Open Communities Alliance

Open Woodbridge

Open Communities Alliance
Mr. Chalder’s February 22 presentation was inaccurate and misleading.

- The presentation ignored the existing regulatory framework.
- The supposed 1-unit per-2-acres standard is significantly outdated.
- Mr. Chalder’s hypothetical buildout would be impossible.
- Exploring a realistic multi-family development proposal.

The Regional Water Authority’s letter is applicable to all development in the watershed. These are recommendations the Commission could holistically address at any time.

Mr. Herbst’s opposition to a streamlined approval process is an attempt to erect roadblocks to the actual development of Opportunity Housing. Our mission is to see units constructed and occupied, not just to write zoning text.
FINDING **BALANCE** IS KEY

Housing

Community

Land Use System

Environment / Natural Resources / Public Health / Public Safety
OUT OF BALANCE

Subsidized Housing, Segregation and Opportunity in Connecticut

SEPTEMBER 2017
FINDING **BALANCE** IS KEY

- Housing
- Community

Land Use System

Environment / Natural Resources / Public Health / Public Safety
The Woodbridge POCD definition of sustainability is derived from the United Nations 1987 Brundtland Report (World Commission on the Environment and Development) that defines sustainability as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs. *Doing so must integrate and balance economic, environmental, and social goals.*”

By leaving out the need to “*integrate and balance economic, environmental, and social goals,*” the Woodbridge POCD provides the community a free-pass on *social and economic exclusion.*

- The POCD promotes environmental sustainability without confronting the negative impacts and outcomes of low-density suburban sprawl.
Woodbridge Home Heating Fuels (ACS 2012)

- Utility gas: 79.6%
- Bottled, tank, or LP gas: 2.4%
- Electricity: 9.1%
- Fuel oil, kerosene, etc.: 7.5%
- All other fuels: 1.4%
Finding **Balance** is key

- *In its current form*, this regulation does not appear to balance housing / community / environment.
Finding **Balance** is key

- *In its current form,* this regulation does not appear to balance housing/community/environment.

Diagram:
- Housing
- Community
- Land Use System
- Environment / Natural Resources / Public Health / Public Safety
FINDING **BALANCE** IS KEY

- *In its current form,* this regulation does not appear to balance housing / community / environment.
<table>
<thead>
<tr>
<th>Question</th>
<th>Requires Approval From</th>
<th>Requires Certificate Of Public Convenience &amp; Necessity From DPH</th>
</tr>
</thead>
<tbody>
<tr>
<td>Potential impact to inland wetlands or watercourses?</td>
<td>Inland Wetlands Agency</td>
<td>DPH</td>
</tr>
<tr>
<td>Septic system doesn’t meet Public Health Code requirements? (problems with soils, leaching area, separation distances, etc.)</td>
<td>Quinnipiac Valley Health District</td>
<td>DPH</td>
</tr>
<tr>
<td>Large septic system with design flow of 2,000–7,500 gallons per day?</td>
<td>CT DPH</td>
<td>DPH</td>
</tr>
<tr>
<td>Very large septic system with design flow of &gt;7,500 gallons per day?</td>
<td>CT DEEP</td>
<td>DPH</td>
</tr>
<tr>
<td>Water is provided by a private well (non-community water system)?</td>
<td>Quinnipiac Valley Health District</td>
<td>DPH</td>
</tr>
<tr>
<td>Water system has 25+ users or 15+ service connections (community water system)?</td>
<td>CT DPH</td>
<td>DPH</td>
</tr>
<tr>
<td>Covers more than 15% of lot area? Or more than 2 ½ stories?</td>
<td>ZEO</td>
<td>DPH</td>
</tr>
<tr>
<td>Any other conflict with the single-family bulk regulations?</td>
<td>ZEO</td>
<td>DPH</td>
</tr>
<tr>
<td>Question</td>
<td>Approval Required</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Potential impact to inland wetlands or watercourses?</td>
<td>Requires separate permit from Inland Wetlands Agency</td>
<td></td>
</tr>
<tr>
<td>Septic system doesn’t meet Public Health Code requirements? (problems</td>
<td>Quinnipiac Valley Health District denies septic permit</td>
<td></td>
</tr>
<tr>
<td>with soils, leaching area, separation distances, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large septic system with design flow of 2,000–7,500 gallons per day?</td>
<td>Requires approval from CT DPH</td>
<td></td>
</tr>
<tr>
<td>Very large septic system with design flow of &gt;7,500 gallons per day?</td>
<td>Requires approval from CT DEEP</td>
<td></td>
</tr>
<tr>
<td>Water is provided by a private well (non-community water system)?</td>
<td>Requires approval from Quinnipiac Valley Health District</td>
<td></td>
</tr>
<tr>
<td>Water system has 25+ users or 15+ service connections (community water</td>
<td>Requires Certificate of Public Convenience &amp; Necessity</td>
<td></td>
</tr>
<tr>
<td>system)?</td>
<td>from DPH</td>
<td></td>
</tr>
<tr>
<td>Covers more than 15% of lot area? Or more than 2 ½ stories?</td>
<td>ZEO denies zoning permit</td>
<td></td>
</tr>
<tr>
<td>Any other conflict with the single-family bulk regulations?</td>
<td>ZEO denies zoning permit</td>
<td></td>
</tr>
</tbody>
</table>
Inland Wetland Soils
Requires approval from Quinnipiack Valley Health District

Covers more than 15% of lot area? Or more than 2 ½ stories?

Any other conflict with the single-family bulk regulations?

Water is provided by a private well (non-community water system)?

Large septic system with design flow of 2,000–7,500 gallons per day?

Very large septic system with design flow of >7,500 gallons per day?

Potential impact to inland wetlands or watercourses?

Septic system doesn’t meet Public Health Code requirements? (problems with soils, leaching area, separation distances, etc.)

Requires separate permit from Inland Wetlands Agency

Quinnipiack Valley Health District denies septic permit

Requires approval from CT DPH

Requires approval from CT DEEP

Requires approval from Quinnipiack Valley Health District

Requires Certificate of Public Convenience & Necessity from DPH

ZEO denies zoning permit

ZEO denies zoning permit

Water system has 25+ users or 15+ service connections (community water system)?
CONNECTICUT PUBLIC HEALTH CODE

On-site Sewage Disposal Regulations and Technical Standards for Subsurface Sewage Disposal Systems

<table>
<thead>
<tr>
<th>Special Conditions</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Design Flow &gt; 2000 GPD</td>
<td></td>
</tr>
<tr>
<td>Public Water Supply Watershed</td>
<td></td>
</tr>
<tr>
<td>Probable High Ground Water</td>
<td></td>
</tr>
<tr>
<td>Slope &gt; 25 Percent</td>
<td></td>
</tr>
<tr>
<td>Perc Rate &lt; 1 min/inch</td>
<td></td>
</tr>
<tr>
<td>Perc Rate &gt; 30 min/inch</td>
<td></td>
</tr>
<tr>
<td>Ledge &lt; 5 feet Below Grade</td>
<td></td>
</tr>
<tr>
<td>Limited Suitable Area</td>
<td></td>
</tr>
<tr>
<td>Open Watercourse or Wetland</td>
<td></td>
</tr>
<tr>
<td>Flood Plain/Seasonal Flooding</td>
<td></td>
</tr>
<tr>
<td>G.W. &lt; 36 inches Below Grade</td>
<td></td>
</tr>
</tbody>
</table>

Conclusions

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Suitable for Sewage Disposal</td>
<td></td>
</tr>
<tr>
<td>Unsuitable for Sewage Disposal</td>
<td></td>
</tr>
<tr>
<td>Additional Investigation Required</td>
<td></td>
</tr>
<tr>
<td>Wet Season Monitoring Required</td>
<td></td>
</tr>
<tr>
<td>Retest During Wet Season</td>
<td></td>
</tr>
<tr>
<td>Licensed Engineer Plan Required</td>
<td></td>
</tr>
<tr>
<td>Other:</td>
<td></td>
</tr>
</tbody>
</table>
PERMIT TO DISCHARGE

Approval is hereby given to ___________________________, in accordance with Public Health Code Section 19-l3-B103c (h) to discharge to a subsurface sewage disposal system located at ___________________________ (Street Address) in the town of ___________________________, CT that will receive domestic sewage from a:

- Residential building containing ____________ bedrooms. Single family (Y/N): __
- Restaurant containing ____________ seats.
- Commercial/Office building providing ____________ square feet.
- Other structure as described: ___________________________

Design Flow = ____________ gallons per day. Permitted Flow = ____________ gallons per day. The design flow shall equal the permitted flow, except for non-compliant repairs (See Section IV D).

In order to provide a sufficient factor of safety it is recommended that the average daily discharge not exceed 2/3 of the permitted flow or ____________ gallons per day.

Operation and Maintenance: Septic tank shall be inspected regularly and pumped as needed but not less frequently than every five years. The septic tank has an effluent filter (Y/N) ____________ Effluent filters require periodic cleaning. Failure to clean filters can result in sewage backup into the building or effluent breakout. Restaurants serviced by external grease interceptor tank(s) require quarterly inspections and cleaning as necessary. Tank pump-outs tracked by local health department (Y/N) _____________. If yes, stipulate pump-out requirements: ___________________________

Special Requirements and Restrictions: ___________________________

Exceptions (Repairs Only): ___________________________
B. Septic tank capacities

1. Residential Buildings

The minimum liquid capacities/volumes of septic tanks serving residential buildings shall be based on Table 5.

<table>
<thead>
<tr>
<th></th>
<th>Single-family</th>
<th>Multi-family</th>
</tr>
</thead>
<tbody>
<tr>
<td>1-3 bedrooms</td>
<td>1,000 gallons</td>
<td>1,250 gallons</td>
</tr>
<tr>
<td>For Each Bedroom Beyond 3</td>
<td>Add 125 gallons per bedroom</td>
<td>Add 250 gallons per bedroom</td>
</tr>
<tr>
<td>Question</td>
<td>Approval Required From</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Requires approval from Quinnipiack Valley Health District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Covers more than 15% of lot area? Or more than 2 ½ stories?</td>
<td>ZEO denies zoning permit</td>
<td></td>
</tr>
<tr>
<td>Any other conflict with the single-family bulk regulations?</td>
<td>ZEO denies zoning permit</td>
<td></td>
</tr>
<tr>
<td>Water system has 25+ users or 15+ service connections (community water system)?</td>
<td>Requires Certificate of Public Convenience &amp; Necessity from DPH</td>
<td></td>
</tr>
<tr>
<td>Large septic system with design flow of 2,000–7,500 gallons per day?</td>
<td>Requires approval from CT DPH</td>
<td></td>
</tr>
<tr>
<td>Very large septic system with design flow of &gt;7,500 gallons per day?</td>
<td>Requires approval from CT DEEP</td>
<td></td>
</tr>
<tr>
<td>Septic system doesn’t meet Public Health Code requirements? (problems with soils, leaching area, separation distances, etc.)</td>
<td>Quinnipiack Valley Health District denies septic permit</td>
<td></td>
</tr>
<tr>
<td>Potential impact to inland wetlands or watercourses?</td>
<td>Requires separate permit from Inland Wetlands Agency</td>
<td></td>
</tr>
<tr>
<td>Water is provided by a private well (non-community water system)?</td>
<td>Requires approval from Quinnipiack Valley Health District</td>
<td></td>
</tr>
<tr>
<td>Question</td>
<td>Approval Required</td>
<td></td>
</tr>
<tr>
<td>-------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>Requires approval from Quinnipiack Valley Health District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Covers more than 15% of lot area? Or more than 2 ½ stories?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requires approval from CT DPH</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Large septic system with design flow of 2,000–7,500 gallons per day?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Very large septic system with design flow of &gt;7,500 gallons per day?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requires approval from CT DEEP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water is provided by a private well (non-community water system)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Water system has 25+ users or 15+ service connections (community water system)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requires approval from Quinnipiack Valley Health District</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requires Certificate of Public Convenience &amp; Necessity from DPH</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Any other conflict with the single-family bulk regulations?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requires separate permit from Inland Wetlands Agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requires separate permit from Inland Wetlands Agency</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Potential impact to inland wetlands or watercourses?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Septic system doesn’t meet Public Health Code requirements? (problems with soils, leaching area, separation distances, etc.)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Requires approval from CT DEEP</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ZEO denies zoning permit</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Mr. Chalder’s February 22 presentation was inaccurate and misleading.

- The presentation ignored the existing regulatory framework.
- The supposed 1-unit per-2-acres standard is significantly outdated.
- Mr. Chalder’s hypothetical buildout would be impossible.
- Exploring a realistic multi-family development proposal.

The Regional Water Authority’s letter is applicable to all development in the watershed.

These are recommendations the Commission could holistically address at any time.

Mr. Herbst’s opposition to a streamlined approval process is an attempt to erect roadblocks to the actual development of Opportunity Housing. Our mission is to see units constructed and occupied, not just to write zoning text.
MATERIALS

- 2005-10 State Plan of Conservation and Development

  Expand Housing Opportunities & Design Choices to Accommodate a Variety of Household Types and Needs

  Protect and Ensure the Integrity of Environmental Assets Critical to Public Health and Safety

  As a general density guideline for water supply watersheds, require minimum lot sizes of one dwelling unit per two acres of "buildable" area (excludes wetlands). Comply with the carrying capacity of the land, encourage cluster-style development to lessen impervious surfaces and avoid development in more sensitive areas.

MATERIALS

- 2013-18 State Plan of Conservation and Development

  GROWTH MANAGEMENT PRINCIPLE #2
  Expand Housing Opportunities and Design Choices to Accommodate a Variety of Household Types and Needs

  GROWTH MANAGEMENT PRINCIPLE #5
  Protect and Ensure the Integrity of Environmental Assets Critical to Public Health and Safety

  MINIMIZE the impact of development on drinking water sources by limiting development farms and densities that limit impervious surfaces coverage to 10% of the overall area to be developed and which preserves the non-urbaned land in a natural or undisturbed state.
Office of Policy & Management, Response to Public Comments, 2012

EPA, 2006:

“[F]indings indicate that . . . [h]igher densities may better protect water quality—especially at the lot and watershed levels.”

“[H]igher-density scenarios generate less stormwater runoff per house . . . less runoff and less impervious cover . . . . For a given amount of growth, lower-density development impacts more of the watershed.”

Rhode Island Report, 2010:

 “[T]here are multiple factors beyond simple lot size/density that affect the amount of impervious cover.”

“[L]arge lot development, even though it can reduce impervious surface on an individual property, it is not the preferred strategy for reducing flooding or protecting water resources on a town or watershed level.”
installers and cleaners. We would prefer a minimum of 40 individuals at each session and further suggest small health departments contact adjacent health agencies to coordinate training and the selection of the best site. We would like to do the training during normal working hours but are also willing to conduct evening sessions if the demand is there. A three-hour minimum is necessary to review all the changes, discuss filter inspections and respond to questions from the attendees. The format which brings regulators, engineers, installers and cleaners to the same meeting has been preferred by the local health departments. The months of January and February are preferable for conducting these training sessions. Please contact us so we can lock in the dates and make preparations for your area. We can bring copies of the new regulation for sale at these meetings.

3. In-Tank Pump Vaults: Attached please find a copy of a letter which was recently written to address installation of pump vaults within a septic tank. We believe the letter is self-explanatory and provides the names of three companies that have requested approval for use of these vaults. You will note that each company utilizes a screened (filter like) pump vault in the second chamber of the tank that allows effluent at mid-depth to enter the vault. These screened vaults would meet the requirements for installation of an outlet filter in a septic tank.

4. Density of Development: Over the past two years, we have been working with our sister agency, the Department of Environmental Protection (DEP) to address groundwater pollution in several densely developed residential areas in our state. Some of these involve inland watercourses and others are coastal developments with both year round and seasonal use homes. We are all familiar with densely developed subdivisions and the typical problems of small system failures, pollution of storm drainage systems and tidal flush systems which may have been constructed in or close to the seasonal high ground water levels.

Some municipalities and DEP have identified groundwater pollution problems involving high ammonia, nitrogen and bacteria/viruses on properties with lots as small as 1/8th or 1/16th of an acre. Even lots with "good soils" that do not suffer from hydraulic limitations can create pollution problems in dense developments. High-density developments with these soils will not pollute storm drainage systems, cause surface breakthroughs, or backup into the houses. They will however, adversely affect groundwater quality due to increased nitrogen loading. One can easily imagine the impact of eight three-bedroom homes constructed on a single 1-acre parcel.

Section 19-13-B103e (a)(4) states that no permits shall be issued "for any new subsurface sewage disposal system where the naturally surrounding soil cannot adequately absorb or dispose expected volume of sewage effluent without overflow, breakout or detrimental effect on ground or surface water". Several years ago, we addressed the absorption and disposal of effluent by naturally occurring soils with Minimum Leaching System Speed

January 13, 2000
Page 2

(M.SS). We would now like to bring forth our concerns with respect to high-density development. Recent modifications to our Technical Standards include a system, that compresses a large amount of leaching area into a small area. Due to its compact size, previously non-buildable parcels underlain by well-drained sand and gravel soils may now be reconsidered for development in light of this change. With that in mind, we are recommending that any reconsideration for lot development also include scrubilization with respect to nitrogen pollution. Use of DEP’s 1982 pollution renovation criteria could be utilized for this calculation. If any existing or proposed lots were being considered for new construction, we would recommend the local health departments require nitrogen analysis for all parcels where the density of development exceeds one bedroom per 0.167 acre. If more than a two-bedroom house was proposed on a third acre parcel or less, we would recommend the analysis be performed. If more than a three-bedroom home were proposed on a one half-acre parcel, we would recommend nitrogen analysis be performed. Please note that these guidelines are consistent with the existing Public Health Code, which is intended to protect both public health and the environment. They should be applied to all new construction (and not include repairs) no matter what kind of leaching system is being proposed.

5. Septic Tank Effluent Filter: Enclosed please find a five page informational letter on tank effluent filters. This document should provide answers to many frequently asked questions. Please feel free to reproduce this document for local distribution as needed.
Mr. Chalder’s February 22 presentation was inaccurate and misleading.

- The presentation ignored the existing regulatory framework.
- The supposed 1-unit per-2-acres standard is significantly outdated.
- Mr. Chalder’s hypothetical buildout would be impossible.
- Exploring a realistic multi-family development proposal.

The Regional Water Authority’s letter is applicable to *all development* in the watershed.

These are recommendations the Commission could holistically address at any time.

Mr. Herbst’s opposition to a streamlined approval process is an attempt to erect roadblocks to the actual development of Opportunity Housing. Our mission is to see units constructed and occupied, not just to write zoning text.
Mr. Chalder’s Feb 22 presentation

- With parking, refuse area, building entries, and other areas, impervious coverage would exceed 44,875 Sf (over 34%)

- At average size and mix shown, this could result in **36 units**
Multifamily density will be controlled by the public health code and, when applicable, inland wetlands regulations.

Mr. Chalder’s presentation ignores the public health code, entirely.
Design factors in the public health code

Septic design:
• Soil type
• Terrain (slope)
• Setbacks from wetlands and watercourses
• Setbacks from property lines

Well siting and regulations:
• Setbacks from septics
• Setbacks from drains
• Setbacks from surface water bodies
• Setbacks from local property lines as req. by local health dept.
• Limitations on design population before triggering community water system status
Lot Size

- Hypothetical 3-acre lot
- Lot is 300 x 435.6 (130,680 SF)
- In A zone and public water supply watershed (PWSW)

Mr. Chalder’s 3 Acre

Median Lot Size = 1.63 Acre
Hypothetical 1.63 acre lot
Lot is 200’ x 355’

Contiguous buildable = 63,304 SF
Wetlands = 7,631 SF
Front = 75 ft
Side & rear setback = 25 ft
Buildable Area = 38,127 SF (0.87 acres)
But is it possible to get 15% coverage?

- But the maximum coverage possible is 19,602 SF
Sewage disposal system setback

Primary sewage disposal system

Reserve sewage disposal system

Sewage
Possible well location

25’ from footing drains & bodies of water

75’ from sewage disposal systems, house to septic soil line, & underground oil tanks

Possible well location

Well Water
15% ALLOWABLE ZONING COVERAGE BUT...
Driveway and parking coverage = 8790 SF (12.4%)

Building coverage = 2,018 SF (2.8%)
Chalder’s single family home coverage 4.7%

Multifamily coverage 2.8%

• Typical coverage in A zone in Woodbridge is 3,348 SF
• And with parking, refuse area, building entries, and other areas, impervious coverage would exceed 44,875 SF (over 34%)
Mr. Chalder’s February 22 presentation was inaccurate and misleading.

- The presentation ignored the existing regulatory framework.
- The supposed 1-unit per-2-acres standard is significantly outdated.
- Mr. Chalder’s hypothetical buildout would be impossible.

- Exploring a realistic multi-family development proposal.

- The Regional Water Authority’s letter is applicable to *all development* in the watershed.
  
  These are recommendations the Commission could holistically address at any time.

- Mr. Herbst’s opposition to a streamlined approval process is an attempt to erect roadblocks to the actual development of Opportunity Housing. Our mission is to see units constructed and occupied, not just to write zoning text.
Other limitations: Community Water System status

Water systems with a design population of more than 24 people are classified as community water systems.

There are 497 community water systems in CT. In the last 5 years, DPH has approved only 2 community water systems.

Design populations as per RCSA §16-262m-8:
- 12x 1BR
- 8x 2BR
- 6x 3BR
- Or a combination of above
Mr. Chalder’s hypothetical has:

**Impervious coverage – 34%**

2.3X recommended RWA impervious coverage limit

**No place for septic system on the lot – for any number of units**

**No place for well water on lot**

**Proposed unit mix triggers community water system status:**

Design population of 106 vs. 24 maximum to avoid community water system status

---

Building coverage = 15%
Total coverage = 34%

<table>
<thead>
<tr>
<th>Units</th>
<th>Square Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>36</td>
<td>38,160</td>
</tr>
<tr>
<td>9 x 1 BR</td>
<td></td>
</tr>
<tr>
<td>18 x 2 BR</td>
<td></td>
</tr>
<tr>
<td>9 x 3 BR</td>
<td></td>
</tr>
</tbody>
</table>

Building coverage = 2.8%
Total coverage = 15.2%

4 units – 4,016 sq. ft. (2 stories)
4 x 2BR

This can’t be built – not even close

This can be built
Mr. Chalder’s February 22 presentation was inaccurate and misleading.

- The presentation ignored the existing regulatory framework.
- The supposed 1-unit per-2-acres standard is significantly outdated.
- Mr. Chalder’s hypothetical buildout would be impossible.
- Exploring a realistic multi-family development proposal.

- The Regional Water Authority’s letter is applicable to *all development* in the watershed.
  
  These are recommendations the Commission could holistically address at any time.

- Mr. Herbst’s opposition to a streamlined approval process is an attempt to erect roadblocks to the actual development of Opportunity Housing. Our mission is to see units constructed and occupied, not just to write zoning text.
March 1, 2021

Ms. Kristine Sullivan
Land Use Administrator
Woodbridge Town Hall
11 Meetinghouse Lane
Woodbridge CT 06525

Dear Ms. Sullivan:

Re: Proposed Opportunity Housing Zoning Regulation Text Amendment

The Regional Water Authority (RWA) has reviewed the above referenced application. The zoning text amendment would allow multi-family housing on lots currently restricted to single-family residential developments in Woodbridge, subject only to an administratively issued Zoning Permit.
In order to maintain adequate source water quality for our water system and its customers, we present the following recommendations for your consideration pertaining to lots contained within Woodbridge’s public water supply watershed areas:
Public Water Supply Watershed
In order to maintain adequate source water quality for our water system and its customers, we present the following recommendations for your consideration pertaining to lots contained within Woodbridge’s public water supply watershed areas:
3 Orchard Rd.
- Lot size: 2.32 acres = 101,549 sq. ft.
- Total impervious: 12,100 sq. ft. (est.)
- % impervious = 12%

2 Orchard Rd. (proposed)
- Lot size: 1.5 acres = 65,340 sq. ft.
- Total impervious: 6,519 sq. ft.
- % impervious = 10.1%
<table>
<thead>
<tr>
<th>Bulk Description</th>
<th>A</th>
<th>B</th>
<th>T1</th>
<th>T2</th>
<th>T3-C</th>
<th>T3-D</th>
<th>T3-BB</th>
<th>BI</th>
<th>GB</th>
<th>GBA (Overlay)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING MASSING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width and frontage</td>
<td>200</td>
<td>100</td>
<td>n/a</td>
<td>120</td>
<td>50</td>
<td>40</td>
<td>75</td>
<td>40</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>65,000 sq.ft.</td>
<td>15,000 sq.ft.</td>
<td>n/a</td>
<td>n/a</td>
<td>5,000 sq.ft.</td>
<td>4,000 sq.ft.</td>
<td>4,937 sq.ft.</td>
<td>4,000 sq.ft.</td>
<td>20,000 sq.ft.</td>
<td>20,000 sq.ft.</td>
</tr>
<tr>
<td>Maximum Building Coverage</td>
<td>15% of lot area</td>
<td>30% Accessory bldg. not more than 3% of lot area</td>
<td>3%</td>
<td>15%</td>
<td>40% Accessory Bldg. not More than 15% of lot area</td>
<td>50% Accessory Bldg. not More than 15% of lot area</td>
<td>30% Accessory Bldg. not More than 5% of lot area</td>
<td>70% Accessory Bldg. not More than 50% of rear yard</td>
<td>33.3% Accessory Bldg. not More than 15% of lot area</td>
<td>33.3% Accessory Bldg. not More than 15% of lot area</td>
</tr>
<tr>
<td>Maximum Lot Coverage (total impervious)</td>
<td>n/a</td>
<td>n/a</td>
<td>6%</td>
<td>20%</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>Bulk Description</td>
<td>A</td>
<td>B</td>
<td>T1</td>
<td>T2</td>
<td>T3-C</td>
<td>T3-D</td>
<td>T3-BB</td>
<td>BI</td>
<td>GB</td>
<td>GBA (Overlay)</td>
</tr>
<tr>
<td>----------------------------------------</td>
<td>--------</td>
<td>--------</td>
<td>-------</td>
<td>-------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>-------</td>
<td>-------</td>
<td>---------------</td>
</tr>
<tr>
<td><strong>BUILDING MASSING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width and frontage</td>
<td>200'</td>
<td>100'</td>
<td>n/a</td>
<td>120'</td>
<td>50'</td>
<td>40'</td>
<td>75'</td>
<td>40'</td>
<td>100'</td>
<td>100'</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>65,000 sq.ft.</td>
<td>15,000 sq.ft</td>
<td>n/a</td>
<td>n/a</td>
<td>5,000 sq.ft.</td>
<td>4,000 sq.ft.</td>
<td>9,375 sq.ft.</td>
<td>4,000 sq.ft.</td>
<td>20,000 sq.ft.</td>
<td>20,000 sq.ft.</td>
</tr>
<tr>
<td>Maximum Building Coverage</td>
<td>15% of lot area</td>
<td>30% Accessory bldg. not more than 3% of lot area</td>
<td>3%</td>
<td>15%</td>
<td>40% Accessory Bldg. not More than 15% of lot area</td>
<td>50% Accessory Bldg. not More than 15% of lot area</td>
<td>30% Accessory Bldg. not More than 5% of lot area</td>
<td>70% Accessory Bldg. not More than 50% of rear yard</td>
<td>33.3% Accessory Bldg. not More than 15% of lot area</td>
<td>33.3% Accessory Bldg. not More than 15% of lot area</td>
</tr>
<tr>
<td>Maximum Lot Coverage (total impervious)</td>
<td>n/a</td>
<td>n/a</td>
<td>6%</td>
<td>20%</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>
1. The RWA routinely reviews and provides recommendations concerning development applications before municipal land use commissions through notifications required by statute. As proposed, developments enabled by this amendment would not require Planning and Zoning Commission approval, and thus there would be no requirement to notify the affected water utility per Section 8-3i CGS. Given the potential increased density and impervious cover from multifamily projects versus a typical single family residential home, the RWA would appreciate the opportunity to be notified and provide comments on these projects within the Zoning Permit issuance process.
Sec. 8-3i. Notice to water company re projects within aquifer protection area or watershed of water company.

(c) Notwithstanding the provisions of subsection (b) of this section, when an agent of the zoning commission, planning and zoning commission or zoning board of appeals is authorized to approve an application, petition, request or plan concerning any site that is within the aquifer protection area delineated pursuant to section 22a-354c or the watershed of a water company without the approval of the zoning commission, planning and zoning commission or zoning board of appeals, and such agent determines that the proposed activity will not adversely affect the public water supply, the applicant or person making the filing shall not be required to notify the water company or the Commissioner of Public Health.
Sec. 8-2. Regulations. (a)

Such regulations may also provide for notice requirements in addition to those required by this chapter.
2. As the proposed text is written, it is unclear whether applications would be excluded from providing a stormwater management plan outlined in Section 5.7 of the Woodbridge Zoning Regulations. The RWA recommends that such plans be developed, along with the implementation of Low Impact Development practices (LID) to maintain natural hydrologic conditions that aid in preserving the quality of water resources used for public drinking water.
Section 5.7.H.4: The Stormwater Management Plan shall be submitted with each application to the TPZ.

B. Applicability

No person shall develop land without having provided stormwater management measures that control or manage runoff from such development, except as provided within these Regulations. The stormwater management measures must be consistent with the 2004 Connecticut Stormwater Quality Manual, as may have been amended from time to time.

A Stormwater Management Plan shall be prepared for all site development proposals when the Commission determines that changes to the land associated with the proposal may significantly alter hydrologic conditions resulting in potential pollution and/or other adverse impacts to the ground water or other natural resources of the Town of Woodbridge.

All site development plans shall include a Stormwater Management Plan.
3. We recommend that an impervious coverage limit be established over the site’s buildable area, in addition to maintaining maximum allowed building coverage of not more than 15%. We propose that buildable area be exclusive of wetlands and slopes of 20% or more. While it would be desirable from a water quality perspective for allowed impervious coverage to be no more than necessary, a limit of 15 to 20% impervious cover over the parcel’s buildable area would nonetheless be more protective than what is currently allowed. The RWA would also support applying this recommendation to single family residential development.
<table>
<thead>
<tr>
<th>Bulk Description</th>
<th>A</th>
<th>B</th>
<th>T1</th>
<th>T2</th>
<th>T3-C</th>
<th>T3-D</th>
<th>T3-BB</th>
<th>BI</th>
<th>GB</th>
<th>GBA (Overlay)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>BUILDING MASSING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Minimum Lot Width and frontage</td>
<td>200’</td>
<td>100’</td>
<td>n/a</td>
<td>120’</td>
<td>50’</td>
<td>40’</td>
<td>75’</td>
<td>40’</td>
<td>100’</td>
<td>100’</td>
</tr>
<tr>
<td>Minimum Lot Area</td>
<td>65,000 sq.ft.</td>
<td>15,000 sq.ft</td>
<td>n/a</td>
<td>n/a</td>
<td>5,000 sq.ft.</td>
<td>4,000 sq.ft.</td>
<td>9,375 sq.ft.</td>
<td>4,000 sq.ft.</td>
<td>20,000 sq.ft.</td>
<td>20,000 sq.ft.</td>
</tr>
<tr>
<td>Maximum Building Coverage</td>
<td>15% of lot area</td>
<td>30% Accessory bldg. not more than 3% of lot area</td>
<td>3%</td>
<td>15%</td>
<td>40% Accessory Bldg. not More than 15% of lot area</td>
<td>50% Accessory Bldg. not More than 15% of lot area</td>
<td>30% Accessory Bldg. not More than 5% of lot area</td>
<td>70% Accessory Bldg. not More than 50% of rear yard</td>
<td>33.3% Accessory Bldg. not More than 15% of lot area</td>
<td>33.3% Accessory Bldg. not More than 15% of lot area</td>
</tr>
<tr>
<td>Maximum Lot Coverage (total impervious)</td>
<td>n/a</td>
<td>n/a</td>
<td>6%</td>
<td>20%</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
<td>n/a</td>
</tr>
</tbody>
</table>
4. The RWA recommends a minimum non-disturbance setback buffer width of 50 to 100 feet from watercourses and wetlands for new development in order to limit the impact of development on water supply sources.
2.1 As used in these regulations:

regulations. Furthermore, any clearing, grubbing, filling, grading, paving, excavating, constructing, depositing or removing of material and discharging of storm water on the land within 100 feet measured horizontally from the boundary of any wetland or watercourse is a regulated activity. The agency may rule that any other activity located within such upland review area or in any other non-wetland or non-watercourse area is likely to impact or affect wetlands or watercourses and is a regulated activity.

6.1 No person shall conduct or maintain a regulated activity without first obtaining a permit for such activity from the Inland Wetlands Agency of the Town of Woodbridge. Any permit granted by the Agency shall be recorded in the Land Records of the Town of Woodbridge on such form prescribed by the Agency.
A schedule for inspection and maintenance of on-site septic systems should be established, along with maintaining associated documentation. We recommend inspection and pumping occur at a frequency of no less than every three years. To reduce septic system loading, we recommend that any newly constructed or renovated units be equipped with plumbing fixtures meeting the equivalent of current EPA WaterSense standards.
Septic system doesn’t meet Public Health Code requirements? (problems with soils, leaching area, separation distances, etc.)

Quinnipiac Valley Health District denies septic permit

Large septic system with design flow of 2,000–7,500 gallons per day?

Requires approval from the CT Department of Public Health

Very large septic system with design flow of >7,500 gallons per day?

Requires approval from the CT Department of Energy and Environmental Protection
6. Applicants should consult with the Connecticut Department of Public Health (DPH) to determine the status of proposed multifamily developments served by onsite wells with respect to being subject to the regulatory requirements of a Community Water System.
Development of a New Public Water System

If you are planning a development with an on-site water system having 15 or more service connections or serving 25 or more people, you must obtain a Certificate of Public Convenience and Necessity (CPCN) for the proposed Public Water System (PWS) before any construction of the system can begin.

The CPCN process reviews the design of the proposed PWS from development of the water sources to the piping system that will bring the water to the consumer. One purpose of the "Certificate process" is to ensure that all new public water systems are built to particular specifications and have adequate Technical, Managerial, and Financial capacity to maintain compliance with regulations after the system is put into operation.

The Department of Public Health (DPH) administers the CPCN process. The entire CPCN application is separated into three phases:

- Phase I-A (site location for source of supply),
- Phase I-B (development of the source of supply),
- Phase II (water distribution, storage, treatment).
In order to maintain adequate source water quality for our water system and its customers, we present the following recommendations for your consideration pertaining to lots contained within Woodbridge’s public water supply watershed areas:
Mr. Chalder’s February 22 presentation was inaccurate and misleading.

- The presentation ignored the existing regulatory framework.
- The supposed 1-unit per-2-acres standard is significantly outdated.
- Mr. Chalder’s hypothetical buildout would be impossible.
- Exploring a realistic multi-family development proposal.

The Regional Water Authority’s letter is applicable to *all development* in the watershed.

These are recommendations the Commission could holistically address at any time.

Mr. Herbst’s opposition to a streamlined approval process is an attempt to erect roadblocks to the actual development of Opportunity Housing. Our mission is to see units constructed and occupied, not just to write zoning text.
Typically, public hearing participants are:

- Overwhelmingly white
- Majority male
- Almost all homeowners
- Disproportionately opposed to multi-family housing
# A Selection of Towns in CT Allowing Small-Scale Multifamily Without a Public Hearing

<table>
<thead>
<tr>
<th>Montville</th>
<th>Derby</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bristol</td>
<td>New Haven</td>
</tr>
<tr>
<td>Canton</td>
<td>Hamden</td>
</tr>
<tr>
<td>Stamford</td>
<td>And more</td>
</tr>
<tr>
<td>Plainfield</td>
<td></td>
</tr>
</tbody>
</table>
Oregon Legislature Votes To Essentially Ban Single-Family Zoning
Mr. Chalder’s February 22 presentation was inaccurate and misleading.

- The presentation ignored the existing regulatory framework.
- The supposed 1-unit per-2-acres standard is significantly outdated.
- Mr. Chalder’s hypothetical buildout would be impossible.
- Exploring a realistic multi-family development proposal.

The Regional Water Authority’s letter is applicable to all development in the watershed. These are recommendations the Commission could holistically address at any time.

Mr. Herbst’s opposition to a streamlined approval process is an attempt to erect roadblocks to the actual development of Opportunity Housing. Our mission is to see units constructed and occupied, not just to write zoning text.