

**TOWN OF COLUMBIA
PLANNING AND ZONING COMMISSION**

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT

Monday, May 13, 2024 7:00 pm

Regular Meeting – HYBRID

Join Zoom Meeting:

<https://us02web.zoom.us/j/84490264331>

Meeting ID: **844 9026 4331**

or join by phone 1-646-558-8656 same ID.

THIS IS A HYBRID PUBLIC MEETING. THE PUBLIC CAN ATTEND IN-PERSON OR ELECTRONICALLY. THE INFORMATION PROVIDED IN THIS AGENDA CONTAINS THE LINK TO ACCESS THE MEETING ELECTRONICALLY.

AGENDA

1. **CALL TO ORDER**
2. **ROLL CALL AND SEATING OF ALTERNATES**
3. **ADDITIONS/CHANGES TO AGENDA**
4. **APPROVAL OF PZC REGULAR MEETING MINUTES of April 22, 2024**
5. **AUDIENCE OF CITIZENS**
6. **UNFINISHED BUSINESS (Discussion/Possible Action)**
7. **NEW BUSINESS (Discussion/Possible Action)**
 - 7.1 **PZC 2324-05:** Town of Columbia, Zoning Amendment Application to Revise Sections 21.2.3.11, Replace current Section 52.7.19, and Eliminate Section 52.7.21, for Multi-Family Dwellings. **(Accept and Schedule Public Hearing)**
 - 7.2 **PZC 2324-06:** Town of Columbia, Zoning Amendment Application to Revise Sections 8.3 for Accessory Dwelling Units and Two-Family Dwellings. **(Accept and Schedule Public Hearing)**
8. **REGULATION REVISIONS (Discussion)**
 - 8.1 **Section 9 – Modification to Definition of “Structure”**
9. **COMMUNICATIONS AND REPORTS:**
10. **COMMISSION OPEN DISCUSSION:**
11. **AUDIENCE OF CITIZENS:**

12. EXECUTIVE SESSION:

Pending Legal Action per State Statutes Section 1-200(6)(B)

13. ADJOURNMENT

**TOWN OF COLUMBIA
PLANNING AND ZONING COMMISSION**

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT
Monday, April 22, 2024 7:00 pm

**Regular Meeting – HYBRID
Minutes**

Members Present: Chairman Rick Nassiff, Vice-Chair Justin Riendeau, Vera Englert, Thomas Carrier, Dave Holcroft, Robert Powell

Members Excused: Walter Tabor, Larry Preston (Alternate), Ed Madrak (Alternate)

Staff Present: Town Planner John Guskowski (via Zoom), Fire Marshal Mike Lester, Fire Chief Steve Postemsky, Asst. Fire Chief Scott Haddad, Board Clerk Mary Kay Hyman

Others Present: First Selectman Steve Everett, Mark Reynolds of Rob Hellstrom Land Surveying, Robert Caldwell (Applicant), 2 Members of the CoDE, and 4 others were present.

1. CALL TO ORDER: R. Nassiff called the meeting to order at **7:00 PM**.

2. ROLL CALL AND SEATING OF ALTERNATES:

No Alternates present to seat.

3. ADDITIONS/CHANGES TO AGENDA: None

4. APPROVAL OF PZC REGULAR MEETING MINUTES of April 08, 2024

R. Nassiff **MOVED** to **APPROVE** the Minutes of April 08, 2024 as presented; J. Riendeau **SECONDED**; R. Powell **ABSTAINED**; **MOTION PASSED 4:0:1**

5. AUDIENCE OF CITIZENS: None

6. UNFINISHED BUSINESS (Discussion/Possible Action)

6.1 PZC 2324-04: Site Plan Application for Robert Caldwell of Caldwell Realty LLC., to Construct a Vehicle Repair Shop at 41 Route 6, Map 002, Lot 020, Zone CM-1, Lot Area 9.68, Section 31.2.6. **(Continued Discussion/Possible Action on Site Plan Application)**

R. Nassiff read the Application for the record and asked M. Reynolds for a recap.

M. Reynolds gave a recap of the project from the April 08, 2024 meeting and stated at that time the outstanding items were the Septic Approval and the Commission requested the Applicant, R. Caldwell, be present at tonight's meeting. He then presented the Commission with the letter from Eastern Highlands for the Septic Approval and addressed the concern from the last meeting regarding lighting, he confirmed they will only be building mounted, downward facing lights and quite a distance from surrounding buildings.

V. Englert asked questions about the parking, deliveries, and hours of operation.

R. Caldwell (Applicant) stated his hours will be roughly from 8:30 AM to 3:30 PM.

R, Nassiff asked if the business will be open to the public. R. Caldwell stated it would be basically by appointment only.

R. Nassiff asked about handicap parking. M. Reynolds stated it is a large lot, allowing for turning of vehicles, including delivery vehicles, will be built to code, mildly graded and will be ADA compliant.

V. Englert asked how many staff members will be employed.

R. Caldwell stated it would be just himself.

N. Hammerstone of 5 Oakwood Lane asked for the location of the property and asked what type of vehicle repair will be taking place. M. Reynolds responded with details of the location. R. Nassiff stated that in the discussion at the last meeting it was identified the business would be a vehicle restoration repair shop. R. Caldwell confirmed. N. Hammerstone asked if these would be racing cars. R. Caldwell said no and stated it is mainly the building of custom street rods and hot rods.

S. Postemsky asked for confirmation of the street number of the business, is it number 41 or 47. M. Reynolds stated it is the number on the actual Application. M. Hyman confirmed the street number is 41 Route 6 on the Application.

R. Nassiff **MOVED** to **APPROVE** Site Plan Application for Robert Caldwell of Caldwell Realty LLC., to Construct a Vehicle Repair Shop at 41 Route 6, Map 002, Lot 020, Zone CM-1, Lot Area 9.68, Section 31.2.6. J. Riendeau **SECONDED; MOTION PASSED 5:0:0**

7. NEW BUSINESS (Discussion/Possible Action): None

8. REGULATION REVISIONS (Discussion)

8.1. Sections Related to Multifamily Dwellings

8.2. Section 8.3 Accessory Living Unit

R. Nassiff asked Co-Chair J. Riendeau to present the changes to the full Commission.

J. Riendeau presented a detailed Power Point (see attached).

R. Nassiff explained that the Subcommittee has held several meetings, open to the public for input, to discuss the regulation changes for Affordable Housing and at this time they are only presenting the Regulation Draft to the Full Commission. The Subcommittee was made up of 3 Board Members: Walt Tabor, Justin Riendeau and himself, R. Nassiff. R. Nassiff stated tonight's meeting is not a Public Hearing, but comments can be heard.

R. Nassiff thanked J. Riendeau for his hard work and J. Riendeau thanked everyone for their input throughout the process.

T. Currier Recused himself from discussion due to a conflict of interest.

R. Kincaid of the Coalition of Diversity and Equity thanked the Commission for their hard work and thoughtful openness with the Community. She stated this is a wonderful opportunity for the young and for seniors. She presented a letter to the Commission and stated they are requesting that the Commission consider increasing the square footage of the AUD to 900 sq. feet. Through research they have found that 500 square feet will not accommodate wheelchair accessibility. She stated they have seen one-bedroom structures that are 688 sq. ft. and 2-bedroom units that are 798 sq. ft. and they were tight. The Coalition feels the increase is needed to meet the needs of seniors who may need a second bedroom for live in care, wheelchair access etc.

D. Holcroft arrived at 7:45 PM.

Fire Marshal M. Lester of 56 Szegda Road stated his concerns with these changes is that after they are approved safety access becomes the responsibility of the Fire Department. Therefore, he would like to ask for a review and the possible need for a cistern.

R. Powell asked if this would be part of the Building Permit review.

J. Guskowski responded, not necessarily and that this would mirror something similar to the subdivision process permitting the construction of multiple dwelling units, all at the same time. He said he and J. Riendeau discussed putting some provision in the regulations that any proposed development over two buildings would require a consultation with the Fire Marshall about available water sources and Fire Protection resources because if you're adding multiple buildings you want to make sure that they're adequately protected whether it's through a cistern or an available pond. He also added that sprinkler systems can add a lot of cost but we would want to add a provision that basically any developer building more than a couple of units would have to consult with the Fire Marshall to make sure that they understand what the resources in the immediate area are and what the needs are for the site.

M. Lester asked if these structures under the current Fire Code would fall under apartment-like structures or individual units. J. Guskowski confirmed they could be either. M. Lester stated under the current code if it is a structure of 3 families or more it will need to be inspected by the Fire Mashall.

R. Powell stated this may not fall under the responsibly of Planning and Zoning.

R. Nassiff agreed it may not, but stated safety is of course at the forefront of their minds.

R. Powell stated the sanitarian regional water companies must sign off on it and it would be very easy just to include Fire Marshall. R. Nassiff stated they may not want to to have a sign off as much as we would want detailed input because any of the larger projects would be special permit and there would be conditions that we could impose based on the consultation from the town experts.

R. Powell stated he feels the Commission must be careful because you may be requiring certain information that would normally happen after a Site Plan approval. He stated the Commission does not receive complete architectural drawings, as they are not needed for a Site Plan approval. He stated the same applies to plans for the septic and sprinkler systems etc. It may not be something the Commission would want to require precluding a Site Plan approval, causing unnecessary cost to the applicant. He stated the Commissions is trying to

make the process as easy as possible and to encourage someone to come in front of the Commission.

J. Riendeau agreed and stated his conversations with M. Lester have been focused on the need for a step in the process for Fire access review somewhere in the process.

S. Everett of Route 87 stated if the regulation change is not going to allow or if it is not possible for these structures to be six family dwellings or apartments, he would recommend that the Commission not bring it up in the meetings, as it may cause concern from the public. He then asked for clarity on what the Lake Overlay Area is exempt from. J. Riendeau stated it only applies to the Multi Family piece of the proposed Regulation changes. J. Riendeau explained that the way the current Regulations are written multifamily higher density buildings are not allowed in the Lake Overlay Area. S. Everett asked why not in the Lake Overlay Zone. J. Riendeau explained that the lake area is currently at a higher density and there is the overall protection of the lake. S. Everett asked if Camp Asto Wamah could sell their property under these new Regulations and put-up condos. J. Riendeau stated no, not the way these new Regulations are written. R. Nassiff added that they felt it was best for the Town to move forward with the Affordable Housing Regulation changes in a timely manner and it was best not to allow it in the Lake Overlay Zone, as that would require much needed study as it is a sensitive and protected area and added it is important to protect the jewel.

R. Nassiff also stated that this is a very scientifically based Regulation change as to what you can do with a piece of land for the people.

S. Everett stated the watershed area of Columbia sits at the top of the beginning of two rivers and asked if we are not concerned with protecting those watershed areas.

J. Guskowski explained that everyone is in some type of watershed area and there are general guidelines, such as storm management procedures, erosion and sedimentation control and control of impervious surfaces etc. in place, but the Lake Overlay Zone is to protect the lake itself.

S. Everett asked how the density initiative helps with relations to Affordable Housing.

D. Holcroft explained that about a third of a development's cost is the land and if you can put more units on the same piece of land that will generate more profit.

J. Guskowski asked S. Everett to clarify if he was asking about affordability of the developer or the occupant. He stated that lower costs for the developer would hopefully lower the cost for the residents of the units. He stated there are incentives written into the Regulations where setting aside at least 20 % of the units for those making less than the median income the developer would be able to maximize the lot yield on the property given soil conditions and acreage availability vs if you were not setting aside the 20%.

V. Englert stated there have been cases where the units are not more affordable based on how they are marketed with added amenities etc.

R. Nassiff stated that the focus of the Subcommittee was to take some of the cost of development out of the process allowing a developer to decrease the per unit costs, creating a more affordable market for seniors and first-time buyers.

J. Riendeau agreed and stated there was a lot of confusion around the language between Affordable Housing versus low income housing and make it more affordable. He said this is not going to be an influx to the population in Columbia but to make it more feasible for someone's Mom and Dad to retire or someone to downsize and not have to move out of State. These changes would allow for small dwellings with different price points.

R. Nassiff provided an example that was used in the Subcommittee meetings showing just one form of savings, which was road development of a subdivision vs clustered housing. He stated this alone can be a huge savings and possibly take money out of the cost of building housing units.

S. Everett asked if the lot size comes to play in the formula for an Attached Unit.

R. Nassiff stated yes it does because of the need to conform with the Zoning setback Regulations. He stated if it is a non-conforming lot then there is potential to have increased density on that lot based on the existing non-conforming Regulations.

R. Powell stated that they need to review the Fire Marshals emergency access and water supply. He also stated that the State Department of Housing does have a minimum sizing of units taking ADA requirements into consideration and it may be wise to do away with those requirements. He stated he agrees 700 – 900- sq. ft. would be a good size for a unit. He also stated having a minimum size for a structure may no longer be legal. R. Nassiff and J. Riendeau agreed and stated removal of such verbiage is part of this process. He asked if an Accessory Unit had to be for a family member, because he does not feel that is legal. He also stated that currently when subdivisions are done, they require open space set aside. He stated maybe they should consider that as part of this change. J. Riendeau said they steered away from this due to cost and they felt it was not a good fit for this type of development.

R. Nassiff stated once the Full Commission has had a chance to digest, discuss, possibly modify, and if/when they agree to move forward with the changes a Public Hearing will be set. He then requested a formal letter from the Fire Department/Fire Marshal with their request. He also stated the Commission wants to hear input and wants to deliver the best product.

V. Englert stated that she researched information on the Eastford complex and found there is no Zoning but there is a Town Council. She also stated the average cost of a unit is \$270,000.

R. Nassiff stated he visited a model home project in Central PA., and he asked about multiple unit homes and they stated that they primarily only build duplexes because usually for more than 2 unit structures you get into a higher level of building code requirements. He stated he feels this may be what the Town will be looking at is duplex homes, which might be something for the Commission to consider as family structure for 3 or more families, you get into costly Commercial building codes.

R. Nassiff thanked J. Riendeau for his hard work and dedication to the process. He stated for the record that the next meeting will be on Monday, May 13, 2024.

9. COMMUNICATIONS AND REPORTS:

9.1 Town of Hebron Petition #2024-07 to revise Section 5.F.8 of the Hebron Zoning Regulations to regulate lights posts greater than 14 feet in height.

No Comment – non required.

11. COMMISSION OPEN DISCUSSION: None

12. AUDIENCE OF CITIZENS: None

13. EXECUTIVE SESSION: The Commission did not go into Executive Session

Pending Legal Action per State Statutes Section 1-200(6)(B)

14. ADJOURNMENT:

R. Nassiff **MOVED** to **ADJOURN**; J. Riendeau **SECONDED**; **MOTION CARRIED UNANIMOUSLY**

The meeting was adjourned at **8:17 PM**.

Respectfully submitted by Mary Kay Hyman, Board Clerk

Please see the minutes of subsequent meetings for approval of these minutes and any corrections hereto.

This meeting can be viewed in its entirety on the Town of Columbia You Tube Channel

PROPOSED TEXT AMENDMENTS CONCERNING MULTIFAMILY DWELLINGS

May 2024- Planning & Zoning Application Version

21.2.3.11 – Multifamily Dwellings, except in the Columbia Lake Watershed Overlay District, per Section 52.7.19 (Replaces the current regulation reference to **Neighborhood Retirement Housing**)

52.7.19 Multifamily Housing [Replaces current 52.7.19 “Neighborhood Retirement Housing” and 52.7.21 “Multifamily Dwellings”]

52.7.19.1 Intent: To provide for a **broader and more affordable variety of housing in a development pattern by permitting an increase in density within the development and allowing alternative housing types with a site design that is in harmony with** and preserves natural, scenic and historic site design features; and to provide incentives and opportunities for the creation of affordable housing.

52.7.19.2 Required Approvals: A Special Permit shall be required for any proposed Multifamily Housing, except in the CM-1 District, where a Site Plan approval shall be required. The Special Permit may be issued only by the Columbia Planning and Zoning Commission after a public hearing and shall be issued only in conformity to the provisions of Section 52.7.19 of these Regulations. A pre-application review with the Commission is strongly encouraged.

52.7.19.3 Definitions: For purposes of this Section, the following definitions shall apply:

Multifamily Housing: A building, or group of buildings located on a single parcel of land or multiple contiguous parcels containing three or more total dwelling units.

Dwelling Unit: A single unit providing complete, independent living facilities including permanent provisions for living, sleeping, eating, cooking and sanitation.

Unbuildable area: The area, expressed in square feet, within the site that is comprised of wetlands soils, watercourses, lakes, ponds, swamps, marshes, flood zone A per FEMA maps, slopes greater than 20%, and easements prohibiting building development.

Affordable Units: Housing units that comply with Conn. Gen. Stats. §8-13m. to 8-13x

52.7.19.4 Application for Multifamily Housing:

A. Information Required to be submitted:

1. Application signed by the owner(s) and agent(s), if any, stating the ownership of the property to be developed and summarizing the development proposal.
2. An approval of the septic system design by the appropriate authorizing agency.
3. An approval of the water supply system from the appropriate authorizing agency.
4. Key map of the neighborhood on a scale of 1" = 400' showing the relation of the proposed development to abutting properties and to existing and proposed streets.
5. Certified A-2 base map, on a scale of 1" = 40', showing the following:
 - a. Location of benchmarks.

- b. Size of the development in total acreage.
 - c. Location of any ponds, brooks, or inland wetland areas, as certified by a soil scientist.
 - d. Two-foot contours extending fifty (50) feet beyond site boundaries. Contour information shall be collected by an actual field survey or by means of photogrammetry (aerial topography).
 - e. Location of unbuildable area. Notes should reflect the total area (in square feet) of buildable and unbuildable areas on the site.
 - f. Location of subsurface sewage disposal area and site testing locations for the same.
 - g. Location of water supply.
 - h. Location, dimension, and basement floor elevation of all buildings; as well as foundation and footing drains.
 - i. Location of internal private roads, individual driveways, parking areas, and parking spaces.
 - j. Location of accessory buildings, structures, and facilities.
6. Architectural plans showing accurate elevations, height, bulk, construction materials and other massing, architectural, and design features of the proposed development.
 7. Stormwater Plan per Section 6.3 of Columbia Subdivision Regulations.
 8. An erosion and sedimentation control plan prepared in accordance with Article VIII of the Zoning Regulations of the Town of Columbia.
 9. Landscaping plan that demonstrates sufficient buffering between proposed development and adjacent residential properties (may be incorporated as a part of the Site Plan referenced in Section 51) including:
 - a. Planting schedules - type, number, minimum size of trees and/or shrubs and other plants.
 - b. Treatment of seeding and sodding.
 - c. Pavement types for vehicular and pedestrian movement.
 - d. Type, height and density of any proposed screening or fencing.

52.7.19.5 Standards: Any application for a Special Permit under the provisions of Section 52.7.19 shall meet the following requirements:

- A. Development Size and Location: The minimum size of Multifamily Housing development is 150,000 square feet, shall be located in a Residential District (RA) and shall have a minimum frontage of fifty (50) feet at the street line of a public street.
- B. Maximum Dwelling units per acre: The maximum number of dwelling units in the Multifamily Housing Complex shall be determined by soil capacity and State Public Health Code.
- C. Affordable Unit Density Incentive: 100% of maximum unit per acre density, as defined in 52.7.19.5 (B) may be utilized if a minimum of 20% of units are set aside as "affordable units" as defined in section 52.7.19.3
 1. Affordability Percentage. At least twenty percent (20%) of the dwelling units will be rented or conveyed subject to an incentive housing restriction. Such restriction shall

require that, for a least thirty (30) years after initial occupancy of the development, the dwelling units will be sold or rented at, or below, prices that will preserve the units as housing for which persons pay thirty percent (30%) or less of their annual income, where the income is less than or equal to eighty percent (80%) or less of the area median income. In determining compliance with this Section, the Commission will use regulations or guidelines published by the Connecticut Office of Policy and Management, the Connecticut Department of Housing, or any other successor agency designated in accordance with Conn. Gen. Stats. §8-13m. to 8-13x.

2. Affordability Plan. Each applicant for multiple housing units within the Multifamily Housing development will provide an affordability plan that will detail the administration, monitoring, and enforcement of the dwelling units to be sold or rented at below market rates as described above. The plan will include proposed deed restrictions or covenants, lease agreements, common interest ownership documents, bylaws, rules and regulations, sample income calculations, and any other information as the Commission may require to establish compliance with this Section and Conn. Gen. Stats. §8-13m. to 8-13x.
 3. Designation of Administering Agency. The applicant will indicate the name, address, and other contact information for the agency that will administer the sale or rental of the dwelling units that are subject to the below-market sale or rental in accordance with this Section.
 4. Affordable dwelling units may be offered for sale or rental in individual, public, cooperative, or condominium ownership. Documentation as to management, organization, and incorporation of applicable ownership associations will be submitted to the Commission at the time of filing the application for a Multifamily Housing development.
 5. Affordable units shall be of a construction quality and design that is comparable to market-rate units within the development and shall be dispersed throughout the development.
- D. Market rate housing unit yield shall be 70% of the total calculated unit density as defined in 52.7.19.5 (B) if less than 20% of the total units are set aside as restricted affordable units as defined in this Section.
- E. Community buildings, recreational facilities and open spaces designed for, and used principally by, the residents are permitted as accessory uses.
- F. Setbacks: All buildings shall be set back 50 feet from property lines of residential properties that abut the perimeter of the applicant parcel(s).
- G. Sewage Disposal: Each dwelling unit shall be connected to an approved sewage disposal system.
- H. Water Supply: Water Supply facilities must meet the requirements of the State Health Code.
- I. Parking, driveways and roads shall meet all standards set forth in sections 8.12, 8.12.2, 61 and all other Regulations applicable to parking, driveways and roads.
- J. Home Occupation uses shall be allowed in conformance with Section 8.5.1 of the Zoning Regulations of the Town of Columbia.

- K. Appropriate signage shall identify the entrance to the complex, intersections, directions and patterns of vehicular movement. The placement, size and height of the signs shall conform to the requirements of Section 62.
- L. The Multifamily Housing development may be developed in stages. The initial site plan shall show the full development with the first stage depicted in detail, future stages may be shown in concept. Future stages shall require Special Permit approval by the Commission.
- M. Fire Protection: The applicant shall submit a fire protection assessment letter from the Columbia Fire Marshal that includes recommendations for the installation of any facilities necessary to provide sufficient water for the development.

52.7.19.6 Evaluation Criteria: In considering the proposed application, the Planning and Zoning Commission shall be guided by the following:

- A. The location of principal and accessory buildings in relation to one another.
- B. The height, bulk, and density of buildings in relation to one another.
- C. Traffic circulation within the site; amount, location, and access to parking; traffic load or possible circulation problems on existing streets; pedestrian safety throughout the site and in the immediate neighborhood.
- D. Conformance with the intent and goals of the Plan of Conservation & Development.

52.7.19.7 The Commission may provide for bonding of all required common improvements and for soil and erosion control.

52.7.19.8 The owner of the development is responsible for the maintenance of all common improvements and for maintaining the provisions of the approved Special Permit and Site Plan and the verification of occupancy qualifications.

Accessory Dwelling Unit and Two-Family Dwellings

Text Amendment Draft – Planning & Zoning Application Version, May 2024

- 8.3 Accessory Dwelling Unit and Two-Family Dwellings:** A second dwelling unit, either as an accessory dwelling unit or as a conversion to a two-family dwelling, may be added to a single-family house, or may be added in a new or existing free-standing structure, with approval from the Zoning Enforcement Officer, provided the following conditions are met:
- 8.3.1 A second dwelling unit located within the primary single-family structure may be created either within the existing building footprint or through a structural addition.
 - 8.3.2 A second dwelling unit created within the existing primary structure shall be considered a two-family dwelling and shall not have restrictions as to size other than the bulk standards generally applicable to single-family structures in the subject zoning district.
 - 8.3.3 A detached or free-standing accessory dwelling unit shall not exceed 30% of the floor area of the primary dwelling unit, except that primary dwelling units having less than 2000 square feet of floor area may have an accessory dwelling unit which does not exceed 750 square feet;
 - 8.3.4 The new dwelling unit shall include an independent kitchen and bathroom;
 - 8.3.5 The sanitary facilities have been approved pursuant to Public Health Code as being adequate to serve the increased requirements;
 - 8.3.6 Adequate off-street parking is available on the parcel;
 - 8.3.7 An accessory living unit meeting the above conditions may be added within an existing or newly-constructed customary accessory building, provided that no more than one accessory living unit may exist on a single parcel.
 - 8.3.8 Only two total dwelling units shall be allowed on each eligible parcel.
 - 8.3.9 All other Height, Area, and Yard Requirements of these Regulations shall be applicable to Accessory Dwelling Units and Two-Family Dwellings

TEXT AMENDMENT – PROPOSED MODIFICATION TO DEFINITION OF “STRUCTURE” IN SECTION 9 OF COLUMBIA ZONING REGULATIONS

Regulations Committee Draft – May 2024

Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. As used in these Regulations, structures shall include, but are not limited to buildings, swimming pools, towers, docks, balconies, porches, decks, chimneys, handicapped ramps, bay windows, above-ground storage tanks, satellite dishes, ground mounted solar panels, fences or walls greater than six (6) feet in height, and outdoor storage containers.

Retaining walls ~~and~~, public utility equipment (as defined herein), residential heating/air conditioning condenser units, propane tanks, handicap-accessibility ramps, and generators meeting current Building Code are not considered structures under these regulations.

In the Columbia Lake Protection Area Overlay Zones, new unroofed terraces, patios, and similar hardscape, semi-impervious and impervious surfaces greater than 100 ~~s.f.~~square feet, or, modifications or additions to unroofed terraces, patios, and similar hardscape, semi-impervious and impervious surfaces after the effective date of these regulations that are equal to or greater than 100 ~~s.f.~~square feet, shall be considered structures and shall require a Zoning Compliance Certificate but shall be exempt from the setback and lot coverage requirements.

Structures such as piers, docks, boat ramps, and lifts are permitted structures exempt from the minimum yard requirements and are subject to the securing of the necessary permits from the Columbia Board of Selectmen and the Columbia Inland Wetlands Commission. (Effective 8/1/91)