

**ASHFORD PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
VIRTUAL MEETING via ZOOM  
ASHFORD, CT / Monday, April 12, 2021**

**Present:** Jeffrey Silver-Smith (Chair), Janet Bellamy, Gerald Dufresne, Catherine Sampson, Jeffrey Schillinger, Mark Schnubel, Richard Williams (Vice Chair), Nord Yakovleff, Bruce DePercio (Alt.) Tom Hastings (Alt.), Douglas Jenne (Alt.)

**Guests:** Mike D'Amato, Facilitator and Zoning Enforcement Officer, B & T, Guerin, Scott Guerin, Paul Varga

Relevant Documents supplied by Zoning Officer, Mr. D'Amato via the Ashford CT web site

**Call to Order:** The April 12, 2021 Regular Meeting of the Planning and Zoning Commission was called to order by Chairman Silver-Smith at 7:00 p.m.

**1. Seating of Alternates:** Mr. Hastings was seated for Mr. Hastillo.

**2. Approval of minutes of the March 8, 2021 Regular Meeting:**

**MR. WILLIAMS MOVED AND MS. BELLAMY SECONDED A MOTION TO ACCEPCT THE MINUTES OF THE REGULAR MEETING ON MARCH 8, 2021 OF THE PLANNING & ZONING COMMISSION AS WRITTEN. MOTION PASSED WITH ABSTENTIONS FROM MR. HASTINGS AND MR. SCHILLINGER.**

**3. Public Comments:** Ms. Guerin here to be informed.

**4. Bills:** none

**5. Correspondence:**

**A. Resolution from the Ashford Economic Development Commission**

Mr. Silver-Smith read the resolution regarding the I84/Rte. 89 area of 97 acres in Ashford owned by Ashford Realty LLC that is currently zoned for industrial development. The resolution seeks to have the related land use zoning regulations updated to reflect current building and land use standards. This resolution was adopted by the Ashford Economic Development Commission on March 24, 2021. The aim of the resolution is to offer greater options for industrial development in that zone.

Mr. Williams noted that although the previously requested regulation language changes were not approved this approach shows that Ashford Realty LLC is trying to work with the town to update the industrial zone regulations generally. Just as we update the Lake District regs, we should also update the industrial zone, I84/Rte. 89 area too. Mr. Williams is willing to take the lead and survey what other towns regs state, etc. as he did for the Residential/Agriculture land use regulations. Mr. Silver-Smith thanked Mr. Williams but felt that there would be a conflict of interest as Mr. Williams is, as he stated himself, the Chairman of the Economic Development Commission. The P&Z C is already planning to revise these particular regulations. Mr. Williams said we might miss out on some opportunities if this work is not done in a timely manner.

Mr. Schillinger asked why the urgency? There is not a real emergency just a wish to be current with the times. Mr. Dufresne agreed with Mr. Schillinger. Ms. Bellamy agreed that the regs need revision in a timely manner, but no vote is needed.

Mr. Williams will begin his review and expects it will take him about a month or so. The Commission can then make decisions as they wish. It was noted that this land has not been developed for a business over the last ten years or more updating the current regulations would facilitate viable activity in this area.

Mr. Silver-Smith reminded members that the land is 1.25 miles from Lake Chaffee and abuts nearby water areas too. The POCD has indications for both additional business activity in this zone and meeting the needs of the character and nature of the town. Mr. Silver-Smith also reminded the commissioners of the public turnout at the hearing regarding an application requesting changes to the Interstate Interchange Development Zone regulations and the concerns of those in attendance about potential development in this zone.

Mr. Williams stated that any large-scale development of this area would require a special permit and funding would be available for environmental impact, runoff and/or other studies to be completed.

Mr. Williams will begin work with the Zoning Officer and anyone else who wants to assist, on reviewing this section of the regulations. A "floating zone" might be away to allow more concerns to be heard at a public meeting early on; it offers a step by step approach. [According to one definition: "a floating zone delineates conditions which must be met before that zoning district can be approved for an existing piece of land."]

It was agreed that no vote would be taken on the resolution but that Mr. Williams could proceed to conduct his research with Mr. D'Amato.

## **Correspondence**

### **B. Email from Abutters to 154 Westford Hill Road**

Two emails were read by Mr. Silver-Smith from Mr. Griffiths. The Court has granted an extension of the stipulated agreement for another year in which to remove materials. As per the amended agreement, work may proceed until Sept. 2022. Mr. Silver-Smith will draft a response to Mr. Griffiths email(s).

## **Correspondence**

### **C. Affordable Housing Resolution Discussion**

Mr. Williams who presented this drafted the resolution. He stated that it was part of a growing movement in the state to oppose the current Desegregate Connecticut proposed zoning laws now in deliberations in the Connecticut General Assembly. Mr. Williams has been working as an individual on efforts to oppose these legislative proposals that he feels will have the purpose of town zoning responsibilities (home rule) being eliminated and taken over by the state.

Mr. Silver-Smith questioned the premise and veracity of some of the statements in the resolution. Mr. D'Amato noted that some of the statements no longer applied as several things have been already removed from the proposed legislation.

Mr. Silver-Smith further explained that, unlike some other states, in Connecticut "home rule" is granted by statute. The Zoning Enabling Act allows land use regulations to promote economic diversity in housing. He thought that many statements in the resolution were not based in facts but in opinion and inaccurate. He does not see this stated in the proposed legislation.

Mr. Jenne felt that we should "stick to the facts" and discuss fact based arguments and not subjective opinions.

Mr. Williams noted that the Commission could sign the resolution, revise it or do nothing. Ms. Bellamy opposed the opening statement of the resolution. She feels that Desegregate Connecticut has some excellent ideas. Mr. Silver-Smith noted that Ashford's affordable housing means housing for seniors and young people just starting out as well as those looking to move to our town for opportunity but requiring assistance to meet the cost of obtaining an adequate dwelling. Town counsel advises boards and commissions to wait and see what results of the final proposed legislation are. After further discussion Mr. Williams decided to withdraw the resolution.

Mr. Silver-Smith asked that Commission members keep abreast of what is happening regarding Affordable Housing and Desegregate CT, as there are multiple print and On-line articles being generated on this topic

## **6. Unfinished Business**

### **A. Update on Lake District Regulations / Survey**

Mr. D'Amato noted that the survey is still "live" and will be ended in two weeks. He has received 45 responses and has analyzed them. Of these responses 62% are from Lake Chaffee and 38% from Ashford Lake property owners

Mr. Williams stated that while researching 25-30 lake properties to begin developing lake district regulations, a number of them did not have their permit requests for building changes sent to the P&ZC. He found that most requests were for building sheds, decks, driveways, etc. but some for other building changes had not been presented to the Commission. He cautioned that without our review (or that of EHHN) there could be consequences for the town, especially if things like a septic field was overloaded or failed due to additional bedrooms an contamination of the lake area resulted. He feels that we need to fix this situation and require a procedure that involves the P&ZC and/or other agencies.

The Lake survey report will be ready for the next P&ZC meeting.

## **Unfinished Business**

### **B. Discussion of Affordable Housing Statute**

Although previously discussed, it was agreed that the Commission will begin in earnest to write its affordable housing plan prior to July 1, 2021. Our initial work will then in July be afforded the assistance of Mr. D'Amato's consulting group also working to assist other towns. Mr. Silver-Smith has also reached out to NECCOG and any assistance they could provide. Mr. D'Amato reminded the Commission that this is to be a local plan with no regional component. Mr. Silver-Smith reminded the commission members that while Planning and Zoning was taken the lead on the Plan of Affordable Housing, other Ashford town commissions would be involved including the Housing Authority, Agent for the Elderly, BOS, Special Services and the Assessor's office.

## **Unfinished Business**

### **C. Update on 154 Westford Hill Road**

The Judge presiding at the hearing made the decision to extend the work for one more year. Ashford was represented by Atty. Ken Slater. The end date is therefore September 2022. We are to receive updates on cubic yards of materials removed every six months. The Griffiths will be sent a status letter and advised to report any documented violations to Mr.D'Amato.

**7. New Business**

None

**8. Zoning Officer Report**

Mr. D'Amato is busy with incoming complaints; the form for requesting Administrative Zoning Permits is being finalized for placement on the town website. The Executive Session issue has been resolved. In reference to a Waterfall Rd. building project, he noted that all building permits can be consulted online. [ [ashfordtownhall.org](http://ashfordtownhall.org) / at top select "I would like to" / under Land Use select "file a building permit online" / then go down the page to click to access online Building Permit System where permits are listed.

**9. Adjourn**

**MR. WILLIAMS MOVED AND MR. YAKOVLEFF SECONDED A MOTION TO ADJOURN. MOTION PASSED UNANIMOUSLY AT 8:39 P.M.**

*Respectfully submitted by,  
Valerie B. Oliver, Recording Secretary  
4/13/2021*