

**Suggested Conditions of Approval for the
Proposed 10-Site §8-30g Mobile Home Park at 59 Kings Highway**

May 9, 2024

Responses of Donco, LLC

1. For safety and to help mitigate health risks caused by nuisance and noise, delete the proposed recreation area, or relocate it so that it is less likely to be a source of noise that disturbs the peace and quality of life of its nearby residents.

(§8-30g requires the affordable sites to be "comparable" to the "market rate" sites. Sites #8 and #9 are not comparable because their residents will have to tolerate the noises, odors, refuse, glare, and nuisances from the recreation area, while the residents of Sites #'s 1, 2, 3, 4, 5, 6, 7 & 10 will not.)

The applicant will not agree to this. The "nuisance and noise" from a small play area serving ten (10) single family homes is not a health or safety issue. If the Commission wishes, we will eliminate the recreation area entirely.

2. Submit a copy of the (a) proposed rental agreement, (b) aesthetic standards, and (c) rules or regulations concerning the residents' use and occupancy of the premises that you will file with the Department of Consumer Protection necessary to comply with CGS §21-70-(e) that is in conformance with CGS §8-30g. This has already been provided to the Commission, but we will not address Chapter 412 compliance, which is not a local land use issue.

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(For health, safety, and/or the protection of property values, the proposed park rules or regulations should include, but not be limited to, the (a) hours and use of the recreation area, (b) screening of the refuse containers on non-pickup days, (c) pets, (d) noise, (e) guest parking, (f) constraints on the replacement of mobile homes – including the requirement that they must be comparable to the other homes in the community (size, quality, options, the number of bedrooms, the number of baths), (g) lawn mowing and yard care regulations - including allowed days and hours for mowing, (h) regulations regarding clothes lines, (i) constraints on fire pits and outdoor fireplaces, (j) shed replacement constraints, (k) location or prohibition constraints on garages and carports consistent with the "comparability" requirements of §8-30g, (l) a prohibition of fuel oil and fuel oil tanks to avoid the risks of spills, (m) the procedure for residents to follow when they sell their homes and the intent is for the homes to remain on its site, (n) the "standards" that must be maintained for a home to remain on its site and at the time of its resale, and rules regarding junk, vehicle repairs, hazardous waste, home maintenance, and site improvements.)
None of these items are health or safety issue, and most of them (like lawn care, clothes lines, pets, fire pits, etc.) aren't even zoning issues.

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3. Include a copy of the "Disclosure Statement" required by CGS §21-70 (Chapter 412) for the deed-restricted sites and the market rate sites that comply with the requirements of §8-30g. The Commission does not enforce or administer Chapter 412.
4. If guest parking will not be provided on the property, add a sidewalk on Kings Highway for safety. (A sidewalk is required in the district.) The Town has no authority to require sidewalks in an Affordable Housing application.

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5. Enlarge the recreation area (if retained) so that it will be adequate for a 10-site community. This is confusing: In proposed condition #1, Mr. Treaster says that "residents will have to tolerate the noises, odors, refuse, glare, and nuisances from the recreation area," but here he says that it's too small. There is no health or safety issue to having or not having a recreation area. The applicant feels that this is an adequate size and suitable location for a recreation area with a swing set, a basketball hoop, or some other simple playground equipment, but we are willing to eliminate it if the Commission so desires.
6. Provide the recreation area (if retained) with electricity and pole lights on Sheet 2, as illustrated on Sheet 4. No. We do not want the recreation area to be illuminated. It should be used during daylight hours only.
7. Provide access to the recreation area (if retained) with a paved path for pedestrians and bicycles that does not pass through private yards or reserved parking areas. The plans now show a mulch path. There is no need for pavement.
8. Provide a parking area and bicycle rack for bicycles in or near the recreation area. The applicant would agree to this condition if the Commission wants it, but we have no idea why you would need a bicycle rack at the recreation area.
9. Provide a parking area for site #3 that is not in the front yard of any other site, including site #2. No. This is not a health or safety issue. Residents can customize their lots with landscaping or fencing if they consider it necessary.
10. Add appropriate pole lights throughout the community, as shown in Sheet 2. The plans already show this.
11. Add the locations of the electric meter panel boards in the rear, screened, and out of view of other homes, parking areas, and roadways to the site plan. Electric meters will be installed per the requirements of the utility company. Most utilities do not allow meter boxes to be in the side or rear of a dwelling or to be screened because they are often read visually from the point of access.
12. For safety, add the mailboxes' location as a single location that is accessible to all residents without the need to pass through other sites or reserved parking areas or walk on Kings Highway (unless a sidewalk is added). No. The mailbox locations are suitable as now shown on the plans.
13. For safety, add the location of the mailboxes that is accessible to all residents but does not require the postal delivery truck to block traffic on Kings Highway or to drive in reverse to deliver the mail. No. Mailboxes all over the Nation are located along public highways and the US Postal Service stops at each one as it delivers the mail.
14. On the site plan, show the propane tank locations in the rear or behind homes so that they are out of view of adjacent homes, parking areas, and roadways. No. Propane tank locations will depend on the design of each home.

*(This can be achieved with buried tanks, if necessary.)
(Ductless heat pumps are not yet an option in new HUD homes.)*

15. For safety, add guest parking areas for the community. No. We comply with the two parking spaces per dwelling that is Ledvard requires for all other single-family dwellings in the Town.

(Kings Highway is too narrow for guests to safely park on the side of the road unless there is a sidewalk.)

16. To protect the health of the residents of sites #3, #4, and #5 from headlight glare and stress from traffic noise, install a berm, reduce the number of curb cuts, and improve the screening along Kings Highway.

(The homes on sites #'s 3, 4, & 5 are less than 30 feet from Kings Highway. Sheet 2 shows 2' - 3' tall "Green Giant Arborvitae" planted at about 25' intervals along Kings Highway, which is too low and too far apart to protect residents on these sites from the nuisance of headlight glare and noise coming from Kings Highway.)

(An excellent example of screening for a mobile home park is the landscaped berm that protects Stonegate Village residents from traffic noise and headlight glare from Gallup Hill Road and Flintlock Road. Screening is essential to provide privacy for a mobile home park community.)

Reciting that this is a "health" issue does not make it so. Homes are often subject to headlights from public roads or adjoining residential driveways.

17. Add a park sign to the site plan. The plans already have this.

18. Add a park bulletin board to post the park's license. *This is necessary to comply with Chapter 412 §21-65a, which requires the park license to be posted in a conspicuous location.* We would agree to such a condition of approval.

19. Add a bulletin board for posting the park's rules and regulations. *This is necessary to comply with Chapter 412 §21-80-(a)(2).*

(A large bulletin board may be needed if the rules are long, or if the bulletin board will be used to announce park activities. It should be close to the mailboxes.)

We would agree to such a condition, and would suggest that it be combined with the bulletin board suggested in Item #18.

20. For safety, amend the park design to have a single entrance/exit.

(The risk with the "as-proposed" site plan is that it shows four curb cuts for a small 1.64-acre parcel (according to the property card), which is three curb cuts too many.

For example, guests at site #4 parked on its access curb cut will interfere with the sight lines for the residents or guests of sites #1 and #2 attempting to exit on Kings Highway. Similarly, guests or residents parked or waiting on the curb cut for site 2 will interfere with the sight lines for residents or guests on sites #1, #3, #4, and #5-#10 attempting to exit onto Kings Highway. The sight line risks will be mitigated if there is only a single entry/exit curb cut for the community. A

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single curb cut will also allow more space for improved resident and guest parking, U-turns, and more space for mailboxes. A single entry/exit curb cut will also create a more desirable "community" environment than a series of narrow curb cuts on a busy public road.)

No. This is not a health or safety item. There are private driveways on every street in Ledyard and Connecticut.

21. Add stop signs and lane markings as appropriate for safety. No. Private residential driveways do not have stop signs and pavement marking.
22. Add site boundary lines and the area of each mobile home site to the site plan.

(This is necessary to comply with Chapter 412 §21-82-(4), which requires the park owner to "Keep each mobile manufactured home space or lot marked in such a way that each resident will be certain of his area of responsibility." To show boundaries, each site's lot lines should also be marked with plantings.)

The sites for each home have been added to the plans already. As noted above, landscaping is at the discretion of the owner.

23. For safety, pave the driveways and parking areas so handicapped residents and visitors can safely access their parking areas, and snow plows and snow blowers will not damage the roads and parking areas.

(The as-proposed gravel roads and parking areas are incompatible with snow blowers, snow plows, wheelchairs, and access for people with disabilities.)

No. Reciting that this a "safety" issue does not make it so. Gravel driveways are common in single family residential developments. If individual homes require paved access to their parking areas, that can be provided if and when needed. Mr. Treaster is trying to increase the impervious surface of the site so as to require more stormwater management measures, not to save the owner snow plowing inconvenience.

24. In the interest of safety and to reduce the nuisance from backup alarms, amend the site plan so garbage trucks, propane delivery trucks, and UPS trucks will not need to drive in reverse from Kings Highway onto the property, drive uphill in reverse on a long curved driveway, or drive downhill in reverse on a long curved driveway to enter the traffic flow (while in reverse) on Kings Highway.

No. Reciting that this is a "safety" issue does not make is so. UPS trucks etc. back out of driveways every day.

25. To assure comparability, as required by §8-30g, amend the site plan so the parking area for Sites #9 and #10 is the same size as the parking area for the other sites. (The site plan shows the parking area for sites #9 and #10 is about 14' in length, which is inadequate and conflicts with CGS §21-82-(13) in Chapter 412).

No. The parking areas are adequate as shown and Section 8-30g says nothing about comparable parking spaces. It refers only to the units themselves and the "workmanship" in those units.

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26. The site plan should show where the individual refuse containers for each site will be stored between pickup days, which should be out of view of the neighbors and out of view from Kings Highway.

No. Occupants of single family homes routinely locate their personal refuse containers where it is most convenient for them to locate them.

27. The storage shed for the home on site 2 is in the front yard between the home and a parking area, which is UGLY. Storage sheds should be "comparable" and located behind the extended front edge of the home.

Mr. Treaster again expands the "comparability" requirement well beyond the workmanship of the unit. The shed for site 2 is suitably located.

28. The storage shed for the home on site #8 is too close to the recreation area. There is no reason why a storage shed can't be close to the recreation area. In fact, that location will help to screen unit #8 from the "noise" that Mr. Treaster fears in his comment above.

29. Show where the community electric meter for the pole lighting is located. It will be located wherever the electric utility serving the property requires it to be.

30. On the site plan, show the locations of the park's water lines, valves, and meter boxes. This has been addressed.

31. CGS §21-82-(13) (in Chapter 412) requires "adequate parking" for two cars for each lot (site). However, parking for Site #3 is in the front yard of Site #2, which is inadequate because of its location. The Commission does not administer or enforce Chapter 412.

31. The site plan should also include the following changes:

a. A reference to applicable paving standards. There is no paving.

b. Sight line distances from each curb cut. Added to the plans.

h. The park name identification sign. Added to the plans.

i. Location of private property, no trespassing, and other signage. There will be no "no trespassing signs." As noted above, we will agree to a bulletin board for park rules and the Chapter 412 license.

j. Site identification necessary to comply with 911 requirements. Added to the plans.

k. Stop signs, yield signs, and speed limit signs. As noted above, this is not necessary for private common or individual driveways.

q. The location of the master water valve on the property. It will be where the water utility requires it to be located.

t. Fire hydrants. Addressed above.

u. Open space for the community to share. The recreation is on the plans.

v. A parking area for campers and boats. We don't consider this necessary for such a small number of homes and it is not a health or safety issue.

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32. The site plan, park rules, and entrance requirements should require a mobile home's axles, wheels, and hitch to be stored under the home to demonstrate its intrinsic mobility as required by Chapter 412. No. The Commission does not enforce or administer Chapter 412.
33. To help assure "comparability," the park rules should require the foundation covering material (skirting) to be the same design, material, and color throughout the community, or skirting should be an extension of the vinyl siding on the home extended to the concrete pad. As noted above "comparability" applies to the workmanship of the home, not every facet of the home. However, we would agree to a condition that "the foundation covering material (skirting) to be the same design, material, and color throughout the community."
34. The park rules should require sheds to be vinyl-sided and shingled to match the vinyl siding and shingles of the home on the site. This is not a health or safety issue. Wood-sided sheds are used throughout Ledyard and Connecticut.