have been determined in Section 15.3.1 (k). Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris,
- potential projectiles and has erosion potential, the following provisions shall apply:
- a. Prohibit encroachment, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating, through hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that encroachments shall not result in any (0.00 feet) increase in flood levels during occurrence of the base flood discharge. Fences in the floodway must be aligned with the flow and be of an open design.
6. **Standards for Watercourses Without Adopted Floodways.** The Commission may request floodway data of an applicant for watercourses without FEMA-published floodways. When such data is provided by an applicant or whenever such data is available from any other source (in response to the municipality's request or not), the Commission shall adopt a regulatory floodway based on the principle that the floodway must be able to convey the waters of the base flood without increasing the water surface elevation more than one (1.0) foot at any point within the community.
7. **Compensatory Storage.** The water holding capacity of the floodplain, except those areas which are tidally influenced, shall not be reduced. Any reduction in water holding capacity caused by filling, new construction or substantial improvements involving an increase in footprint to the building or structure, shall be compensated for by deepening and/or widening of the floodplain. The compensatory storage shall be provided on-site, unless easements have been gained from adjacent property owners; it shall be provided within the same hydraulic reach and a volume not previously used for flood storage; it shall be hydraulically comparable and incrementally equal to the theoretical volume of flood water at each elevation, up to and including the 100-year flood elevation, which would be displaced by the proposed project. Such compensatory volume shall have an unrestricted hydraulic

## SECTION II: FLOOD HAZARD REDUCTION PROVISIONS

connection to the same waterway or water body. Compensatory storage can be provided off-site if approved by the municipality.

8. Equal Conveyance. Within the floodplain, except those areas which are tidally influenced, as designated on the Flood Insurance Rate Map (FIRM) for the Town of Woodbridge, encroachments resulting from filling, new construction or substantial improvements involving an increase in footprint of the building or structure, are prohibited unless the applicant provides certification by a registered professional engineer demonstrating, with supporting hydrologic and hydraulic analyses performed in accordance with standard engineering practice, that such encroachments shall not result in any (0.00 feet) increase in flood levels (base flood elevation). Work within the floodplain and the land adjacent to the floodplain, including work to provide compensatory storage shall not be constructed in such a way so as to cause an increase in flood stage or flood velocity.

### J. STANDARDS FOR SUBDIVISION PROPOSALS IN ALL SPECIAL FLOOD HAZARD AREAS:

1. Standards for Subdivision Proposals. In all special flood hazard areas the following
2. requirements shall apply:
3. All subdivision proposals shall be consistent with the need to minimize flood damage;
4. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;
5. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and;
6. In Zone A, the BFE data shall be provided for subdivision proposals.

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## SECTION 12: MANUFACTURED HOMES + RECREATIONAL VEHICLES (RV'S)

### 12.0 Manufactured Homes and Recreational Vehicles (RVs)

- A. Manufactured homes are expressly prohibited in any areas of special flood hazard within the Town of Woodbridge, as identified by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study (FIS) for New Haven County, Connecticut, dated December 17, 2010, accompanying Flood Insurance Rate Maps (FIRM), dated December 17, 2010, and other supporting data applicable to the Town of Woodbridge, and any subsequent revisions thereto, are adopted by reference and declared to be a part of this ordinance.
- B. Recreational vehicles placed on sites within an area of special flood hazard shall either be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use, or meet all the general standards of Section 11.G.1 and the elevation and anchoring requirements of Section 12.B.1, 12.B.2, and 12.B.3. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions. Any recreational vehicle meeting the requirements of either (a) or (b) of this Section shall not be subject to the prohibition in Section 12.A.
1. In all areas of special flood hazard, any RV placed on the site for 180 consecutive days or more, shall be elevated at least one (1) foot above the base flood elevation (BFE).
  2. In all areas of special flood hazard, any RV placed on the site for 180 consecutive days or more, shall be placed on a permanent foundation which itself is securely anchored and to which the RV is securely anchored so that it will resist flotation, lateral movement and hydrostatic pressures. Anchoring may include, but not be limited to, the use of over-the-top or frame ties to ground anchors.
  3. In all areas of special flood hazard, any RV placed on the site for 180 consecutive days

or more, shall be installed using methods and practices which minimize flood damage. Adequate access and drainage should be provided. Elevation construction standards include piling foundations placed no more than ten (10) feet apart, and reinforcement is provided for piers more than six (6) feet above ground level.

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# APPENDIX I

## A.1 Architectural Review Guidelines for the Woodbridge Village District

### PURPOSE

Section 8-2j of the Connecticut General Statutes enables a zoning commission to enact regulations for the creation of “village districts” in areas of distinctive character, landscape or historic value that are specifically identified in the Plan of Conservation and Development. The Woodbridge Town Plan of Conservation and Development calls for the creation of such a district to create a thriving, diverse mixed-use residential and commercial community. The Woodbridge Village District is shown as districts GB, BI and DEVI as delineated on the Zoning Map for the Town of Woodbridge. With this district in place, Woodbridge has the opportunity to realize this objective.

These guidelines should serve as both as a reminder to the community of what it is that has come to make the Woodbridge Village District (WVD) special, as well as providing assistance to those who propose to build new or upgrade existing property and/or buildings. These guidelines are not intended to replace the zoning regulations of the underlying districts, but to augment those documents by providing guidance that will help to preserve and strengthen the Woodbridge Village District and to provide continuity with what is there.

### WHY WOODBRIDGE NEEDS A VILLAGE DISTRICT

Section 8-2j of the Connecticut General Statutes enables a zoning commission to enact regulations for the creation of “village districts” in areas of distinctive character, landscape or historic value that are specifically identified in the Plan of Conservation and Development. Village districts are important zoning tools for protecting and enhancing designated areas and for fostering their unique sense of place. A Village District designation affords municipalities the ability to look beyond standard concerns of land use and building size and height to additionally address architectural and aesthetic characteristics. Local laws that establish a village district shall protect the distinctive

character, landscape and historic resources within the district. In village districts, the zoning commission may regulate alterations and improvements to new construction, substantial reconstruction and rehabilitation of properties.

Development I, General Business and Business and Industry districts have distinctive features and characteristics worthy of protection and enhancement, which fall within the language, meaning and the legislative intent of the statute in the following ways:

- A level landscape in the flood plain of the West River
- Beautiful vistas of West Rock Ridge State Park and Konolds Pond
- The only mixed-use area of the Town.
- Historic structures as identified in “The Historic Structures of Woodbridge”

### GUIDELINES FOR IMPROVEMENTS

#### Buildings and architectural features

1. The Town of Woodbridge has rich and diverse architecture. One can find many styles throughout the community, including, but not limited to, Colonial, Victorian, Arts and Crafts, Contemporary and Greek Revival. All these styles fit together harmoniously through scale, massing, color, and the overall context of the street-scape. It is desirable to continue this tradition. Each style has its own set of architectural elements, such as roof-lines, windows, entrances and materials. Details that might be found include moldings, mullion spacing, columns, porticoes, porches, quoined corners and ornamentation. Some of these styles adapt well to larger scaled commercial structures and some do not, although it is possible to use some of these styles by breaking down the massing into more appropriately sized components. Care should be taken, especially if trying to translate one of Woodbridge’s residential styles, that the scale is appropriate, both to the building and its details.

It is important to use architectural elements that are appropriate and consistent with the style of the building and to provide the style’s distinctive

# APPENDIX I

details throughout the project. When proposing a structure different in style from the adjacent properties, find elements, such as materials, color, massing and landscaping, which can unify the different projects.

2. Buildings should be oriented with the front façade facing the street.
3. Flat-roofed buildings should be re-worked into a gable style roof-line or façade.

## **Parking, roads, driveway and walkways**

4. Parking areas within Woodbridge Village District Woodbridge Village District should be landscaped with complementary trees, shrubs, flowers and grass areas. Encourage parking to be located to the side or rear of the building or lower in profile to the road. Parking on front of a building, or in place of a building(s), should be avoided wherever possible as this begins to break down the continuity of the building façades. The impact of parked cars from the street should be reduced as much as possible. Some options to achieve this include lowering the grade for parking areas, gently grading up to a stone retaining walls, screening with plantings, constructing earth berms and installing fences.
5. Safety should be an important consideration of all entrances, exits and parking lot layouts.
6. Snow removal and snow dumping areas must be considered in any site design. They should not dictate the parking layout or eliminate planting areas.
7. Reduce the number of commercial driveways through consolidation. Reduce the width of driveways over 24 feet wherever possible.
8. Establish a continuous sidewalk network to enhance the Village District. At minimum sidewalks should connect the Village District along:
  - (a) The northern side of Lucy Street
  - (b) The western side of Litchfield Turnpike
  - (c) The southern side of Bradley Road
  - (d) The eastern side of Amity Road

## **Lighting and other design elements**

9. The placement and overall aesthetics for all supporting site components must be considered as part of the application, including, but not limited to, lighting, grading/ screening, landscaping, signage, parking, site furniture and trash receptacles. Site plans should seek to integrate sidewalks, lighting, signage and other elements for the coordination of adjacent properties.
10. The style of lighting fixtures used should respect the architectural style of the building(s). In some instances, uplights may be proposed which highlight the features of the building. Care should be taken that the light type and intensity do not create light pollution. Lighting should not or spill over on to adjacent buildings, properties or residential neighbors. The use of sodium light fixtures is to be discouraged.

## **Signage**

11. Signage in the Woodbridge Village District should be correctly proportioned to the scale of the surrounding structures.
12. Signs should reflect the buildings architectural style and be designed within the overall front or side elevation. Signs added as an afterthought usually detract from the proportions and details of the building. Care should be taken with freestanding signs that they do not block visibility into or out from the access drive.
13. Well-designed signs should not require foundation planting, but low evergreens, perennials or both may be added to protect uplights or the sign base from maintenance equipment.
14. Proper lighting adds to the charm and effectiveness of the sign. Lighting sources are preferred to be external and shielded (or louvered) so that glare and spillover are avoided. Internally lit signs are discouraged. In some cases, the lighting source can be built into or hung from the sign.

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## Landscaping

15. Begin a landscaping and shade tree planting program that establishes a basic framework for the entire area. The most important plant material for Woodbridge Village District is its shade trees. Not only should existing trees be preserved and maintained, but also new shade trees should be an important element of any proposed site plan. At a minimum, trees should be planted along property lines, perpendicular to the road. Consideration should additionally be paid to landscaping along the sides of the roads. New development and substantial renovation plans would be required to adhere to these guidelines as part of their approval.
16. See table 5.2 List of Recommended Street Trees for Town Rights-of-Way

eration include, although are not limited to, the following list.

White pine  
Canadian hemlock  
Blue spruce  
Colorado spruce  
Norway spruce

## Utilities

18. All utilities should be placed underground for new construction and substantial renovations representing sixty percent or more of market value. Any utilities that remain above ground, appropriate screening should be provided to reduce their prominence. Although shade trees are the single most effective way to diminish the impact of utility lines, care should be taken in placing the trees so that a mature tree should not impact the lines or cause the tree to be unnaturally pruned in the future.

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17. The use of evergreen trees should also be encouraged for screening purposes. Species for consid-