

### **Section 5.12.07 Waiver/Exemptions**

a. The Commission may waive one or more of these requirements if it expressly finds, based upon evidence submitted or otherwise available to it, that the proposed activity will not adversely affect any person's health, safety or welfare or any wetlands, watercourses, groundwater or other natural resources of the Town. The Commission shall state on the record its reasons for granting the waiver or exemption.

## **Section 5.13 Designed Apartment/Condominium Developments**

### **Section 5.13.01 Intent**

The intent of this section is to provide an opportunity for the construction of a variety of housing types in Coventry to meet varying life styles, family sizes and income levels; to provide for apartment developments which are compatible with the character of the town and existing neighborhoods; to allow apartment developments on those tracts of land which, by reason of topography, favorable soil conditions, adequate road access and neighborhood character, are favorable to accommodating such clusters; and to encourage an aesthetically pleasing complex of multi-family units. Designed Apartment/Condominium Developments may be approved by special permit in the zones specified in Article VI, provided, however, that no such permit shall be issued for any such development in the drainage basin (watershed area) of Coventry Lake (Wangumbaug Lake).

### **Section 5.13.02 Minimum Area, Density, Coverage and Frontage**

A minimum of 7.5 contiguous acres on a single lot, having at least 50 feet of frontage on a State highway or a Town road meeting current Town road specifications, shall be required for a designed apartment/condominium development. Each development shall have a maximum density of two (2) dwelling units per acre, except for senior housing which shall have a maximum density of four (4) dwelling units per acre when served by public sewer. No single building shall contain more than four (4) dwelling units. No dwelling unit in senior housing may contain more than three (3) bedrooms. Total land coverage, including all impervious surfaces, shall not exceed twenty-five percent.

### **Section 5.13.03 Caretaker Unit for Senior Housing**

One dwelling unit in a senior housing development may be occupied without regard to the age of the occupants, if that unit is occupied by at least one person serving as maintenance manager or superintendent who is responsible for the maintenance and/or management of the senior housing project.

### **Section 5.13.04 Application Procedures.**

Designed Apartment/Condominium Developments shall be subject to a modified special permit/site plan approval process. The applicant shall submit with the application such fees as may be required for a special permit. The applicant shall also submit such information as is required for a special permit pursuant to Section 7.03, except as provided herein. In lieu of detailed design plans showing specific

locations of buildings, structures, drainage and parking facilities and utilities, and open spaces, the applicant may provide a preliminary, conceptual site plan showing the potential, generalized locations of such features. The conceptual site plan shall be designed to assist the Commission in determining the appropriateness of issuing a special permit but shall not be deemed to be the final site plan. If a special permit is granted, the applicant shall file with the Commission within six months a detailed final site plan containing all of the information required by Section 7.02 and 7.03, plus appropriate fees and other data as may be required by the Commission. The final site plan shall substantially comply with the conceptual site plan submitted for the special permit approval. All final site plans shall be prepared, stamped, and signed by a registered and licensed engineer, land surveyor, and/or landscape architect, as appropriate. The Commission shall approve, or approve with modifications and conditions, the final site plan as provided in Section 7.02 and 7.03 of these Regulations. In considering the application for special permit, the Commission shall make specific findings on the following:

a. That the proposed type, design and size of the complex is in harmony with the surrounding neighborhood and existing land uses, with particular emphasis on the potential impact on nearby historic structures and properties.

b. That the proposed site is adequately screened from adjacent streets and properties, thereby providing for a transition from adjacent land uses of a different character. Any site which cannot be adequately screened shall be considered inappropriate for a designed apartment/condominium development.

c. That the applicant has given full consideration to the aesthetic quality of the project, including architectural design, landscaping, and proper use of the land's natural features.

d. That the proposal will not hinder nor discourage the appropriate development and use of adjoining lands and buildings.

e. That the proposal incorporates a safe and suitable access, which will not create traffic hazards on existing town roads.

f. That adequate provision has been made for sewage disposal, water supply, fire Protection and storm drainage systems.

#### **Section 5.13.05 Additional Requirements.**

a. Underground utilities are required unless specifically waived by the Commission.

b. All access drives shall, where feasible, be a minimum of 50 feet from side property lines and, except as noted below, shall be built to conform to standards for Town roads. Roadway widths shall be no less than 22 feet. Curbing and catch basin storm drainage shall not be required if the Commission finds that proposed alternatives will be equally effective. Where deemed necessary by the Commission, drainage easements shall be obtained by the applicant. Common driveways up to 18 feet in width shall be permitted.

c. All buildings, structures, and parking areas shall be set back a minimum of 50 feet from all property lines.

d. The minimum distance between structures should generally be at least five (5) feet greater than the height of the taller of the two adjacent structures. The Commission may allow a smaller distance

if the applicant demonstrates that such smaller distance is compatible with the overall architectural design and site layout and that such design satisfies concerns regarding the health, safety and welfare of future residents.

e. Proof of adequate water supplies and waste-disposal facilities, including reports by any local, regional or state officials and agencies having regulatory permitting authority with regard to such facilities.

f. A minimum of two (2) parking spaces per dwelling unit shall be provided.

g. A fire control plan, based on recommendations and comments of the Coventry Fire Marshal, which may include fire suppression systems involving water storage tanks or other measures at the discretion of the Fire Marshal (Revised – Effective 06/08/15)

h. Sidewalk and pedestrian walkways between buildings and Town or State roads, as may be required by the Commission.

i. The applicant shall dedicate conservation easements to the Town for any areas within 20 feet of any watercourses and for all areas within 50 feet of the front, side and rear lot lines. The Commission may authorize the use of conservation easement areas to permit necessary driveways or emergency access entrances and exits. The Commission's approval of a plan showing driveways or emergency access entrances and exits within the conservation easement areas shall be deemed to constitute approval of such uses in the designated areas.

j. To insure and protect the health, welfare and safety of the future residents and to protect the Town of Coventry from any potential obligation to correct health or safety hazards, the Commission may require a bond or other security for all improvements associated with the proposed development to the extent permitted under the Connecticut General Statutes. Such improvements shall include but not be limited to the following: roadway, drainage, public sewer, public water, parking areas, recreation facilities and landscaping. The required security shall be in an amount equal to 100% of the estimated cost of such improvements. The Commission shall set the amount of the security after consulting with the Town Engineer. The security shall be in a form acceptable to the Commission upon the advice of the Town Attorney. The Commission may allow the security to be renewed. The required security shall be reduced or released by the Commission upon completion of an entire system or improvement.

k. The Commission shall require a maintenance bond or other security with respect to any such systems or structures that are to be dedicated or conveyed to the Town for a one-year period after the completion of the improvements. The Commission may partially release any such security upon partial completion of the improvements.

l. The Commission may allow the development to be bonded in stages provided the first stage has a minimum of eight (8) dwelling units and provided that each stage can function as a separate entity.

m. No zoning permit shall be issued on the development until the required security is posted and accepted by the Town Attorney.

n. All outdoor lighting shall be screened from adjoining property.

o. Best management practices and non-point-source stormwater management methodology are required in the project design.

- p. The proposed landscaping and screening shall be shown on the proposed plans.

**Section 5.13.06 Issuance of Certificates of Use, Compliance and Occupancy.**

No Certificate of Use, Compliance or Occupancy shall be issued until all the requirements of the Commission and these Regulations have been met, and as-built plans of the project have been filed with the town. A bond may serve in lieu of meeting these requirements, if approved by the Commission.

**Section 5.14 Cannabis Establishment Regulations (Added - Effective 1/28/2023)**

**Section 5.14.01 Purpose and Intent**

The purpose of this Section is to provide for adult, i.e., age 21 and over, use cannabis establishments in the Town of Coventry, in accordance with Chapter 420h of the Connecticut General Statutes regulating Adult-Use Cannabis. It is the express purpose and intent of these regulations to minimize the adverse impacts adult-use cannabis establishments may have on adjacent properties and to provide standards for the placement, design, siting, safety, security and monitoring of adult-use cannabis establishments subject to reasonable conditions that will protect the public health, safety and welfare. These regulations are intended to encourage appropriate land use and reasonable safeguards to govern the time, place and manner of Cannabis Establishment operations.

**Section 5.14.02 Cannabis Establishment License Types**

State statutes establish eight different State license types which could be used in defining each specific cannabis establishment in zoning regulations. Each license has unique attributes. The license types relating to land use are as follows: