

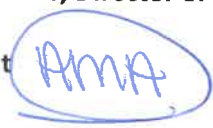


TOWN OF KILLINGLY

PLANNING & DEVELOPMENT OFFICE

172 Main Street, Killingly, CT 06239
Tel: 860 779-5311 Fax: 860 779-5381

MEMORANDUM

TO: Jim Larkin – Northeast Connecticut Council of Governments, Director of Regional Planning, jim.larkin@neccog.org
FROM: Ann-Marie Aubrey, Director Planning and Development 
DATE: MAY 16, 2025
SUBJECT: Notice of Zone TEXT Change Application
in accordance with Connecticut General Statutes Section 8-3b (as amended).

In accordance with Connecticut General Statutes Section 8-3b, the Town of Killingly Planning and Zoning Commission notifies you that the Commission will consider the following zone TEXT change application:

- **Zone TEXT Change Appl #25-1354** – Town of Killingly Planning and Zoning Commission; Zone TEXT Change, total re-write of Section 570 – Planned Residential Development (PRD), of the Town of Killingly Zoning Regulations

A copy of application #25-1354 can be obtained from the Killingly Planning & Development Office, 172 Main Street, Killingly, CT 06239. A copy of the proposed TEXT change is attached for your convenience and review. The regular business hours of the Killingly Town Hall are Monday, Wednesday, Thursday 8:00 am to 4:30 pm; Tuesday 8:00 am to 5:30 pm and Friday 8:00 am to 11:30 am.

The scheduled date for the public hearing is **MONDAY, JUNE 16, 2025 @ 7:00 pm**
Second Floor – Town Meeting Room
Killingly Town Hall
172 Main Street, Killingly, CT 06239

All interested parties are urged to attend and be heard. If you attend in person, your written testimony will be accepted up to and through the close of the public hearing. Remote access information will be posted on PZC Regular Meeting Agenda for the June 16, 2025, meeting.

If unable to attend in person, public comments can be emailed to publiccomment@killinglyct.gov, or mailed to the Town of Killingly, 172 Main Street, Killingly, CT 06239. If mailed, or e-mailed, all public comments must be received prior to 2:00 pm, the day of the hearing.

Please note that during the public hearing, modifications to the application, word and/or editing changes, to the proposed zone TEXT change may be made by the Commission up to the close of the hearing, and there will be no further notification sent.

Any inquiries or questions can be directed at the Planning and Development Office, (tel.) 860-779-5311; voicemail is available after our normal business hours.

We appreciate any comments on this pending application. Thank you for your consideration.

Attached: "copy of proposed TEXT change."

Visit us at: www.killinglyct.gov

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Section 570 - Planned Residential Development (PRD)

#25-1354

570.1 - Definition

A parcel of land, to be developed in the Rural Development, Low Density, or Medium Density zones as a single entity for not less than ten (10) dwelling units, the lot for which exceeds the minimum requirements and specifications as provided in Section 570.7b and/or 570.8b the development may include any combination of detached and/or attached residential units to meet the densities permitted by these Planned Residential Development regulations. A portion of, or the entire development may be designated as Active Senior Housing, age 55 and over in accordance with state and federal law.

570.2 – Interchangeable Terms Used Within This Zoning Regulation Section –

- a. Planning and Zoning Commission shall be referred to as “Commission.”
- b. Planning and Development Staff shall be referred to as “Staff” and shall include but not be limited to the Director, Planner, and Assistant Planner.

570.3 – Intent

The intent of this Planned Residential Development regulation is to:

- a. Provide for controlled flexibility in land development schemes.
- b. Establish performance criteria for residential development, and
- c. Establish the opportunity for an innovative combination of housing by encouraging the following:
 - 1. A creative neighborhood approach to the development of residential land in the Rural Development, Low Density, and Medium Density zones.
 - 2. A desirable community environment that would not be possible through the strict application of minimum requirements of the Zoning Regulations and Subdivision Regulations.
 - 3. To provide a wide choice of the types of living units available in Killingly.
 - 4. To provide common amenity areas, including both passive and active recreational opportunities for the residents of the Planned Residential Development.
 - 5. An efficient use of land which allows a shorter network of utilities and streets and greater economies in development costs.
 - 6. Residential developments which are compatible with the surrounding land use intensity and the existing town road system.

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570.4 – Application Submittal Requirements and Procedural Timelines

The Application Submittal Requirements and Procedural Timelines are governed by the following Sections of these Regulations, Section 470 (Site Plan Review); and Section 700 (Special Permit).

570.5 - Required Findings

The Commission recognizes that one of Killingly's most important assets is its varied and unique physical features. Pursuant to the Planned Residential Development intent, the Commission must determine the following.

- a. The lot is maintained as a single, common property, with common amenities, which preserve or enhance the appearance, character, and natural features of the area.
- b. The Planned Residential Development meets the requirements of this section, and
- c. The following requirements must be met.
 1. There are at least three (3) common amenities within the Planned Residential Development that provide the residents with recreational needs and preserve natural resources where applicable.
 2. The Planned Residential Development design incorporates measures to shorten road and utility networks.
 3. The Planned Residential Development preserves and protects with due regard to the terrain having qualities of natural historical and cultural resources.
 4. The Planned Residential Development protects streams, rivers, wetlands, and ponds to avoid flooding, erosion, filling, and water pollution.
 5. The Planned Residential Development design offers architectural styling and detailing which complement the surrounding land uses and provides quality housing opportunities to meet the growing needs of the community.
 6. The Planned Residential Development incorporates features and designs to enhance public safety and minimize potential hazards.
 7. The Planned Residential Development shows the use of natural drainage systems and low-impact, non-structural, storm water management techniques to the greatest extent possible. An engineered stormwater management shall support the stormwater system design

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plan, shall address the quality of the stormwater runoff, and shall utilize best engineering practices and best management practices.

8. Green Design, Solar Design, Energy Conservation – The plans employ site design techniques which take into consideration solar design, and energy conservation. Examples of such site design techniques are, but are not limited to, the following: a) house orientation, b) street and residence layout, c) vegetation, d) natural and manufactured topographical features, and e) protection of solar access within the development.
9. Affordable Housing – Not less than twenty percent (20%) of the dwelling units shall be conveyed by deeds containing covenants or restrictions which shall require that, for at least forty (40) years after the initial occupation of the proposed development, such dwelling unit shall be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty percent (30%) or less of their annual income, where such income is less than or equal to eighty percent (80%) of median income.*

The deed restricted/affordable units shall be dispersed among market-rate units as evenly as possible and shall be of comparable size and configuration as market rate units and constructed with comparable building materials and fixtures as the market rate units. Said units shall be shown/marked as affordable units on the final approved site plans for said development. Said units shall be integrated throughout the development, not segregated into one area of the development.

*"Median Income" means, after adjustments for family size, the lesser of the state median income or the area median income for the area in which the municipality containing the affordable housing development is located, as determined by the United States Department of Housing and Urban Development.

570.6 – Classifications

There are two (2) classifications of Planned Residential Developments.

- a. **Residential Living (RL)** – for purposes of this section of these regulations shall refer to any type of residential development not classified as a Residential Life Care Community.
- b. **Residential Life Care Communities (RLCC)** – A service-enriched community comprised of a building or group of buildings located on one or more contiguous parcels of land containing dwelling units including such housing and facilities defined hereunder as Congregate Living Facilities, Assisted Living

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Facilities, and Nursing Homes, primarily for the aged and handicapped. Said category of uses shall also contain meeting rooms, dining rooms and central kitchen, and recreation rooms or areas for the use of the residents of such facility and their guests appropriate to the facility. Any facility covered by this definition may also contain offices used for the management and operation of the facility as well as services such as, but not limited to, a general store, beauty shop, and laundry for the use of the residents of such facility. In addition, other individuals having permanent and/or temporary difficulties with one or more essential activities of daily living such as feeding, bathing, grooming, dressing, or transport may also be housed in any of the housing options noted herein. Each structure must contain a minimum of three (3) dwelling units. The units may be rented, leased, or purchased.

570.7 –Residential Living (RL)

a. Densities – RL

The maximum allowable density for the various zones is as follows:

- (1.) Rural Development (RD) – four (4) dwelling units per acre.
- (2.) Low Density (LD) – five (5) dwelling units per acre.
- (3.) Medium Density (MD) – six (6) dwelling units per acre.

When calculating the number of units if the final number of units comes out to be anything other than a whole number, then the final unit number will be rounded down to the whole number – see examples below.

Examples:

Rural Density – (3.8 acres x 4 = 15.2 = 15 units allowed)

Low Density - (3.75 acres x 5 = 18.75 = 18 units allowed)

Medium Density – (3.75 acres x 6 = 22.5 = 22 units allowed)

b. Dimensional Requirements –RL

1. The minimum lot area, minimum lot frontage, setbacks, and the height of the structures shall be the same as those requirements listed in Section 450 Table A “Dimensional Requirements” of the Town of Killingly Zoning Regulations for the underlying zone.
2. The actual allowed lot coverage shall be as follows.
 - a. Rural Development – Up to twenty-five (25) percent lot coverage.
 - b. Low Density – Up to thirty (30) percent lot coverage.
 - c. Medium Density – Up to thirty-five (35) percent lot coverage.

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c. Parking Space Requirements - RL

All PRD shall include off-street parking, which meets or exceeds the design requirement of Section 530 of these regulations.

570.8 - Residential Life Care Communities (RLCC)

a. Densities - RLCC

The maximum allowable density of fifteen (15) dwelling units per acre in the Rural Development (RD), Low Density (LD), and Medium Density (MD) zones.

When calculating the number of units if the final number of units comes out to be anything other than a whole number, then the final unit number will be rounded down to the whole number – see example below.

Example: Note the density is 15 units in all three zones (RD, LD, and MD).
(3.75 acres x 15 units = 56.25 = 56 units allowed)

b. Dimensional Requirements- RLCC

1. The minimum lot area, minimum lot frontage, setbacks, and the height of the structures shall be the same as those requirements listed in Section 450 Table A “Dimensional Requirements “ of the Town of Killingly Zoning Regulations for the underlying zone.
2. The actual allowed lot coverage shall be as follows.
 - a. Rural Development – Up to thirty (30) percent lot coverage.
 - b. Low Density – Up to forty (40) percent lot coverage.
 - c. Medium Density – Up to fifty (50) percent lot coverage.

c. Parking Space Requirements - RLCC

All PRD shall include off-street parking, which meets or exceeds the design requirements of Section 530 of these regulations.

570.9 - Common Amenities

Common Amenities defined – Are amenities of a Planned Residential Development including land, water, or a combination thereof, proposed and designed for the active and/or passive use and for the enjoyment of the Planned Residential Development residents.

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Examples of appropriate common amenities include, but are not limited to, children's informal play areas, parks, picnic areas, playgrounds, golf putting greens, swimming pools, tennis courts, pickleball courts, scenic open areas, and walking and/or biking trails. Other common amenities may include significant stands of trees, stream belts, historic, traditional, or significant uses, structures, architectural elements, and flood hazard areas where appropriate.

Number of Common Amenities – Each PRD shall contain a minimum of three (3) of the above listed common amenities. **The commission may, in its sole discretion, require more than three (3) common amenities.**

Access – Common amenities should be in locations easily accessible to the living units and where they do not impair the view and privacy of the living units within the PRD. Whenever possible, the common amenities shall be contiguous and linked to other existing similar / like areas.

Set-Back Areas Not Included – Common amenities should not be placed in building setback areas., Natural areas such as groves of trees, landscaping, etc. are allowed to be part of the set-back area, as they provide a natural buffer between the Planned Residential Development and its neighbors. For these regulations, those natural areas solely inside setbacks do not count toward the required number of common amenities. See Section 570.11e (Waivers).

Conservation Easement may be required – The Commission may allow or require open space / passive areas which may include critical habitat areas, sensitive natural or historical resources, which must be preserved by a conservation easement to either the Town of Killingly or a third-party conservation group. Such areas should be consistent with the open space acquisition checklist as demonstrated with a report from the P&D Staff and/or the Open Space Land Acquisition Committee. Said easement may, be counted as one, or more, or fulfill the requirement of common amenities required in this Section. See Section 570.11e. (Waivers)

Maintenance – To ensure that common amenities will be maintained properly, the Commission may request the following:

- a. Residential Living (RL) may have a residents' association in the form of a corporation, non-profit organization, or trust, established in accordance with appropriate state law by a suitable legal instrument(s) properly recorded in the Town Clerk's Office.

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- b. Residential Life Care Community (RLCC) may have a residents' committee acting as an advisory committee to the private owner, to make suggestions to the owner on how the common amenities can be maintained.

570.10 – Particular Design Requirements

- a. Roadways - Topography, view sheds, tree cover, and natural drainage ways shall be treated as fixed determinants of road and site layout rather than as elements that can be changed to follow a particular development scheme.

Roadways should be provided on the site where it is necessary to furnish traffic ways for access to the living units and other facilities on the property.

A roadway is any paved street which provides vehicle access within the Planned Residential Development and serves more than ten (10) dwelling units. All Planned residential Development roadways shall be constructed in accordance with the procedure and design standards and specification of the Killingly Subdivision Regulations.

The developer shall clearly specify and/or supply appropriate legal documents assuring the Commission of permanent private ownership, and adequate and continuing maintenance to the standards contained herein. Planned Residential Development roads shall enter public streets at safe locations.

- b. Common Driveways - A common driveway is a paved driving surface within the Planned Residential Development which serves ten (10) or fewer dwelling units and shall be constructed in accordance with the procedures and design standards and specifications of the Killingly Subdivision Regulations.

The minimum separation distance between Public Street curb cuts and/or internal driveway intersections shall be 35 feet.

- c. Pavements - Pavements shall be constructed in accordance with the Pavement Structure requirements of the Town of Killingly Subdivision Regulations, as amended.

- d. Storm Drainage - Roadway storm drainage shall be based on a 25-year return Storm Frequency, with 100-year storm design retention/detention areas and shall be constructed in accordance with the procedures and design specifications of the Killingly Subdivision Regulations.

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The Planning and Zoning Commission shall encourage and may require the use of nonstructural storm water management techniques, such as swales, and other drainage techniques that reduce impervious surface and enable infiltration where appropriate. When curbing is proposed, it shall be of materials consistent with the Town requirements, as amended.

e. Public Transportation - In the event regular public passenger transportation is available to residents of the development, a shelter shall be provided by the applicant at a location convenient to said residents and readily serviceable by the public transportation operator. A convenient and reasonable shelter location shall be reserved and indicated on site plans of developments. Said shelter location, if approved, is exempt from front setback requirements.

f. Fire Safety – For design purposes, the Town Fire Marshal must approve the final design, after consultation with the Fire District Chief. Prior to construction, the documentation shall be submitted to the Planning and Development Office.

All dwelling structures shall be separated by a minimum of 30 feet on all sides from all other dwelling structures, except that the minimum separation distance may be reduced with the use of fire-rated materials and the approval of the Building Official and Fire Marshal.

Each dwelling unit and cluster shall be clearly identified. At the entrance to the PRD from the Town Road a cluster directory shall identify the direction to each cluster and building, and shall be externally lit.

g. Lighting - Outside lighting shall be provided on the site, as appropriate to the project, to illuminate building entries and sidewalk approaches, as well as parking areas. Motion detectors and/or timing devices are to be used on all lighting in visitor parking areas. Lighting shall be arranged to minimize glare, to not shine beyond the perimeter of the site, and to prevent light pollution by using Dark Sky methods.

h. Sidewalks –

IN RLCC - Sidewalks shall be provided, and shall interconnect all dwelling units, off-street parking areas, Planned Residential Development facilities, and the Town Road where frontage(s) is/are calculated. Additional frontage sidewalks constructed to Town specifications may be required by the Commission. Where appropriate, the Commission may require such sidewalks within the development to serve pedestrian movements to nearby off-street community facilities such as existing public facilities, conservation areas, recreation facilities, sidewalks or bicycle plans, streets, transportation systems or utility systems. It is noted that all sidewalks are mandated to comply with ADA (American with Disabilities Act) requirements.

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IN RL – The Commission will have sole discretion to determine which type of sidewalks listed in the above paragraph are required.

i. Utilities -. All utilities including sewer, water, gas, telephone, C.A.T.V. and electric shall be installed underground.

At the time of application submission proof of application to the local health district, or a letter shall be provided from the Killingly Water Pollution Control Authority and the Public Water company stating the adequacy of the design and the ability of the utility to service the PRD proposal as designed. Easements shall be provided to the Town where sewers are proposed to be owned by the Town.

j. Landscaping - A comprehensive landscape plan shall be provided which establishes planting zones in and around parking areas, in front of, alongside, and behind structures, and along street lines and drives. Street trees not less than 2” caliper D.B.H. may be required at a rate of not less than 1 per 50 feet of a PRD road length. Preserved interior stands of trees may be substituted for the street tree requirement at the Commission’s discretion. As far as practicable, the site shall be preserved in its natural state by minimizing tree and soil removal, and manufactured features such as stone walls shall be maintained with minimal alteration or disruption. Awareness of the existence of a development, particularly a higher-density development, shall be minimized by screening views of the development from nearby streets or single-family neighborhoods, by the effective use of existing landforms, or alterations thereto, such as berms, and by existing vegetation or supplemental planting.

Landscaping shall be composed of non-invasive, drought-resistant plantings that may include trees, flowers, shrubs, succulents, and ornamental grasses. High-water use turf shall not exceed twenty (20) percent of all landscaped areas or open areas on the site.

Landscaping in and around parking areas, walkways, along street lines and driveways shall not impair the vision of drivers.

Any existing landscaping scheduled to remain, if found damaged during construction or found diseased should be replaced with sufficient landscaping of the same or similar species.

All landscaping must be maintained in excellent / healthy condition.

Visual relief from buildings and hard materials shall be accomplished with landscape treatments such as shrubs, trees, flower boxes and other greenery around buildings or in recessed places. (See Waiver Section 570.11e.)

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Facilities such as storage, refuse disposal, utility buildings, and structures for recreational activities shall be located and screened to minimize visibility from public ways and adjacent residential areas. (See Waiver Section 570.11e).

k. Architectural - Architectural drawings showing styling and detailing shall be provided at the time of application submission. Drawings shall show front, side, and rear elevations and typical of proposed structures. Without specifying any architectural style, the scale, massing and detailing of buildings should be compatible with other buildings prevalent in the neighborhood. Where a PRD development is located adjacent to a neighborhood of single-family dwellings, the massing scheme and selection of exterior development shall maintain or enhance the character and appearance of the Town.

- (i) Pitched roofed buildings should be encouraged,
- (ii) Roof-top mechanical equipment, other than solar energy panels, should be concealed on all sides,
- (iii) Dwelling unit facades should be designed to avoid a barracks or dormitory appearance, and
- (iv) Buildings should be designed and located on the site to retain the existing topography and natural features of the land to the greatest extent possible.

l. Soil Erosion and Sediment Control - The proposed PRD, both IRL and RLCC, shall meet at least the minimum requirements of Section 590 (Soil Erosion and Sediment Control) of the Zoning Regulations.

m. Easements & Rights of Way - All easements and rights-of-way shall be clearly identified on the plans proposing Planned Residential Development. Prior to the filing of any Planned Residential Development approval, all easement and right-of-way documents shall be provided to the Town.

570.11 - Additional Requirements of Planned Residential Developments –

- a. Where a Planned Residential Development is located adjacent to a neighborhood of single-family dwellings, the massing scheme and selection of exterior development shall maintain or enhance the character and appearance of the neighborhood.
- b. The Commission may permit phased construction of the Planned Residential Development dwelling structures, and the Commission shall determine when the common amenities areas are to be completed. The

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timeframe for completion shall be contained in the Commission's motion to allow the phased construction.

- c. The Commission may require professional certification by an independent and licensed engineering party that roads, common driveways, drainage, curbing, sidewalks, and sewers are constructed in accordance with the approved plans
- d. The Commission may require the stubbing of sewer and water lines at property lines for future use on adjacent properties.
- e. Waivers -
The applicant can request waivers of the following provisions of this Section.

1. Prohibition against locating common amenities in setbacks.

If due to natural features unique to the site that would protect adjoining properties from impacts of the amenity within a setback such as a boundary bordering land that is undevelopable for a distance equal to the setback distance as a result of such factors as permanently conserved land or adjoining land containing steep slopes, wetlands or other features that would prevent it from being developed within such a distance from the amenity at or in excess of the setback distance, a waiver can be granted allowing one or more amenities to be located in setbacks. No waiver can be granted regarding setbacks adjoining public or private roads.

2. Requirement to provide visual relief from buildings and hard services.

If due to natural features unique to the site including topographical features of the site or adjoining site, the existence of permanent development restrictions of adjoining land, or such other fact that would prevent buildings or portions of buildings from being visible from adjoining parcels, a waiver from requiring visual relief from buildings and hard surfaces or portions thereof can be granted.

3. Requirement of screening for refuse disposal, utility buildings and structures and recreational activities. If due to natural features unique to the site including topographical features of the site or adjoining site, the existence of permanent development restrictions of adjoining land, or such other facts that would prevent the view of refuse disposal, utility

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buildings and structures and recreational activities from other residential properties, a full or partial waiver from some or part of the screening requirements can be granted.

4. Procedural requirements for waivers. If the waiver request is submitted in association with a site plan application for which no public hearing is held, a public hearing shall be held regarding the waiver. Approval of any waiver requires an affirmative vote of three fourths (3/4) of the members at the meeting present and voting.

570.12 – Amendments to the Approved Site Plans

This is covered under Section 470 (Site Plan Review); Subsection 470.16 (Amendments or Modification to Approved Plans).