

**PROPOSED AMENDMENT TO BROOKFIELD  
ZONING REGULATIONS**

**NEW SECTION 242-404H-1**

**RESIDENTIAL-RENTAL HOUSING OPPORTUNITY/  
WORKFORCE ZONE (R-RHOW) DISTRICT**

**Submitted by  
Branhaven River and Farm Properties, L.L.C.,  
Torrington Arms Apartments LLC,  
and Skelmorlie, LLC  
to the Brookfield Zoning Commission**

PREPARED BY:  
Christopher J. Smith, Esq.  
Shipman & Goodwin LLP  
One Constitution Plaza  
Hartford, Connecticut 06103-1919  
(860) 251-5000

**Section 242-404H-1: RESIDENTIAL-RENTAL HOUSING  
OPPORTUNITY/WORKFORCE ZONE (R-RHOW)**

**A. Intent and Purposes:**

The purpose of the Residential-Rental Housing Opportunity/Workforce Zone (“R-RHOW”) is to:

- (1) Increase the availability of affordable and attainable rental workforce dwellings in Brookfield where existing and adequate public facilities and services are present.
- (2) Encourage the construction of rental workforce dwellings that is within the economic means of moderate and low income households, and is in a mixed-income development.
- (3) Promote housing choice and economic diversity, including rental housing for low and moderate income households, within the Town of Brookfield.
- (4) Efficiently utilize existing infrastructure and promote neighborhood planning by providing, where infrastructure support is available, a diversity of housing, densities, sizes, and prices.

Workforce housing which fully satisfies the intent, requirements and purposes of Section 8-30g of the Connecticut General Statutes, must be part of any housing proposal submitted for approval within this Zone District.

**B. Permitted Uses:**

The following uses shall be permitted subject to site plan approval by the Commission in accordance with the standards set forth herein:

- (1) Multi-family residential dwellings.
- (2) Related accessory buildings, amenities, structures and uses, including parking structures.

**C. Site Requirements:**

No parcel of land shall be rezoned to R-RHOW unless it satisfies the following:

- (1) has a minimum area size of 4 acres.
- (2) has frontage on a public street.
- (3) has access to public water and sewer.

**D. Density, bulk, area, and dimensional requirements:**

The following requirements shall be deemed to be the minimum or maximum requirements in every instance of an application:

(1)	Maximum density	36 units per gross acre
(2)	Minimum lot area	4 acres
(3)	Minimum lot width	800 feet
(4)	Minimum front setback	5 feet
(5)	Minimum side setback	35 feet
(6)	Minimum rear setback	80 feet
(7)	Maximum building height	6 stories
(8)	Maximum impervious coverage:	60% of gross lot area

**E. Parking:**

Notwithstanding any other provision of these Regulations, the following minimum parking requirements shall be provided.

(1)	Parking spaces per unit/dwelling:	1.5
(2)	Length of a parking space:	18 feet
(3)	Aisle width:	24 feet

**F. Site Plan Documents Required to be Submitted**

Those documents provided by Article III, Section 242-301(C) of these Regulations are required to be submitted with site plan application filed pursuant to this Section 242-404H-1, except as otherwise provided in this Section 242-404H-1.

**G. Land Use Standards and Design Criteria:**

Notwithstanding Article 6 or any other provision of these Regulations, the following shall be prepared and submitted to the Commission, if requested by the Commission, with regard to an application submitted under this Section 242-404H-1:

- (1) Traffic study addressing existing and proposed traffic conditions.
- (2) Landscaping plan depicting appropriate landscaping enhancements.
- (3) Lighting plan whereby lighting from the proposed development will incorporate appropriate measures to reduce any impact to adjacent properties.
- (4) Fire protection plan. A sprinkler system may be provided. If public water is available, then connection to, or provision of, a community, public or private water supply, such as a water storage tank, shall not be required. Appropriate access for emergency vehicles and personnel to proposed buildings shall be provided.

**H. Architecture:**

Notwithstanding Article 6 or any other provision of these Regulations, appropriate architecture shall be provided.

**I. Application Requirements:**

- (1) Petition to re-zone, if required, as provided by these Regulations.
- (2) Application for site plan, with only those documents provided by Section 242-301(C) of these Zoning Regulations being required as part of the application, except as otherwise provided in this Section 242-404H-1.
- (3) An application for site plan approval submitted pursuant to Section 242-404H-1 shall provide for no net increase in peak stormwater flows or volume from existing conditions at the subject property, and shall provide appropriate storm water quality measures.
- (4) Notwithstanding any other provision of these Regulations, prior approval from any sewer commission or authority, architectural review board, or any other municipal, state or federal authority, shall not be required to submit an application filed pursuant to this Section 242-404H-1, except as otherwise provided by State law.

**J. Definitions:**

- (1) A "Rental Housing Opportunity Development" ("RHOD") is a housing development in which not less than thirty percent (30%) of the dwelling units will be held or conveyed by deeds containing covenants or restrictions which shall require, for a period of at least forty (40) years, that such dwelling units be rented at, or below, prices which will preserve the units as affordable housing as defined in Section 8-30g of the Connecticut General Statutes, as amended.
- (2) "Rental Workforce Dwelling" means a dwelling unit within a Rental Housing Opportunity Development that is subject to long-term price restrictions that comply with Section 8-30g of the Connecticut General Statutes, as amended.

**K. Requirements For Workforce Homes:**

The following requirements shall apply to Rental Workforce Dwellings:

- (1) Rental Workforce Dwellings shall be of a construction quality that is comparable to market-rate units within the development.
- (2) Rental Workforce Dwellings shall be dispersed throughout the development and built on a *pro rata* basis as construction proceeds.
- (3) In conjunction with an application for approval of a site plan for an RHOD development, the applicant shall submit an "Affordability Plan," as required by Section 8-30g of the Connecticut General Statutes, which shall describe how the regulations regarding affordability will be administered. The Plan shall include provisions for administration of and compliance with this section; notice procedures to the general public of the availability of affordable units; identification of the method for designating affordable units; procedures for verification and periodic confirmation of unit occupancy income; and compliance with affordability requirements.
- (4) A violation of the regulations contained in this section shall not result in a forfeiture or reversion of title, but the Zoning Commission of the Town of Brookfield or its designated agent shall otherwise retain all enforcement powers granted by the Connecticut General Statutes, including Section 8-12.