

Planning and Zoning Commission

May 17th, 2022

Meeting Minutes

Note: This meeting was held online

A. Call to Order

Vice Chair J. Tehan called the meeting to order at 7:34 pm.

B. Roll Call/ Seating of Alternates

Members Present:

John Tehan

Rebeca Sinosky

Joe Hall

Bob Shabot

Doug Roberts

Andy Marco

Walter Parsell-Absent

Also Present:

Mike D'Amato – Land Use Agent

Chris Roberts – Assistant Land Use Agent

C. Applications to be Received

None

D. Public Hearing

a. PZ-22-10: Zone Change and Concept Plan application per Section 12.15.4(b). 0 River Rd (MBL 34 009-0A, 34 009-0B, 34 009-0C). Owner: Barnini Circle Associates LLC (1/3) & Perleon LLC (1/3) Alsyd LLC (1/6) Breng LLC 1/6 Applicant: Thomas Cody

M. D'Amato explained that he received a letter requesting the public hearing be postponed. He explained that the applicant had a conflict for the next meeting therefore it would be postponed until June 21st.

B. Shabot motioned to postpone opening the public hearing until June 21st, 2022. R. Sinosky seconded.

All in Favor. Motion Passed.

E. New Business

None

F. Unfinished Business

a. Affordable Housing Plan

M. D'Amato explained that a draft of the Affordable Housing Plan had been provided to the Commission for review, and that if the commission had questions, he could answer them but if they would rather take more time to review it, they could discuss it at a future meeting. J. Tehan indicated that he would like to take more time reading it and would prefer to go over it at the next meeting. The Commission agreed to leave the matter on the agenda for discussion at a future meeting.

G. Approval of Minutes

J. Tehan stated that he had just started reading them and asked if the Commission was good with these minutes. B. Shabot moved to accept the minutes. R. Sinosky seconded. **J. Tehan, B. Shabot, D. Roberts, R. Sinosky in Favor. J. Hall Abstained. Motion Passed.**

H. Correspondence

None.

I. Public Comment:

The Commission will hear brief comments at this time from anyone wishing to speak. No business can be conducted here, nor can any comments be made about any items on the agenda.

Erika Wiecewski, First Selectwoman, asked if the commission had considered moving to a hybrid or in person meeting. J. Tehan said that the commission had discussed it. M. D'Amato added that last time it had been discussed they were waiting to see what the legislation surrounding the issue would be, and that they could discuss it at the next meeting. J. Tehan agreed and said it should be put on the next meeting's agenda.

Kathy Demers of 48 Mason Road, asked for an update on the issue of the canopy design at Loves Travel Stop. M. D'Amato explained that it was in the process of being fabricated and should be put up shortly.

K. Demers asked in general when the Planning and Zoning Commission adopts new regulations if they get reviewed by the town's attorney. M. D'Amato explained that typically the attorney is not consulted unless a specific question or issue arises.

K. Demers asked if when a pre-application meeting takes place with a potential applicant, if there is a report given to the Planning and Zoning Commission. M. D'Amato indicated that if a pre-application meeting is held by staff, the PZC is not typically informed because not all applications ultimately go before the Commission. He stated that if it's an informal discussion that ultimately goes to the commission then they would know but not otherwise.

K. Demers followed up and asked if staff are the ones meeting with the applicant, then how is it decided what other resources are brought into the meeting for example fire, public health, safety, etc.? M. D'Amato stated that staff would look at the project and based on what kind of application it was and what was presented then they would bring in the appropriate resources.

K. Demers asked if staff decided that. M. D'Amato said yes, they would include those who needed to be included based on what was being discussed.

K. Demers asked if there was ever a time that Planning and Zoning members would be invited to a pre-application meeting. M. D'Amato stated that they can't include planning and zoning members in a preapplication meeting because then they would be pre-determined on the application should it go before them.

R. Tulis of 47 Village Hill Road brought up the minutes of March 1st and pointed out in the discussion of PZ-22-4 at the end of the minutes, it was noted that Mr. Parsell motioned to close the public hearing, John Tehan Seconded. All in Favor. Motion Passed. He then pointed out that in the minutes for the meeting of March 15th there was another public hearing on the same application. He stated that the minutes were inaccurate, and he was disappointed that the commission didn't catch that. R. Sinosky stated that she

believed that they held that one over because there were questions needing to be addressed. R. Tulis stated that his concern was that the public hearing was held twice which wasn't quite accurate. R. Tulis responded to K. Demers comment about preapplication meetings, and pointed out that according to the zoning regulations, as far as supporting materials for an application a staff report of a pre-application meeting is to be included. J. Tehan said they should go back through the minutes and review them. M. D'Amato agreed and said he would include them to the materials for next meeting so the commission could discuss and make amendments as needed. M. D'Amato explained that pre-application meeting information can be included as part of the public hearing. R. Tulis spoke on practices of informal discussions during his time on the commission. M. D'Amato explained the difference between a brief provided by staff and an informal discussion during a PZC meeting. A. Marco spoke of his understanding on the issue.

K. Demers read the regulations section 12.03.01 regarding pre-application conferences. J. Tehan agreed that that might be a best practice but referred to M. D'Amato's clarification. M. D'Amato again explained there is a difference between a pre-application meeting and informal discussions. K. Demers spoke of the terminology in the regulations a noted that it could be confusing.

No other public comment.

J. Staff Report/Discussion.

a. Regulations Governing Cannabis Establishments

M. D'Amato reminded the commission that the draft regulations were referred to CRCOG and that a public hearing would be held at the next meeting.

K. Adjournment

R. Sinosky motioned to adjourn. B. Shabot seconded. **All in Favor. Motion Passed.** Meeting adjourned 8:06 pm.