

*The following proposed ordinance text change is proposed by Mr. Tony Morrison.*

## Chapter 345 Sewers

### Article III Building Sewers and Connections

#### § 345-33 Sewer Exclusion Zone.

- A. It is the intent of the Town Council of the Town of Southington to regulate the Sewer Service Zones (Service Area) and Sewer Exclusion Zones (non-Service Area) within the Town of Southington. Further, it is the intent of the Town Council of the Town of Southington to prevent overtaxing the Southington Sanitary Sewer Plant and allowing for organic growth of use through development in the current Service Area. A map of Sewer Service Area shall be maintained by the Town's Engineering Department and the Town Council shall be the final authority on changes to the Areas, subject to State of Connecticut approval as noted in Paragraph F.
- B. Proposed plans to modify the non-Service Area shall be submitted to the Town Engineer and Town Manager for review. Any addition to the Service Area requires an addition to the non-Service Area. A map shall be provided showing the proposed subject parcel in the non-Service area, in addition to the proposed property within the Service Area to be "traded." Proposed calculations based on the number of bedrooms to be "traded" for both parcels shall be clearly outlined in the application. 1.2 bedrooms shall be deducted from the Sewer Service Area for every 1 bedroom being provided in the new Sewer Service Area (formerly non-Service Area). There shall not be "spot zoning" of the Sewer Service Area so as to create islands of unsewered areas. Bedroom calculations shall be based on the Town of Southington Zoning regulations at the time of application and the Town Planner and Town Engineer shall have final approval of calculating the number of bedrooms allowed by right under the Town's zoning regulation. No other zoning laws or regulations, other than the Town of Southington's zoning regulations, shall be used in determining number of bedrooms allowed on all properties that are subject to the application.
- C. All plans shall identify any Town of Southington and utility easements on any of the areas identified.
- D. Applicants must submit an Affidavit regarding the Applicant's interest in all properties subject to the application. The Affidavit shall include an explanation with sufficient documentation that provides evidence that the project has financial feasibility.
- E. All parcels subject to an application and all Applicants (and any associated entity/person of any subject parcel or Applicant) shall be current on all Town of Southington real estate taxes, sewer use fees, water use fees and shall have no building, zoning, blight or wetland violations.

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- F. Number of bedrooms added to the new Service Area and number of bedrooms removed from the prior Service Area shall be recorded on the Southington Land Records in the form granting development rights to the Town of Southington. Said development rights shall be a restriction on the number of bedrooms for all parcels affected by a proposed modification.
- G. Prior to final review of the Town Council, acting as the Sewer Authority, the application and documents shall be submitted to the Sewer Committee, Town Staff and CT DEEP for compliance with the Connecticut Environmental Policy Act and OPM (Conservation & Development) review. The Town Council does not have authority to review a proposal under this section until approvals or favorable recommendations have been obtained by the Sewer Committee, Town Staff and CT DEEP.
- H. An applicant must pay for all direct costs associated with the application included but not limited to: necessary permits, studies, recordings, engineers and legal fees in connection with an application to modify the Town's Sewer Service Areas. Any costs to the Town of Southington for an application or approval under this chapter shall be provided for by the applicant and no final approval shall be granted until all outstanding costs are paid and there is adequate assurance to the Town Manager that all future costs will be provided for by the applicant.