

**PROPOSED AMENDMENT TO THE TOWN OF SHARON ZONING
REGULATIONS
HEARING TO BE HELD MAY 10, 2023
5:30PM SHARON TOWN HALL
ARTICLE VIII SECTION 15**

CLUSTER DEVELOPMENT IN THE RR ZONE

- A. Purpose
 1. Permit a creative approach to development of residential land to preserve open space and wildlife habitat consistent with the Comprehensive Plan and the Plan of Conservation and Development.
 2. Provide alternatives to those residents wishing to downsize their home or desiring a starter home.
 3. Enhance the appearance of the neighborhood through preservation of natural features and open space.

- B. Basic Requirements
 1. The minimum lot size shall be 10 acres.
 2. The percentage of contiguous Open Space required shall be 50%.
 3. All setbacks shall be a minimum of 50 feet.
 4. The development shall make reasonable attempts to adapt to existing topography and natural site features.

- C. Structures
 1. The number of units allowed shall be 1 1/3 the number of units allowed for the acreage.
 2. Units may be detached, or attached in pairs, or a combination thereof.
 3. A Garage/Carport for two vehicles per unit shall be provided and must be attached to the unit.

- D. All roads must be built to town specifications with provisions made for maneuvering and turning of emergency vehicles. One guest parking space per unit must be provided.

- E. Provisions for storm drainage during construction and after must be implemented and must adhere to Article VII of the Zoning Regulations.

- F. Utilities
 1. All wires, cables, and conduits for utilities must be placed underground.

G. Sewer and Water

1. Plans must meet state health requirements. A community sewerage system must conform to Chapter 103, Section 7-246f of the CT state statutes.
2. Plans for water supply must meet state health requirements and must conform to Chapter 103, Section 19-13-B51a.

H. A garbage and recycling disposal system that is protected from wildlife must be provided and approved by the Commission.

I. A landscape plan prepared by a landscape designer must meet the following standards and shall be submitted with the application.

1. In addition to new plantings, existing mature trees should be preserved to the maximum extent practical.
2. The site design shall include a variety of landscape elements, including street trees, deciduous trees, evergreens, shrubs, and perennials and annuals.
3. Plant materials shall be chosen to withstand seasonal weather cycles in New England and for compatibility with existing plantings in the surrounding neighborhood, with consideration for resistance to infestations, resilience to climate exposure, water availability and drainage conditions. Native species are encouraged and invasive plant species classified by the State of Connecticut are prohibited. Plants located near streets, driveways or parking lots must be salt-tolerant.
4. Landscaping is required between all proposed buildings and property lines and must be designed in such a way to create "green fences" (the use of plantings to create privacy) in order to reduce the visual impact of the buildings from neighboring properties and the street. Plantings shall be made up of at least 50% trees, including existing mature trees, and 50% can be shrubs, annuals and perennials. Of the 50% of trees, which can include existing mature trees, 50% must be evergreens in order to provide coverage at all times of year. Newly planted trees must measure a minimum of eight (8) feet above grade at the time of planting.

J. Homeowner Association

When an association is established to own open space or common interests, the association must be legally established to fulfill the following requirements prior to the endorsement of the final plans. Where the common interest requires a common interest community, it shall be established according to the procedures and requirements specified in the Connecticut Common Interest Ownership Act (CGS47-200, as amended) and shall also include the following provisions.

1. The Homeowner Association must be established as a legally recognized entity. The association must be responsible for liability insurance, local taxes, and the maintenance of any recreational and other facilities.
2. The Homeowner Association documents shall provide for the maintenance in perpetuity of the common area land and Common Open Space, the drainage system of the development including any detention or retention basis, common sewage

- facilities, common leaching areas, common wells, access roads and circulation roads, sidewalks, paths, common recreation and maintenance facilities, and parking lots, other common use areas and facilities and exterior or dwellings and maintenance of lawns. Snow-plowing within the project limits and rubbish disposal will be, and shall also remain in perpetuity, the responsibility of the project owner/developer or subsequent Homeowner Association, and not the Town. The Homeowner Association must be legally established prior to the issuance of a Zoning Permit.
3. There shall be mandatory membership in the association or corporation by all the original unit owners and any subsequent owners.
 4. Each unit owner shall have an equal vote in determining the affairs of the organization, costs shall be assessed equally to each unit, and the organization shall remain under the control of the developer until a majority of the units are conveyed to permanent owners.
 5. The association or corporation must have the power to assess and collect from each unit owner a specified share of the costs associated with maintenance, repair, upkeep and insurance of the Open Space.
 6. The association must have the authority to adjust the assessment to meet changed needs.
 7. The method or organization, by-laws and rules of procedure of the Homeowner Association and any amendment thereto shall be in a form acceptable to the Commission and are subject to a review by the Commission's attorney. The Commission may require that a sinking fund be established and used to maintain common areas. The sinking fund shall be transferred to the Homeowner Association when the assets are transferred to the association upon completion of a requisite portion of the development.
- K. Application to include:
1. A site plan prepared by a registered land surveyor which must adhere to all requirements in Article VI of the Planning and Zoning regulation of the Town of Sharon.
 2. A soil and erosion control plan during construction.
 3. Certification by the Director of Health for water supply and sewage disposal.
 4. A detailed landscape plan.
 5. A document establishing a Homeowner Association.
- L. A cash bond must be provided for road construction and utility installations prior to the start of any improvements to the property. Said improvements must be completed within five (5) years from the application's approval date. The Commission may extend the time for completion for up to an additional five (5) years after public hearing for good cause demonstrated to the satisfaction of the Commission.