Town of Colchester, Connecticut

TOWN CENTER NEIGHBORHOOD STRATEGIC PLAN

Department of Planning and Zoning

Neighborhood Revitalization Planning Committee

February, 1998

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I. Introduction and Executive Summary

A. Introduction -- Public Act 95-340

Public Act 95-340 "An Act Establishing a Neighborhood Revitalization Process" took effect on October 1, 1995 finalizing a year-long study by the Connecticut Neighborhood Revitalization and Reinvestment Task Force. In an effort to build "self-reliant" communities, the Act provides a new model for local neighborhood economic revitalization. By teaming local stake holders with local officials, the Act promotes neighborhood self sufficiency.

The planning process required by the Act empowers local Neighborhood Revitalization Planning Committees to create Strategic Plans for the revitalization of designated areas. The Act also provides for local legislative bodies to adopt the Strategic Plans by ordinance, and requires that the Strategic Plan be submitted to the Secretary of the Connecticut Office of Policy and Management for review and comments

Minimum elements to be contained in the required Strategic Plan are also established by Public Act 95-340. A Revitalization Neighborhood Strategic Plan must be designed to promote, in part, neighborhood self-reliance, must consider public and private funding sources, and must consider property usage, neighborhood design, marketing and outreach, as well as recreation and the environment. A Plan must also identify code impediments to revitalization that would be topics for waivers, and also assign implementation responsibility for accomplishing each aspect of the Plan. In addition, a Plan must include a list of the Neighborhood Revitalization Planning Committee members, and the committee's bylaws.

The Colchester Board of Selectmen established the Town's first Neighborhood Revitalization Zone on March 13, 1997. The Board at that time also appointed a 13-member Neighborhood Revitalization Planning Committee made up of all property owners in the revitalization area, four banking representatives, and two Town staff.

The Neighborhood Revitalization Planning Committee established a monthly meeting schedule, appointed a chairman, and adopted bylaws. The Committee also initiated a strategic planning process, the results of which are being realized by the completion and publication of this Town Center Neighborhood Strategic Plan document.

The list of Neighborhood Revitalization Planning Committee members is included as Appendix A. The Neighborhood Revitalization Planning Committee Bylaws are contained in Appendix B, and Appendix C contains the Service Area Map for the Neighborhood Revitalization Zone covered by this Plan. The Town Center Neighborhood Strategic Plan *Conceptual Development Plan* map is included as Appendix D, Elevation renderings by the consulting Architect are included as Appendix E, and the text of Public Act No. 95-340 is included as Appendix F for convenient reference. The questionnaire used to determine target area income levels is included as Appendix G.

B. 1995 Colchester Town Center Plan

Chapter II reviews the 1995 COLCHESTER TOWN CENTER: A Cultural Resources Development and Heritage Tourism Plan by Preservation Planning Associates, which serves as the basis for this Strategic Plan. Intended to create an integrated plan of historic preservation and economic development, the 1995 Plan expressed a variety of goals and recommendations to revitalize the Colchester Town Center.

Due to the physical geography of the overall Town Center area, multiple "specific area plans" will ultimately be necessary to provide for revitalization of areas that are either not all contiguous, or are defined by differing settings and topography. This Strategic Plan is the first such "specific area plan" providing for the revitalization of this area, as well as serving as an action plan for the implementation of the goals of the 1995 Plan.

C. Neighborhood Analysis

In Chapter III, the Neighborhood Analysis will provide a definition of the neighborhood being addressed by this Strategic Plan. It will also briefly review the income levels, land use, and zoning of the area. The sample questionnaire utilized in the target area survey is included as Appendix G. Also discussed will be the variety of near-term or pending development proposals, as well as possible future development. In addition, potential development on properties immediately adjacent to the revitalization area will be discussed.

D. Traffic and Circulation

Traffic and circulation will be discussed in Chapter IV. Current realignment and signalization proposals on Route 85 at the Lebanon Avenue intersection will be reviewed. Other traffic improvements recently completed will be discussed, and additional future improvements will be suggested. Of particular interest will be the Effect these various

proposals could have on the existing and proposed internal, on-site traffic patterns within the Strategic Plan area.

E. Revitalization Proposals

Based on the pending and possible future developments discussed in previous chapters, and based on the goals and recommendations of the 1995 Plan, Chapter V will enumerate specific actions to be taken and projects to be accomplished to revitalize the area. Discussion will include improvements directed at enhanced public safety, increased off-street parking, and the addition of streetscape amenities such as coordinated furniture and lighting. Also to be discussed will be the issues of public rest rooms, handicap accessibility, and public improvements including street widening and/or extensions.

This chapter, which constitutes the "Action Plan" portion of the overall plan document, will also focus on neighborhood design, facade treatment, and signage. Elevation renderings by the consulting Architect (see Appendix E) will be discussed, with emphasis also given to the incorporation of similar architectural features into new construction.

F. Code Considerations

In Chapter VI, the requirements of the various codes, regulations and ordinances of the State of Connecticut and the Town of Colchester will be listed, as well as waiver options which may exist for each respective code, if any. Care will be taken to assure compliance with those various requirements, including seeking conceptual approval from the Zoning and Planning Commission for the Conceptual Development Plan, once finalized.

G. Financing

Various methods of financing and financial assistance will be discussed in Chapter VII. Specific areas of Town involvement and/or facilitation will be explored, with special attention given to recently established loan pools and local lending institution involvement. State and Federal grant programs will also be discussed.

H. Conclusion

Chapter VIII concludes this report, the contents of which in its entirety constitute the 1997 Town Center Neighborhood Strategic Plan. It is intended to be a strategic action plan for the specific Town Center area addressed.

II. 1995 Colchester Town Center Plan

A. 1995 Plan Goals

The Town of Colchester commissioned Preservation Planning Associates to produce a town center plan entitled COLCHESTER TOWN CENTER: A Cultural Resources Development and Heritage Tourism Plan. The plan was completed in 1995, and articulates several goals and objectives for the future of Colchester's Town Center. The central objective of this report for the town was to create an integrated plan of historic preservation and economic development. Among the goals contained in the 1995 Plan, the following are of particular interest in the context of this Revitalization Plan:

- *"Encourage new development in the town center (both location and kind) that strengthens its current central economic role.*

- *Protect the historic buildings and ambiance, and ensure that future construction and alterations to existing buildings are sensitive to the center's historic character.*

- *Enhance the center's appearance through improvements to the green and center streetscapes that present a more unified and attractive image."* [1]

These goals were established for the overall Town Center area, and in fact are relevant for many such town centers anywhere in New England. Because of this, however, they may be somewhat general in nature when applied to a specific sub-area.

To the extent that the goals contained in the 1995 Plan are applicable to the "Town Center Neighborhood," they have been incorporated in, and to some extent have driven, the strategic planning process which resulted in this Strategic Plan.

B. 1995 Plan Recommendations

After extensive research, analysis and multiple interviews with key officials and citizens, Preservation Planning Associates compiled a list of recommendations. Of the multiple recommendations contained in the 1995 Plan, the following are especially relevant:

- *"Create a Town Center Zone with protective design review.*
- *Improve the commercial offerings.*
- *Exploit the potential of coordinated new development around Merchants' Row and Cragin Library.*
- *Improve circulation and parking.*
- *Explore the development potential of undeveloped parcels.*
- *Install uniform streetscape improvements on major streets.*
- *Reduce the impact of parking on streetscape integrity.*
- *Implement unused design review in zoning regulations.*
- *Grant property tax relief.*
- *Establish a community reinvestment fund.*
- *Create a loan/grant program for property improvements.*
- *Encourage new residential developments in or near the town center.*
- *Create attractive signage to further the theme and marketing strategy."* [2]

As with the 1995 Plan goals, the recommendations were established in the broader context of the overall Town Center area. However, acting on the above listed recommendations within the more limited specific area of the "Town Center Neighborhood" is facilitated by the somewhat "universal" quality of the recommendations. Virtually every recommendation listed above can be implemented. In fact, several of the recommendations have already been accomplished, or are being pursued on an on-going basis. For example, an Historic Preservation Overlay Zone has been adopted as part of the zoning regulations. This includes architectural review, as well as site plan review. In addition, various development proposals in the specific area have been or are being reviewed with an eye toward integrated, improved parking and circulation. Possible

III. Neighborhood Analysis

A. Town Center Neighborhood -- Area Definition

The Town Center Neighborhood area covered by this Strategic Plan consists of that area bounded by Clark Lane on the north, Route 85 on the east, Linwood Ave./Route 16 on the south, and Cragin Court (and its extension to Clark Lane) to the west. The Town Center Neighborhood *Conceptual Development Plan* Map is included as Appendix D.

B. Service Area -- Definition & Income Levels

The overall Town Center Service Area (or "target" area) within which the Town Center Neighborhood area is located includes the properties fronting on Route 85 from Ga-Na-Den Village at the south (Rt. 85-South Main Street) to Clark Lane at the north (Rt. 85-Broadway), and on Route 16 from Route 2 at the west (Rt. 16-Linwood Ave,) to Elm Street at the east (Rt. 16-Lebanon Ave.). Also included are the properties fronting on the west side of Pleasant and Mill Streets. This target area is the heart of the former Borough of Colchester, and generally consists of a "walking distance" village/service center. The Town Center Neighborhood area is located in the north-central portion of this larger target area, and is characterized by being one of several small commercial "clusters" within the larger, overall Town Center area. The Town Center Service Area Map is included as Appendix C.

In order for the Town to qualify for inclusion in the CDBG Small Cities Program, at least 51% of the entire target area population to be served must be low/moderate income. Based on a survey conducted by the Town in the summer of 1997, it was determined that over 51% of the households within the target area are considered low/moderate income. A sample questionnaire utilized in the target area survey is included as Appendix G.

It is anticipated that at least three other neighborhood revitalization areas ("specific areas") will be designated. Likely to be designated are the South Main Street Area, the Hayward Avenue Area, and the Lebanon Avenue Area.

C. Current Zoning

The Town Center Neighborhood area is classified as "C - General Commercial" by the Town of Colchester Zoning Regulations, which permits a variety of retail uses as well as municipal and cultural facilities. The area is also superimposed by the "Historic Preservation Overlay Zone" (HPOZ), which establishes some limitations on the range of uses permitted, and provides for an architectural review process as part of an expanded site plan review. The HPOZ also establishes additional criteria for signage.

D. Current Land Use

The current land use of the Town Center Neighborhood area consists primarily of mixed retail commercial uses. There also exist several residential uses, (multi-family buildings and apartments above stores), and Cragin Memorial Library. The interior of the "block" is currently undeveloped. The following table provides an inventory of the properties:

Property Inventory: Town Center Neighborhood

	Map	Lot	Address	Owner	Use
1.	16	89	51 Broadway	Carolyn Chyinski	Commercial
2.	16	89	43 Broadway	Carolyn Chyinski	Residential
3.	16	88	35 Broadway	James J. Noel	Residential
4.	16	87	(demolished)	James J. Noel	Commercial
5.	16	86	15 Broadway	James J. Noel	Commercial
6.	16	85	14/16 Main St.	A.K. Bochain	Comm./Res.
7.	16	85-1	20 Main St.	A.K. Bochain	Comm./Res.
8.	16	84	36 Main St.	Keep Gro Inc.	Commercial
9.	16	83	44 Main St.	Keep Gro Inc.	Comm./Res.
10.	16	82	48 Main St.	Brian Lawson	Comm./Res.
11.	16	81	8 Linwood	Cragin Library	Library

E. Near-term Development Proposals

There are several near-term development proposals recently under review or for which submittal is imminent. They include: Colchester Mill Fabric, J.J. Noel's Plaza expansion, Cragin Library expansion, Congregate Care Housing, and commercial (drug store) redevelopment of 24-36 Linwood Avenue.

In August of 1997 Colchester Mill Fabric had proposed a 12,000 sq.ft. retail building to replace the former store which was destroyed by fire. The new building was to have been located along Clark Lane and was to consist of two levels of retail with a third level for

office space. This proposal was withdrawn from Zoning and Planning Commission review in October of 1997. Alternative plans are being considered for the re-establishment of this business.

J.J. Noel's Plaza expansion is proposing 6,000 sq.ft. of new mixed retail. This could take the form of one building, or possibly two buildings, one building being an addition to the existing complex, the other a new stand-alone building. Any such expansion will include provisions for common, interior block circulation for parking and traffic.

Cragin Library is proposing a 15,000 sq.ft. expansion. The new addition will be architecturally compatible with the current library building, and will provide additional off-street parking. The expansion will occur to the side and rear of the existing library, with any off-street parking being provided in the rear, with access from Cragin Court and from the proposed interior block parking area being developed/coordinated by the Town.

On adjacent properties, Harold Goldberg is considering a 75-85 tenant space Congregate Care Elderly Housing facility at the end of Cragin Court. This is to be a three-story building incorporating indoor parking in the lower level of the building. Limited off-street parking would also be provided at street level adjacent to Cragin Court. No final plans have been prepared, however care will need to be taken to accommodate the future northerly extension of Cragin Court to Clark Lane.

A major redevelopment of 24-36 Linwood Avenue was also proposed in June of 1997. This plan consisted of the demolition of both residences, and the construction of a new 10,000 sq.ft. drug store on the combined properties. This proposal was withdrawn from Zoning and Planning Commission review in October of 1997. Alternative plans are being considered for the re-submission of this proposal.

F. Long-term Development Proposals

Long-term development proposals include the Merchant's Row Facade program, which will consist of not only rehabilitating the existing Main Street facades, but also adding "new front doors" to the rear facades to facilitate handicap accessibility, and more direct access for the general public to existing businesses from redeveloped parking.

The interior block parking lot program will consist of redesigned/reconstructed parking facilities to the rear of the Merchant's Row building clusters. Enhanced access to Merchant's Row will be provided, including access from Main Street, increased lighting and landscaping, as well as handicap accessibility.

The majority of vacant land in the interior block is owned by Mr. Noel. Carefully handled, additional development of specialty shops as suggested by the Cultural Plan could be accomplished. This would bring together an overall "village within the Village Center" approach to revitalizing the entire area.

Another project included in long-term development proposals is the expansion and extension of Cragin Court. This project would widen the street to a minimum of 24', and extend the current alignment to Clark Lane. This project will require right-of-way acquisition from three separate property owners, and will greatly enhance access to any future interior block development.

IV. Traffic and Circulation

A. Background

Long before Europeans began their settlement of the area, Colchester was the Hub of the region, with numerous trails and foot paths converging near what is now the Town Center Green. After European settlement, those trails and paths began to evolve into more frequently traveled ways. The location and alignment of those early roads were determined to a large degree by the sometimes rugged terrain. And due to those topological constraints, many of the roads are in virtually the same location today as they were originally.

Over time, improvements have occurred, usually consisting first of the addition of markers and signposts, then widening of the traveled way, and finally the addition of better surface materials. This improvement process became cyclical, with the installation of increasingly better signs, alignments, and paving materials. More recently, the improvements have consisted of the addition of traffic control devices (signs, painted markers, traffic lights, etc.) and the major reconfiguration of some of the intersections. The intersection reconfigurations have become necessary because alignments that might have been suitable for foot, horse, cart, or even early auto traffic in the past are unsafe with today's volume and speed of auto and truck traffic. What in years past have been quaint "Y" or "V" intersections that typify the New England landscape are now woefully unsuited to handle modern day traffic loads.

B: Traffic

As noted above, traffic has steadily increased over the years as the town has grown in population and as per capita auto ownership has risen. Unfortunately, transportation improvements have not always progressed at the same rate that traffic has increased. The inability of transportation facilities, especially roads, to deal with the increased traffic loads becomes noticeable when motorists begin to experience trip delays.

Delays will occur on roads that have to carry more traffic than they were designed for. This over capacity problem is dealt with in a variety of ways. One method of increasing the capacity of a roadway is to simply widen the lanes. Another method is to protect the traffic flow on that particular alignment by adding stop signs at all intersections of connecting roads. This method allows for basically a continuous flow of traffic -- which is good for the driver already on the road, but not so good for those drivers trying to enter the flow of traffic. To create breaks in the flow of traffic on the major alignment without overly disrupting the flow, traffic signals are installed, but usually only at intersections with other roads of a similar classification.

It is also possible to increase the capacity of a roadway by providing additional lanes of traffic. Initially this approach calls for the addition of left-turn lanes at intersections. This allows for through traffic to continue beyond intersections in the driving lane, while turning vehicles (usually left-turning) utilize a special turning lane (turn pocket) that is of a sufficient length to allow for several vehicles to queue without blocking through traffic. Completely separate lanes may also be added, but width of right-of-way and building locations can make this option unfeasible.

Obviously, some combination of these methods is usually necessary to accomplish the maximum improvements in capacity given the particular constraints of the section of roadway in question. This is precisely what the Connecticut Department of Transportation has done in the Town Center area. Traffic signals have been added at every major intersection of Route 85 (Broadway, Main Street, South Main Street) as it passes through "Downtown" Colchester. In addition to the signalization, certain intersections have been redesigned to accommodate left-turn turn pockets. Of particular importance is the intersection of Route 85 (Main Street) and Route 16 (Linwood Avenue), which was not only signalized, but was realigned to include left-turn turn pockets for all approaches to the intersection.

The next major improvement planned by the Connecticut Department of Transportation is the realignment of the intersection of Route 85 (Broadway) and Route 16 (Lebanon Avenue), which is currently signalized. This intersection will remain signalized, but will be realigned and shifted to the north, so that the intersection will be in a line with an extension of Route 16 to the internal driveway that passes along the side of the J.J. Noel Supermarket. This will create a new entrance drive to the shopping plaza, and close the two existing driveways. The Connecticut Department of Transportation plans to include this new driveway entrance to the shopping plaza as part of the new signalized intersection.

Additional external improvements have also been investigated. Because of the road alignments, virtually every local trip must pass through the Town Center on Route 85 (Broadway / Main Street / South Main Street). Circulation in downtown Colchester could be improved, and traffic congestion decreased, by providing two major external transportation elements. The first external element consists of the addition of an east-

bound on-ramp and a west-bound off-ramp at interchange #17 on Route 2. This would eliminate the need for some of the traffic in the Route 149 area from driving through downtown to access Route 2.

The second external element to reduce downtown congestion is the provision of a northeast arterial roadway. This road would connect Route 2 interchange #17 with Route 2 interchange #21 via an arterial "bypass". The road alignment would loop around the more densely developed downtown Colchester area. This would eliminate the need for much of the "Route 2-bound" traffic from passing through the Town Center, and would provide access among all routes radiating from the downtown area, without having to actually drive through it.

C: Circulation Plan

The new signalized intersection mentioned above will greatly improve access to the shopping plaza, and at the same time improve the function and capacity of the intersection. The improvements proposed for the parking areas behind the Merchants Row cluster of buildings will also be enhanced by the intersection improvement. The southerly extension of the entrance drive beyond the Supermarket will provide access to the redeveloped Merchants Row rear parking areas. This interconnection of facilities will greatly improve the internal block traffic circulation, as the extended entrance drive is proposed to connect to Cragin Court just west of the Library property. In addition, the proposed extension of Cragin Court to Clark Lane, combined with the planned interconnection of all future development, will add to the improved circulation of the entire area.

This enhanced internal circulation will also increase access to multiple parking areas that are planned within the Town Center Neighborhood area. Providing integrated design and planning now for the overall area will facilitate an orderly development of the new roads, driveways and parking facilities, as well as a coordinated redevelopment of the Merchants Row cluster of buildings.

V. Revitalization Proposals

The various development possibilities previously discussed generate the need to establish specific actions to be taken and projects to be accomplished to revitalize the Town Center Neighborhood area. Utilizing, in part, the goals and recommendations of the 1995 Plan, this chapter enumerates those actions and projects deemed necessary for revitalization to be successful.

Of particular interest and necessity are public safety improvements, handicap accessibility, increased off-street parking, and the addition of streetscape amenities such as coordinated furniture and lighting fixtures. Other improvements include the issues of public restrooms, street widening and/or street extensions.

A. Public Safety

Multiple public safety issues have been raised during the planning process. Specific improvements have resulted. The following represents the findings and recommendations of the planning committee's work:

- *Lighting: Special attention should be taken to illuminate areas in the rear of buildings to eliminate "dark spots." Uniform decorative lighting should be considered for Main Street buildings as well as the interior parking areas to be redeveloped. Both building-mounted and freestanding light fixtures should be considered. Type, design, and location of light fixtures should be confirmed by the consulting Architect.*

- *Crosswalks and "Yield to Pedestrian" signage: Crosswalks should be maintained in good condition enhanced visibility and improved pedestrian safety. "Yield to Pedestrian" signage should be requested from ConnDOT wherever appropriate to ensure safety to pedestrians*

using the crosswalks. Such signage also tends to slow traffic speeds. The use of textured surfaces in crosswalks should also be considered.

- *Pedestrian Walkways and Circulation: Pedestrian walkways and overall pedestrian circulation should be improved and expanded to include not only the typical public access areas in front of Merchant's Row, but to include the interior block as well. Future development of the interior block should provide for logical, accessible linkages for pedestrian travel.*

- *Vehicular Traffic Controls: To the extent possible, all available and appropriate traffic controls should be installed. In conjunction with ConnDOT determine the type and location of appropriate controls, including the placement of crosswalk demand buttons for pedestrians.*

- *Landscaping for Safety: All landscaping, either along the public way, or in the interior block parking areas, should be installed so as not to be a visual barrier to vehicular or pedestrian traffic. Clear sight triangles must be maintained at all access points to the public way and at intersections within the parking areas. In addition, any tree plantings must be so installed to avoid overly low branches over public or private walkways and sidewalks, and be coordinated with historic perspectives and vistas.*

- *Police Patrols: Police patrols should be coordinated with the businesses in the area so as to maximize the use and timing of such patrols. Both mobile and foot patrols should be employed, with heightened police visibility during high traffic and high activity times and/or seasons.*

- *Emergency Only Public Telephone: Consideration should be given to the installation of a public access emergency only telephone.*

- *Video Surveillance: Installation of video surveillance equipment on the rear of buildings is recommended for enhanced monitoring and safety of the interior parking areas.*

- *Public Address System: Any public address system should be developed in conjunction with civil defense needs. Businesses may be interested in some type of external sound system for music, announcements, etc. Seasonal broadcasts of music have been successful in similar installations in other communities.*

B. Parking

- *On-Street Parking: The number of on-street parking spaces will be reduced, especially in front of Merchant's Row, where spaces will be striped for parallel parking (used in the past as angle stalls). Parking closer to the proposed traffic signal in front of Noel's Plaza will also be limited, as additional right-of-way will be necessary to accommodate the new alignment.*

- *Off-Street Parking: Because of the loss of on-street parking from the projects mentioned above, the need for off-street parking will be increased. The parking area behind Merchant's Row is to be redeveloped in cooperation with ConnDOT to become a public parking facility. The balance of the interior block will remain private parking lots. Although technically outside the revitalization area, a municipal parking lot is being proposed on 31 Cragin Court (the former Felciano property) on the west side of Cragin Court. This will provide additional parking primarily for the library, but will be beneficial to the entire area.*

- *Fire/Police Access: Any improvements must provide adequate emergency access to the area, including through access within the interior block area. A public access aisle should be provided from the proposed traffic signal in front of Noel's Plaza to Cragin Court. This will ensure good emergency vehicle access to the area.*

- *Restrictions on Overnight parking: A Town ordinance should be adopted to establish designated parking for on-site residents (apartment dwellers over stores on Main Street). An accommodation also needs to be made for business vehicles (utility/delivery) parked on-site overnight.*

- *Time limits on parking: A Town ordinance should also include provisions for designating time-limited parking for the general public (2-hr. limit?), as well as employee parking spaces. The use of parking meters or other time-control devices should be investigated. Overnight parking by the general public should be prohibited, and the parking or storage of junked or inoperable vehicles should also be prohibited. Once long-term leases are established by the Town, enforcement of the parking regulations will be accomplished by the Town.*

C. Area Improvements

- *Dumpsters: Areas should be designated for the placement of multi-building use dumpsters. Special consideration will be needed for restaurant grease dumpsters. Proposed dumpster locations should be able to accommodate required screening and enclosures.*

- *Parking Lots: Maintenance of interior parking lots will be provided by the Town as specified in a lease agreement. The property owners will be responsible for (a) maintenance of the leased premises and adjacent public sidewalks, (b) providing and maintaining trash receptacles, (c) emptying trash receptacles. The Town will be responsible for the (a) mowing of grass and trimming of shrubs and trees, (b) snow and ice removal, (c) maintenance of lighting, and payment for electric service, (d) maintenance, repair and/or reconstruction improvements to the made by the Town.*

- *Derelict Cars Procedures: Clear procedures/codes/ordinances need to be established to prohibit and remove derelict vehicles that may appear within the proposed parking facility. Special attention should be given to the situation of operating a municipal lot on private property.*

- *Public Restrooms: Consideration should be given to the necessity of public restrooms, either as a separate public facility or accessible in businesses.*

- *Public Amenities: Consideration should be given for public amenities such as alternative surface materials for walkways, interior block directional signs and directories, and overall design scheme for signage.*

- *Seating: Public outdoor seating should be incorporated into any area improvement plan. Seating types, design, and locations should be confirmed by the consulting Architect.*

- *Waste Receptacles: Waste receptacles should also be incorporated into any area improvement plan. Receptacle types, design, and locations should be confirmed by the consulting Architect.*

D. ADA - Handicap Access

Where ever practicable, buildings are to be brought into compliance with the Americans With Disabilities Act and be made handicap accessible.

E. Utilities

Where ever practicable, all new utilities are to be placed underground. As funding becomes available, all existing utilities should be moved to underground locations. Where above ground placement is unavoidable, utilities should be located to the rear of properties.

F. Public Improvements

Cragin Court should be widened to a minimum of 24' and extended through to Clark Lane. Additional right-of-way will be necessary for both widening and extension of the road. Clark Lane should be widened to a minimum of 26' for a length of approximately 500' from the intersection with Route 85/Broadway. Additional right-of-way from abutting property owners will be necessary.

G. Neighborhood Design

Conceptual design guidelines have been developed by the Neighborhood Revitalization Planning Committee's consulting architect. Proposed elevations have been prepared (see Appendix E) to serve as a guide for property owners when they make repairs or rehabilitate their store fronts. Outside Business Areas for sidewalk cafes, sidewalks sales, and other activities have been taken into consideration in preparing the Conceptual Development Plan (see Appendix D). A consistent design theme should be established for signage in the Town Center Neighborhood.

H. Elderly Facilities

Access to a possible Congregate Care facility has been incorporated into the interior block circulation scheme as shown on the Conceptual Development Plan (see Appendix D).

I. Cultural and Arts

Accommodations have been made for the proposed expansion of the Cragin Library as shown on the Conceptual Development Plan (see Appendix D), including additional off-street parking.

J. Construction Schedule

Completion of much of the work items proposed by this strategic plan will occur within two to five years, with the interior parking lot work (behind Merchants Row) being completed by the fall of 1998. Reconstruction/relocation of the signalized intersection should not commence until the spring of 1999 to avoid conflict with the Tri-Centennial Celebration. This work should be completed by the fall of 1999. Other improvements will occur as the private sector proposes developments and gain approval.

VI. Code Considerations

The various revitalization proposals recommended by this plan will be subject to the various codes, regulations and ordinances of the Town of Colchester. Special care has been taken to assure compliance with those various requirements, including seeking conceptual approval from the Zoning and Planning Commission for the overall Conceptual Development Plan.

In a 1995 report entitled Procedures for Waiving State and Local Codes, the Connecticut General Assembly, Office of Legislative Research outlined the various state and local codes and regulations that are likely to apply to development being recommended for Neighborhood Revitalization Zones, and procedures for obtaining waivers from same. The following is a reprint of that May 9, 1995 memo from Saul Spigel, then Chief Analyst for the Office of Legislative Research:

SUMMARY

The following state codes might be applied to property development or use in revitalization zones: building, fire safety, demolition, and public health. The first three can be termed prospective, that is a proposed activity must conform to them before it can begin. The Public Health Code might be termed retrospective because it mainly applies to existing uses and is enforced by an official ordering someone to correct a problem. Prospective codes are more likely to have waiver or exemption provisions, while retrospective ones allow appeals from enforcement officials' orders.

All of these codes are enforced by local officials. The statutes provide for exemptions and variations from the Building and Fire Safety codes. There are decided by the state official responsible for them. The statutes allow appeals from local decisions concerning the Demolition and the Public Health codes. They outline procedures for some of the exemptions, but there are no deadlines for action on them.

The applicable local codes and regulations governing development are: zoning, subdivision, inland wetlands, historic district and property, and housing. All but housing codes are prospective (although some zoning enforcement id retrospective). The statutes allow waivers or exemptions of certain zoning and historic district and property requirements. Local administrative appeals can be taken from zoning decisions and enforcement actions, and judicial appeals can be taken from zoning, subdivision, wetlands, and historic district and property decisions. The statutes spell out specific procedures and deadlines for zoning, subdivision, and inland wetlands actions.

State law does not address waivers or exemptions from local housing codes, but due process would require some form of appeal, most likely a judicial one. And regulations in individual communities may allow waivers or exemptions from local regulations that are not specified in statute.

WAIVERS, EXEMPTIONS AND APPEALS FROM STATE CODES

Building Code

General Exemptions. *The statutes allow the state building inspector to grant variations or exemptions from the code or to approve alternative compliance with it when strict compliance entails practical difficulty or unnecessary hardship or is otherwise unwarranted. He can do this as long as the intent of the law is observed and the public welfare is assured. The law appears to allow anyone to ask for a variance, exemption, or alternative compliance. The request must be accompanied by a letter from the local building official that comments on the application's merits. The statutes do not set a deadline for the state building inspector's determination. The applicant may appeal the decision to the Codes and Standards Committee within 14 days of its being mailed and may appeal the committee's decision to Superior Court (CGS Section 29-254).*

Urban Homesteads and Historic Buildings. *The law requires the state building inspector and Codes and Standards Committee to establish exemptions in the Building Code for buildings acquired by urban homesteading agencies and subsequently transferred to homeowners and for historic structures on the state register of historic places. These exemptions must not compromise the property's safety (CGS Section 29-259(a)).*

Historic Buildings and Accessibility. *Individuals and state and local officials can also apply to the state building inspector and the committee to modify or set aside standards for historic buildings and for building accessibility for people with physical disabilities. The inspector must, within seven days, forward a copy of this application to the Office of Protection and Advocacy (OP&A) for People with Disabilities and the Connecticut Historical Commission (just for historic structures) for their review and recommendations. These agencies have 30 days to do this. The inspector and committee*

(for historic structures) or the inspector and OP&A director (for accessibility) may set aside or modify a standard or specification if they determine that it would not be feasible or would unreasonably complicate construction, alteration, or repair. (CGS Sections 29-259(b) and 269(b)).

Rehabilitation. *The statutes require the Building Code to contain separate standards for building rehabilitation (CGS Section 29-256). These standards are embodied in the chapter of the code dealing with "Existing Structures". They are intended to maintain or increase the current degree of public safety, health, and general welfare in existing buildings while permitting repair, alteration, addition, and changes of use without requiring full compliance with other code requirements.*

Fire Safety Code

The statutes allow the state fire marshal to grant exemptions and variations from, or approve alternative compliance with, particular provisions of the Fire Safety Code and regulations governing hazardous chemical and flammable liquid storage. He may do this in cases where strict compliance would entail practical difficulty or unnecessary hardship or otherwise would be unwarranted. But any variation, exemption, or alternative must assure the public's safety. The statutes do not establish a procedure for these exemptions
(CGS Sections 29-296, 331, and 338).

The Fire Safety Code states that modifications are allowed for existing buildings if its application clearly would be impractical in the local fire marshal's judgment, but only where it is clearly evident that a reasonable degree of safety is provided. The intent is that conditions that represent a serious threat to life be mitigated; the intent is not to require strict compliance where a disproportionate effort or expense is needed, as long as reasonable life safety is assured (State Fire Safety Code, 1-5.4).

Demolition Code

Local building officials enforce the state Demolition Code. Anyone aggrieved by a building official's decision concerning the code has 10 days to appeal to Superior Court. The appeal is a privileged matter, which allows it to be heard as soon as possible as practicable (CGS Section 29-405).

Public Health Code

Local health directors enforce the Public Health Code, which, in terms of revitalization zone development, covers building sanitation and sewage. Anyone aggrieved by a local director's order has 48 hours to appeal it to the Department of Health and Addiction Services commissioner. The commissioner can vacate, modify, or affirm the order (CGS Section 19a-229). There is no statutory timetable for his actions.

WAIVERS, EXEMPTIONS AND APPEALS FROM LOCAL CODES AND REGULATIONS

Zoning

Zoning regulations apply to development in two ways. Prospectively, someone proposing a development must make sure that it conforms to regulations governing use, size, and sitting on the property, among other things. Retrospectively, a zoning enforcement official makes sure that, after development, the building adheres to the requirements before it is used and that no one changes its use or size in a way that violates zoning regulations. Individuals can ask for variances to the regulations before development begins, and they can appeal an order or decision by a zoning enforcement official. Variance requests and appeals both go to the town's zoning board of appeals (ZBA). The statutes spell out specific procedural requirements and deadlines for ZBA action.

By statute, a ZBA can grant a variance only when a specific parcel's unique characteristics would create exceptional difficulty or unusual hardship in effecting an allowable use in the zone (CGS Section 8-6). A person aggrieved by the ZBAs decision may appeal to Superior Court.

Subdivision and Wetlands

Approval by planning commissions and inland wetlands agencies are often necessary before development can begin. When these agencies deny an application, the applicant can appeal to Superior Court (CGS Sections 8-28, 22a-43).

Historic Districts and Properties

Towns can establish historic districts that cover many properties in designated areas or historic properties commissions where they want to control development on individual historic properties scattered throughout the town. Historic properties cannot be altered, and no new buildings or alterations to existing ones in historic districts are allowed, unless they conform to the appropriate commission's regulations. These commissions can grant variances or modifications in cases where the topographic features of the parcel, its relationship to a district's borders, or some other unusual characteristic would make strict application of the rules an exceptional practical difficulty or an undue hardship on the property owner. A commission can impose reasonable additional conditions on a variance (CGS Sections 7-147g and 147v). People aggrieved by a commission's decision can appeal to Superior Court (CGS Sections 7-147i and 147x). The statutes do not contain procedures or deadlines for commissions to follow.

Housing Code

In addition to enforcing the Public Health Code as it applies to apartment buildings, towns can adopt their own housing codes. These codes are retrospective in nature and independent of development; they apply to conditions in existing buildings. The health department is usually the enforcement agency, and enforcement takes the form of orders to correct violations. A building's owner or other responsible party can contest the enforcement agency's finding that a violation exists by asking the Superior Court for a stay (CGS Section 47a-60).

***

Conceptual Approval by Zoning and Planning Commission

Because certain Zoning and Planning Commission approval will be required under the requirements of the Historic Preservation Overlay Zone, which is applied to the Town Center Neighborhood, the Neighborhood Revitalization Planning Committee will seek conceptual approval from the Colchester Zoning and Planning Commission for both the Conceptual Development Plan and the architectural renderings of the Merchants Row facades.

Approval by the Zoning and Planning Commission of the Conceptual Development Plan sets the stage for all future development of the Town Center Neighborhood. Proposals for new buildings, additions to existing buildings, new parking areas, enlarged existing parking areas, drive aisle locations, and overall interior circulation patterns will be reviewed in the context of the Conceptual Development Plan. Proposals made that are inconsistent with the approved plan will need to justify those inconsistencies to the Zoning and Planning Commission.

Proposals from individual Merchants Row owners to revitalize building facades will be reviewed in the context of the approved architectural renderings. Although detailed architectural plans will be necessary for Zoning and Planning Commission approval, the approved conceptual renderings will provide guidance in the design process for each individual building. Facade revitalization proposals consistent with the approved conceptual renderings are likely to receive favorable consideration during Zoning and Planning Commission review.

VII. Financing

A. Guidelines for Private Financing

In an effort to foster the improvements planned to revitalize the Town Center Neighborhood, the Town has recognized that the private sector will benefit from financial assistance and incentives. Through a cooperative effort with the Town of Colchester, Liberty Bank will provide financial assistance for private (for profit) downtown businesses engaged in retail, manufacturing, and/or service type of activities.

GOALS

Private financing is intended to encourage economic development in the Town of Colchester, by creating, maintaining and expanding the retail and commercial sector through the use of below market interest rate loans. This financial assistance will increase economic activity through the creation and retention of jobs in downtown Colchester. It will increase the property valuations in Colchester through building expansion and improvements.

FINANCING PROCEDURE

Liberty Bank will assist local retail and commercial businesses through market interest rates according to the following guidelines.

Loan Approval:

Following determination of eligibility, the applicant will be asked to provide the financial institution with appropriate information including, but no limited to:

- Borrowers personal/corporate financial statement.

- Borrowers tax returns for two (2) years.
- Source and use of funds.
- Borrowers business experience and past history.
- Business plan.
- Collateral available.

Loans will be made upon normal credit and loan approval procedures of the financial institution.

Loan Eligibility:

- Completed application form.
- Physical location of business in Colchester.
- Overall benefits to community, including:
    - Net increase in space occupied.
    - Job creation and retention (immediate and potential).
    - Inventory/services expanded or diversified.
    - Community needs.

Loan Use:

Funds obtained through the "Colchester Program" 1998 loan pool, may be used for any legitimate business purpose.

Permitted uses may include:

- Purchase of real estate for a business location.
- Purchase of an unoccupied building for a business location.
- For the exterior rehabilitation of currently occupied buildings.
- For the rehabilitation or modification of currently unoccupied buildings.

- For the purchase of additional equipment and fixtures.
- For the purchase of additional inventory lines.
- For working capital necessary to support expanded or new operations.
- Enhance and assist downtown Colchester business owners.

Restrictions:

- Maximum loan is $100,000
- Minimum loan is $5,000
- Initial loan pool of $1,000,000
- Interest rate shall be Prime plus 1/2%
- No closing costs and no legal fees.
- Business checking accounts

Repayment:

Repayment will be based on the use of the funds as determined by the financial institution.

Collateral:

The minimum collateral required will be determined by the financial institution.

B. Small Cities Block Grant Funding

In order to further assist property owners in making improvements necessary for the revitalization of the Town Center Neighborhood, the Town is applying for Federal Moines that are available under the Connecticut Small Cities Community Development Block grant Program, which is administered by the State of Connecticut, Department of Economic and Community Development. Small Cities Moines would be available up to $500,000 for residential rehabilitation, facade improvements (both front and rear facades), sidewalk improvements, and seed money for new businesses.

C. Other Incentives

The Colchester Economic Development Commission is involved in improving the economic and business atmosphere of the Town. Economic development strategies currently being pursued for the Town include maintaining an inventory of available commercial and industrial properties. This includes not only available vacant buildings, but available undeveloped parcels located in commercial, business, or industrial zoning districts.

The Economic Development Commission also acts as the Town's Development Agency pursuant to CGS Section 8-188. As such, it is the agency in charge of Town-sponsored development projects. Development Plans produced under this authority must be approved by the Zoning and Planning Commission and by the Board of Selectmen.

In addition, the Economic Development Commission provides access to property tax incentives to qualified applicants. The Colchester Tax Incentive Program (C-TIP) is intended to attract new business and commercial interests and encourage existing businesses to expand. The goals of the C-TIP are to:

- Encourage new job creation
- Attract new forms of commercial development
- Foster the development of start-up companies
- Grow the tax base & more equitably distribute tax burdens

To qualify, applicants must meet the following criteria:

- Not delinquent in taxes
- Minimum investment planned = $100,000
- Evidences solid financial base & growth potential

Under the C-TIP program, the Town may fix the assessment on qualified improvements for specific times and percentages as provided for by State Code. The Economic Development Commission acts as the clearinghouse for C-TIP applications, forwarding their report and recommendations to the Board of Selectmen, and finally to Town Meeting.

VIII. Conclusion

This chapter concludes the 1998 Town Center Neighborhood Strategic Plan. As a strategic plan, it is an action plan for the Town Center Neighborhood "specific area". With a concerted, coordinated effort the Town Center Neighborhood will experience a noticeable revitalization within a short period of time (two to five years).

Because of the work of Town Boards and Commissions, State agencies, Town Staff, the local business community, and the Town Center Neighborhood Revitalization committee, both the goals of this Strategic Plan and the 1995 Cultural Resources Plan are well on the way to being accomplished. In the context of the overall Town Center area, the Zoning and Planning Commission has put in place an R30-A zoning district to encourage adaptive reuse of historic buildings.

The Zoning and Planning Commission has also established an Historic Preservation Overlay Zone in downtown Colchester. The Historic Preservation Overlay Zone (which covers the entire Town Center Neighborhood) limits the range of uses permitted and expands the site plan review process to include the architectural review of development proposals.

The Colchester Economic Development Commission is actively pursuing economic development strategies for the Town, that include maintaining an inventory of available commercial and industrial properties, available vacant buildings, and available undeveloped parcels. The Economic Development Commission also provides access to property tax incentives to qualified applicants.

Town staff are working with the Connecticut Department of Transportation on a number of projects in the Town Center Neighborhood. The first is the design and redevelopment of the interior block parking areas located behind Merchants Row. The second is the coordination of the redesign/realignment of the Route 16/Lebanon Ave. and Broadway

intersection. The intersection will be signalized and relocated to the north, and will provide greatly improved access to the J.J. Noel Plaza and to the entire interior block area.

In a larger context, the Zoning and Planning Commission has embarked on an eighteen-month planning process to establish a new Plan of Conservation and Development. To the extent applicable, as that planning process proceeds, elements developed in this strategic plan will be incorporated in that Plan. Conversely, information and recommendations developed in the Plan of Conservation and Development that will be useful in achieving the goals of the Town Center Neighborhood Strategic Plan will be utilized.

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Appendix A

Neighborhood Revitalization Planning Committee Members

Mr. Kip Bochain, Port City Realty
43 Bank Street, New London Ct. 06320

Mr. John Noel, 15 Broadway
P.O. Box 532, Colchester Ct. 06415

Mr. Jimmy Cheng c/o Gung Ho Restaurant
36 Main Street, Colchester Ct. 06415

Mr./Mrs. Paul Cheney, c/o Colchester Mill Fabrics
51 Broadway, Colchester Ct. 06415

Mr. Brian Lawson
42 Geer Road, Norwich Ct. 06360

Ms. Lynn Norton
94 Westchester Rd., Colchester Ct. 06415

Ms. Gretchen Marvin, Branch Mgr. Glastonbury Bank & Trust
64 Norwich Ave., Colchester Ct. 06415

Mr. Calvin Price, V.P. Liberty Bank
291 Main St., Middletown Ct. 06457

Mr. Paul Hinsch, Branch Mgr. Norwich Savings Society
139 South Main St., Colchester Ct. 06415

Ms. Marilyn Gantnier, Branch Mgr. Citizens Bank
111 Norwich Ave., Colchester Ct. 06415

Ms. Jenny Contois First Selectman
127 Norwich Ave., Colchester Ct. 06415

Mr. Tim York, Bldg. Official Town of Colchester
127 Norwich Ave., Colchester Ct. 06415

Mr. Bruce Goldstein, Paradise Agency
151 Broadway, Colchester Ct. 06415

Larry L. Dunkin, AICP, Planning Director Town of Colchester
127 Norwich Ave., Colchester Ct. 06415

Appendix B

TOWN OF COLCHESTER

NEIGHBORHOOD REVITALIZATION ZONE PLANNING COMMITTEE BY-LAWS

Authorization

The Neighborhood Revitalization Planning Committee of the Town of Colchester was created by action of the Board of Selectmen on March 13, 1997. The charge of the Neighborhood Revitalization Planning Committee is to develop a strategic plan for the designated Neighborhood Revitalization Zone.

Members

The membership of the Committee shall be composed of property owners and/or tenants within the designated Zone; representatives of business, financial institutions, and community organizations; and at least one member of the Code Administration Staff. Appointments shall be made by the First Selectman, following authorization by the Board of Selectmen.

Officers

The Committee shall elect a Chairman upon organization, and a Deputy-Chairman. The members may fill any vacancy in the position of any of the officers.

Duties of Officers

The Chairman shall set the dates of Committee meetings and shall notify the Town Clerk of the dates of all regular and special meetings. Notification shall be in accordance with the statutes of the State of Connecticut.

The Chairman shall establish the agenda for each meeting.

The Chairman shall sign all documents which communicate decisions of the Committee.

The Chairman shall assign members and/or agents of the Committee, including Code Administration Officials, to investigate areas of concern, research information, or to carry out whatever tasks are necessary for efficient operation of the Committee.

In the absence of the Chairman, the Deputy Chairman shall have all the powers of the Chairman.

The Chairman shall arrange that a record of all meetings be made available to the Town Clerk, in accordance with law.

The Chairman shall arrange that a record of all correspondence of the Committee be maintained in the Code Administration Office.

Quorum

A simple majority of the members of the Committee shall constitute a quorum.

Consensus Decision Making

Administrative matters shall be decided by a simple majority of those present. Decisions directly impacting owners shall be by consensus of the property owners.

Meetings

The Committee shall hold regular meetings, at least once a month, open to the public. The schedule of each year's meetings shall be filed with the Town Clerk no later than December 31st of the preceding year.

The Committee may hold Special Meetings as the need arises. Such meetings shall be called by the Chairman.

In absence of the Chairman and Deputy Chairman the members present shall elect a temporary Chairman for the conduct of that meeting.

All meetings will be run by the Chairman in an informal roundtable fashion unless a motion is made and adopted to follow parliamentary procedures.

While meetings are open to the public they are not public hearings; the public shall have no right to speak except by invitation. Requests to speak shall be made to the Chairman before the meeting, preferably 24 hours before each meeting. Decisions on such requests shall be made by the chairman unless raised by any member, in which case, a vote of the Committee shall decide.

Annual Report

The Committee shall prepare an Annual Report for inclusion in the Annual Town Report. Such report shall include major actions taken by the Committee and the plans for the following year.

Budget

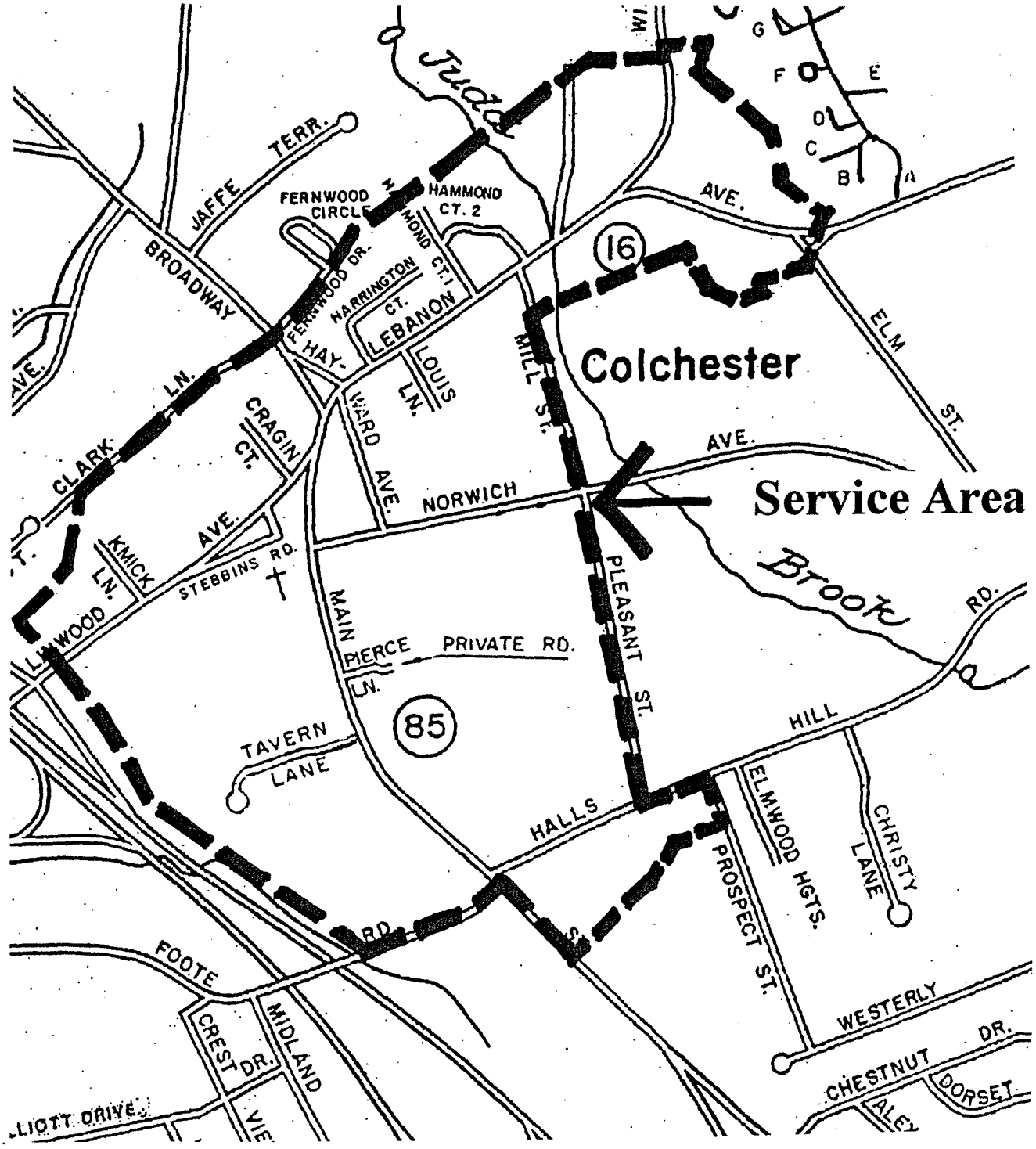
The Committee shall prepare a budget for submission to the Office of the Selectmen and the Board of Finance. Such budget shall include statements outlining the need for the funds and the Committee shall be prepared to support the requests before the Board of Finance.

Amendments

These by-laws shall be adopted by a majority vote of the Committee. Amendments shall be considered by the Committee and adopted by a simple majority.

Appendix C

Service Area Map -- Neighborhood Revitalization Zone



Appendix D

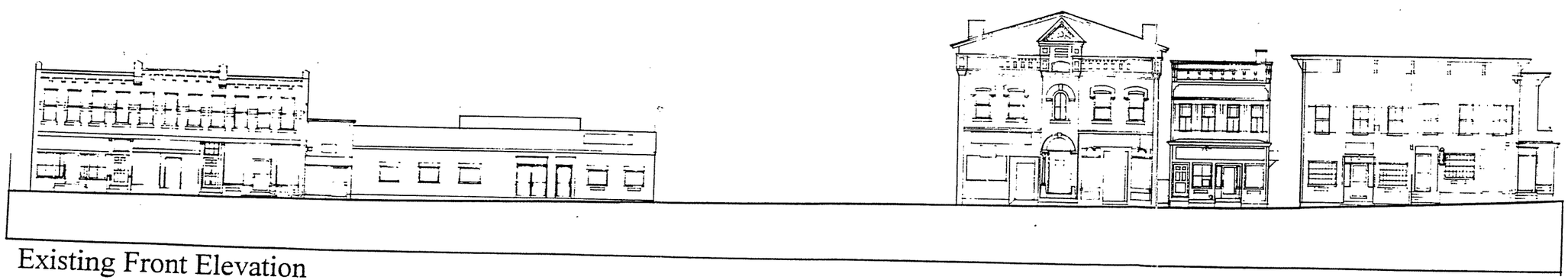
CONCEPTUAL DEVELOPMENT PLAN

TOWN CENTER NEIGHBORHOOD STRATEGIC PLAN

Town of Colchester, CT - Department of Planning and Zoning

February, 1998

Proposed Front Elevation

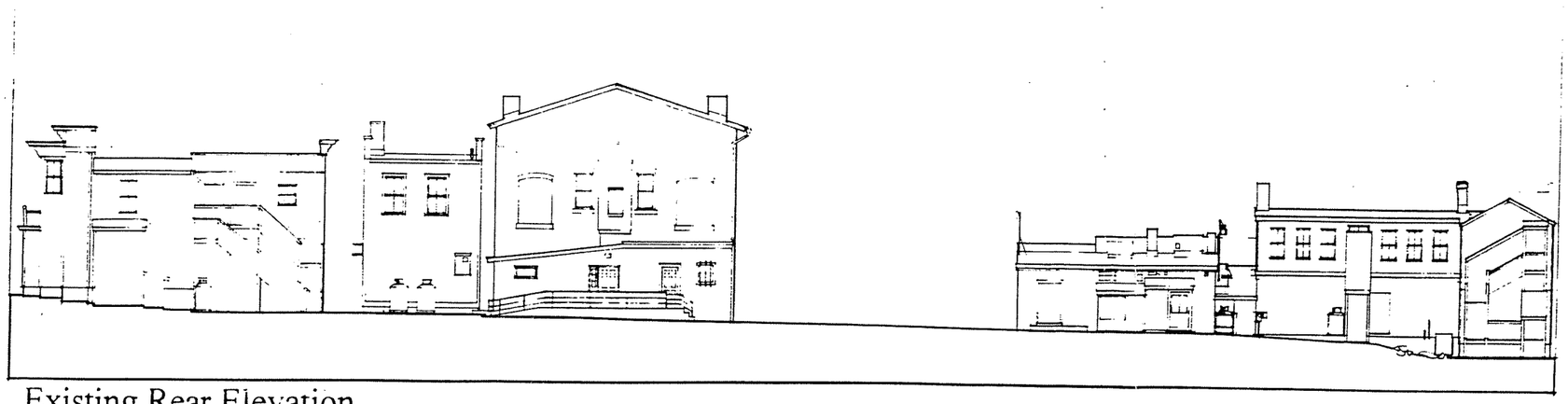


Existing Front Elevation

"MERCHANT'S ROW" Historic District Neighborhood Revitalization Colchester, Connecticut

Appendix E_2

Proposed Rear Elevation



Existing Rear Elevation

"MERCHANT'S ROW" Historic District Neighborhood Revitalization Colchester, Connecticut

Appendix F

Public Act No. 95-340

AN ACT ESTABLISHING A
NEIGHBORHOOD REVITALIZATION ZONE PROCESS
Substitute House Bill No. 6763
Public Act No. 95-340

This Act shall take effect October 1, 1995

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (a) Any municipality may by resolution of its legislative body establish neighborhood revitalization zones, in one or more neighborhoods, for the development by neighborhood groups of a collaborative process for federal, state and local governments to revitalize neighborhoods where there is a significant number of deteriorated property and property that has been foreclosed, is abandoned, blighted or is substandard or poses a hazard to public safety. The resolution shall (1) provide that the chief executive official facilitate the planning process for neighborhood revitalization zones by assigning municipal staff to make available information to neighborhood groups and to modify municipal procedures to assist neighborhood revitalization zones and (2) establish a process for determination of the boundaries of neighborhood revitalization zones.

(b) Public buildings in the municipality shall be available for neighborhood groups to meet for neighborhood revitalization purposes as determined by the chief executive official.

(c) As used in this section "deteriorated property" means property in serious noncompliance with state and local health and safety codes and regulations.

Section 2. (NEW) (a) Upon passage of a resolution pursuant to section 1 of this act, a neighborhood revitalization planning committee may organize to develop a strategic plan to revitalize the neighborhood. The membership of such committee shall reflect the composition of the neighborhood and include, but not be limited to, tenants and property owners, community organizations and representatives of businesses located in the neighborhood or which own property in the neighborhood. A majority of the members shall be residents of the neighborhood. The chief executive official may appoint a municipal official to the committee who shall be a voting member. The committee shall adopt bylaws which shall include a process for consensus building decision-making. Notice of adoption of such bylaws and any amendments thereto shall be published in a newspaper having a general circulation in the municipality no more than seven days after adoption or amendment.

(b) The neighborhood revitalization planning committee shall develop a strategic plan for short-term and long-term revitalization of the neighborhood. The plan shall be designed to promote self-reliance in the neighborhood and home ownership, property management, sustainable economic development, effective relations between landlords and tenants, coordinated and comprehensive delivery of services to the neighborhood and creative leveraging of financial resources and shall build neighborhood capacity for self-empowerment. The plan shall consider provisions for obtaining funds form public and private sources. The plan shall consider provisions of property usage, neighborhood design, traditional and nontraditional financing of development, marketing and outreach, property management, utilization of municipal facilities by communities, recreation and the environment. The plan may contain an inventory of abandoned, foreclosed and deteriorated property, as defined in section 1 of this act, located within the revitalization zone and

may analyze federal, state and local environmental, health and safety codes and regulations that impact revitalization of the neighborhood. The plan shall include recommendations for waivers of state and local environmental, health and safety codes that unreasonably jeopardize implementation of the plan, provided any waiver shall be in accordance with section 7 of this act and shall not create a substantial threat to the environment, public health, safety or welfare of residents or occupants of the neighborhood. The plan may include components for public safety, education, job training, youth, the elderly and the arts and culture. The plan may obtain recommendations for the establishment by the municipality of multi-agency collaborative delivery teams, including code enforcement teams. The plan shall assign responsibility for implementing each aspect of the plan and may have recommendations for providing authority to the chief executive official to enter into tax agreements and to allocate municipal funds to achieve the purposes of the plan. The plan shall include a list of members and the bylaws of the committee.

(c) The neighborhood revitalization planning committee shall conduct a public hearing on the proposed strategic plan, notice of the time and place of which shall be published in a newspaper having a general circulation in the municipality at least twice at intervals of not less than two days, the first not more than fifteen days nor less than ten days and the last not less than two days prior to the day of such hearing. The proposed plan shall be submitted to the secretary of the office of policy and management for review. The secretary may submit comments on the plan to the neighborhood revitalization committee.

(d) The strategic plan shall be adopted in accordance with the bylaws of the neighborhood revitalization planning committee. The committee shall submit the approved strategic plan to the legislative body of the municipality for adoption by ordinance pursuant to section 3 of this act.

Section 3. (NEW) (a) The strategic plan shall not be implemented unless approved by ordinance of the legislative body of the municipality. Such ordinance shall create a neighborhood revitalization zone committee for the neighborhood and establish the powers and membership of the committee, provided the categories of membership shall be consistent with the categories of membership of the neighborhood revitalization planning committee.

(b) The neighborhood revitalization zone committee shall submit a report on implementation of the strategic plan to the chief executive official and the legislative body of the municipality and to the secretary of the office of policy and management at intervals of six months in the first year after adoption of the ordinance and annually thereafter.

Section 4. (NEW) It is found and declared that there has existed and will continue to exist in municipalities of the state substandard, insanitary and blighted neighborhood in which there are significant properties that have been foreclosed and are abandoned which constitute a serious menace to the environment, public health, safety and welfare of the residents of the state; that the existence of such conditions in neighborhoods contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency and for the maintenance of adequate police, fire and accident protection and other public services and facilities and the existence of such conditions constitute an economic and social liability, substantially impairs or arrests the sound growth of municipalities and retards the provision of housing accommodations; that this menace is beyond remedy and control solely by regulatory process in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise and government without the powers herein provided; that the acquisition of the property because

of the substandard, insanity and blighted conditions thereon, the removal of structures and improvement of sites, the disposition of the property for revitalization incidental to accomplish the purposes of the act, the exercise of powers by municipalities acting to create neighborhood revitalization zones as provided in sections 1 to 3, inclusive, of this act, and any assistance which may be given by any public body in connection therewith, are public uses and purposes for which public money may be expended and the power of eminent domain exercised; and that the necessity in the public interest for the provisions of this section and section 48-6 of the general statutes, as amended by section 5 of this act, is declared to be a matter of legislative determination.

Section 5 (NEW) Section 48-6 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Any municipal corporation having the right to purchase real property for its municipal purposes which has, in accordance with its charter or the general statutes, voted to purchase the same shall have power to take or acquire such real property, within the corporate limits of such municipal corporation; and if such municipal corporation cannot agree with any owner upon the amount to be paid for any real property thus taken, it shall proceed in the manner provided by section 48-12 within six months after such vote or such vote shall be void.

(b) In the case of acquisition by a redevelopment agency of real property located in a redevelopment area, the time for acquisition may be extended by the legislative body upon request of the redevelopment agency, provided the owner of the real property consents to such request.

(c) IN ACCORDANCE WITH THE POLICY ESTABLISHED IN SECTION 4 OF THIS ACT ANY MUNICIPAL CORPORATION MAY TAKE PROPERTY WHICH IS LOCATED WITHIN THE BOUNDARIES OF A NEIGHBORHOOD REVITALIZATION ZONE IDENTIFIED IN A STRATEGIC PLAN ADOPTED PURSUANT TO SECTIONS 2 AND 3 OF THIS ACT. THE ACQUISITION OF SUCH PROPERTY SHALL PROCEED IN THE MANNER PROVIDED IN SECTIONS 8-128 TO 8-133, INCLUSIVE, AND SECTION 48-12 .

Section 6. (NEW) In the reuse and resale of residential property acquired by a municipality pursuant to subsection (c) of section 48-6 of the general statutes, as amended by section 5 of this act, the municipality shall give preference to persons who declare an intent to reside in such property. The municipality may establish financial penalties for failure to reside in such residential property when a declaration has been made. In establishing such penalties the municipality shall take into consideration any mitigating factors.

Section 7. (NEW) (a) Any municipality with a neighborhood revitalization zone program may establish a process to request that a state or local official waive the application of any provision of state and local environmental, health and safety codes and regulations that unreasonably jeopardize implementation of a strategic plan adopted under section 3 of this act except a provision necessary to comply with federal law. Any waiver shall not create a substantial threat to the environment, public health, safety or welfare of the residents and occupants of the neighborhood. Any request for a waiver shall include requirements for alternate measures to replace the standard being waived in the existing code or regulation.

(b) A neighborhood revitalization zone committee may determine, by a majority vote of the members present at a meeting scheduled for such purpose and conducted within the boundaries of the zone, if practical, that a provision of a state or local environmental, health and safety code or regulation jeopardizes implementation of the plan and may request a waiver of such provision.

municipality. Within five business days of receipt of the notice, the chief executive official shall forward a copy of the decision to the local official responsible for enforcement, if any, and to the secretary of the office of policy and management who shall within five business days of receipt notify the state official responsible for enforcement of the code or regulation that a provision of such code or regulation is requested to be waived. The state official or local official shall conduct a public hearing on the waiver within ten calendar days of receipt of the request at a place determined by the chief executive official. Within five business days of the conclusion of the hearing, the state or local official shall notify, in writing, the chief executive official of his decision. The decision of the state official or local official shall be final.

(c) Any abandoned or vacant property located in a neighborhood revitalization zone established pursuant to sections 1 to 3, inclusive, of this act shall be deemed to be in continuous use for purposes of enforcement of state or local environmental, health and safety codes or regulations.

Section 8. (NEW) (a) Any municipality which a neighborhood revitalization zone has been established pursuant to sections 1 to 3, inclusive, of this act may petition the superior court or a judge thereof, for appointment of a receiver of the rents or payments for use and occupancy of any deteriorated property, as defined in section 1 of this act, located within the neighborhood revitalization zone to assure that environmental, health and safety standards are established in state and local codes and regulations are met to prevent further deterioration of such property. Any such petition shall be in accordance with the strategic plan adopted pursuant to sections 2 and 3 of this act. The court or judge shall immediately issue an order to show cause why a receiver should not be appointed, which shall be served upon the owner, agent, lessor or manager in a manner most reasonably calculated to give notice to such owner, agent, lessor, or manager as determined by such court or judge, including, but not limited to, a posting of such order on the premises in question. A hearing shall be had on such order no less than three days after its issuance and not more than ten days. The purpose of such a hearing shall be to determine the need for a receiver of the property, the condition of the property and the cost to bring it into compliance with such state and local codes and regulations or into compliance with any waivers approved under section 7 of this act. The court shall make a determination of such amount and there shall be an assignment of the rents of such property in the amount of such determination. A certificate shall be recorded in the land records of the town which such property is located describing the amount of the assignment and the name of the party who owns the property. When the amount due and owing has been paid, the receiver shall issue a certificate discharging the assignment and shall file the certificate in the land records of the town in which such assignment was recorded. The receiver appointed by the court shall collect rents or payments for use and occupancy forthcoming from the occupants of the building in question in place of the owner, agent, lessor or manager. The receiver shall make payments from such rents or payments for use and occupancy for the cost of bringing the property into compliance with such state and local codes and regulations or into compliance with any waivers approved under section 7 of this act. The owner, agent, lessor or manager shall be liable for such reasonable fees and costs determined by the court to be due the receiver, which fees and costs may be recovered from the rents or payments for use and occupancy under the control of the receiver, provided no such fees or costs shall be recovered until after payment for current taxes, electric, gas, telephone, and water services and heating oil deliveries have been made. The owner, agent, lessor or manager shall be liable to the petitioner for reasonable attorney's fees and costs incurred by the petitioner, provided no such fees or costs shall be recovered until after payment for current taxes, electric, gas, telephone, and water services and heating oil deliveries have been made and after reasonable fees and costs to the receiver. Any moneys remaining thereafter shall be turned over to the owner,

determine to be just, reasonable and necessary.

(b) Any receivership established pursuant to subsection (a) of this section shall have priority over any other rights to receive rent and shall be terminated by the court upon its finding that the property complies with state and local environmental, health and safety codes and regulations or is in compliance with any waivers approved under section 7 of this act.

(c) Nothing in this section shall be construed to prevent the petitioner from pursuing any other action or remedy at law or equity that it may have against the owner, agent, lessor or manager.

(d) Any owner, agent, lessor or manager who collects or attempts to collect any rent or payment for use and occupancy from any occupant of a building subject to an order appointing a receiver after due notice and hearing, shall be found to be in contempt of court.

(e) If a proceeding is initiated pursuant to sections 47a-14a to 47a-14h, inclusive, of the general statutes or sections 47a-56 to 47a-56i, inclusive of the general statutes, or if a receiver of rents is appointed pursuant to chapter 735a of the general statutes or pursuant to any other action involving the making of repairs to real property under court supervision, rent or use and occupancy payments shall be made pursuant to such proceeding or action without regard to whether such proceedings or action is initiated before or after a receivership is established under this section and such proceeding or action shall take priority over a receivership established under this section in regard to expenditure of such rent or use and occupancy payments.

Section 9. (NEW) The office of policy and management, within available funds, shall be the lead agency for coordination of state services to neighborhood revitalization zones. On or before January 1, 1996, the secretary of the office of policy and management may develop guidelines for state departments, agencies and institutions to provide technical assistance to neighborhood revitalization zones. Such guidelines may provide for multiagency collaboration as well as a process to make funds, technical support and training available to neighborhoods and may recommend models for community outreach, job training and education, conflict resolution, environmental and health performance standards, new technologies and public safety strategies.

Appendix G

Town of Colchester
Federal Small Cities Program Application
Household Survey

In an effort to secure funding for projects benefiting the Neighborhood Revitalization Zone, the Town of Colchester is applying for a Community Block Grant. The application requires demographic information about the residential areas in the NRZ. Your cooperation will help ensure that Colchester obtains Federal or State funding for major improvements in the downtown area. Thank you.

Town of Colchester Household Survey		
One Please indicate the total number of people in your household (family members as well as unrelated individuals). Is the head of your household female? **Yes** ☐ **No** ☐		**One**
Two What was the total (gross) income of all the adults in your household in 1996?		**Two**
Three Are all adults in the household that were employed in 1996 still employed? **Yes** ☐ **No** ☐	**Four** Has your total household income been significantly reduced since the end of 1996? **Yes** ☐ **No** ☐ If yes, why? What is the current income?_____	**Five** Has anyone in the household been notified that they are going to be laid off or terminated from their current job? **Yes** ☐ **No** ☐
Six How many people aged 62 years or older live in your household? Is one of these people the head of your household? **Yes** ☐ **No** ☐		**Six**
Seven How many people aged 17 years or younger live in your household?		**Seven**
Eight How many handicapped or disabled people live in your household?		**Eight**
Nine If you have handicapped or elderly people in your household, what is the amount of their medical expenses?		**Nine**
Ten Do you have any unusual expenses, such as daycare or transportation costs for people in unusual circumstances (such as single parents, special needs children, etc.)? If so, please explain:		

If you have any questions, comments, or concerns,
please contact the First Selectman's Office.

All information on this survey will be kept STRICTLY CONFIDENTIAL.