

**PLANNING AND ZONING COMMISSION
REGULAR MEETING
VIRTUAL ONLINE MEETING via ZOOM
ASHFORD, CT / December 11, 2023**

Present: Jeffrey Silver-Smith (Chair), Luther Brauch, Janet Bellamy, Gerald Dufresne, Alex Hastillo, Tom Hastings, Douglas Jenne, Steve Petch, Jeffrey Schillinger, Mark Schnubel, Richard Williams, Nord Yakovleff

Guests: Mike D’Amato, Zoning Officer plus about 12 members of the public

1. Call to Order: The Dec. 11, 2023 meeting of the Planning and Zoning Commission was called to order by Chairman Jeffrey Silver-Smith at 7:04 p.m.

Seating of Alternates: not required

2. Approval of Minutes, A. November 13, 2023:

Mr. Schillinger moved and Ms. Bellamy seconded a motion approve the minutes of the regular PZC meeting, November 13, 2023. Motion passed unanimously.

3. Public Comments:

Ms. Christine Acebo asked about the handling of the results of the “flawed” IID survey and how the comments, results and analysis, would be reported to the public? It is most important that the public see the comments.

Mr. Silver-Smith responded that the comments would be put together in a report by the Zoning Officer and would be available in full on the town website. The report would also appear in the *Ashford Citizen*. However, due to the report’s length, some coordination of comments that are similar in nature would be required. The report is expected to be in the *Ashford Citizen’s* February 2024 issue. The website will be the primary source of the results.

Ms. Nora Galvin noted that buildable lot standards such as slope, impervious land, riparian buffers and storm water runoff are not part of our regulations covering the IID zone. Would they be considered for IID regulations?

Mr. Silver-Smith stated that normally the PZC does not answer questions from the public but considers the questions at a future meeting. However, he did say that the building lot standards would likely be considered as the PZC evaluates the IID zone.

Mr. Charles Vidich asked about his correspondence and was it shared with the PZC members?

Mr. Silver-Smith replied that he had neglected to ask Mr. D’Amato to post the two letters and apologized for this mistake. The letters were received on 12.4.23 and reviewed on 12.5.23. Since the letters were very detailed, and the board composed of volunteers, he felt the commission members needed time to review so they could be fully addressed. The letters will be shared with the other members and along with the survey results will be fully considered; the Chair specifically asked the members to review Mr. Vidich’s letters and thanked him for his understanding.

4. Bills: none

5. Correspondence:

A. CRCOG Comments: Their recommendations included 3 towns considering day care home issues similar to ours: Hebron, Newington, and Mansfield; the Chair quickly reviewed the remaining report.

B. Mansfield Referral: Referral of 19p. briefly noted (no difference in single family dwelling vs. those with a home day care).

C. Reports from C. Vidich. These will be shared with the PZC members.

D. Conservation Commission Letter: The letter, received Nov. 30, 2023, was put on screen and read by the Chairman. This letter conveys similar information received from Mr. Gantick of Our Town Our Future, via email.

[These communications (except C. not posted yet) can be seen on the town website under the PZC meeting materials for this meeting / a link is also noted at the top of the agenda for this meeting]

Mr. Williams stated the Cons. Comm. letter was in error regarding the last POCD document and how it was done. The current POCD has a large section on Conservation. Although all town groups did not have a person on the earlier POCD Working Group; all groups were asked for input – the problem was getting “timely” information. A group of 6-8 people makes for an acceptable POCD working group. He disagrees with some of their premises put forth in the letter.

6. Public Hearing:

A. PZ-23-10: Text Amendment to Section 300-17 pertaining to Family Child Care and Group Child Care Homes

The public hearing was opened at 7:27 p.m. The Chairman read, from the memorandum (put on screen) written by the Zoning Officer on Oct. 2, 2023, the summary of legislation and amendments under consideration. The regulation sections involved are 300-17-B-6- g.(being added) Permitted Uses and 300-17-C Special Permit Uses. The texts in red in the right margin are explanations of the suggested text changes shown.

Regarding addition of g. under 300-17-6 Accessory structures...associated with above permitted uses, g. would state that a family or group child care home that is licensed would fall under permitted uses.

Under 300-17-C -1. it would state that group or child day care use as a primary use OR if care for more than 12 persons then a special permit is required.

Discussion by Commissioners followed.

Mr. Brauch asked if an accessory use were to be treated differently than a permitted primary residence use? Permission must be granted first for the primary family residence use and then for the same dwelling for an accessory use; the accessory use would not be permitted in a commercial setting per Mr. D’Amato.

Mr. Williams wanted to make certain that with these amendments the town would be in compliance with state statutes. Mr. D’Amato replied, “yes.” A brief discussion of definitions followed with our definitions noted as linked to Connecticut statutes.

There were no further questions or public comments.

Mr. Dufresne moved and Ms. Bellamy seconded a motion to close the public hearing. Motion was approved unanimously at 7:37 p.m.

7. Unfinished Business:

A. Draft letter to Commissions, Boards and Committees regarding revision of POCD for 2025

The Chairman read his draft letter to Boards, Commissions and Committees that he put on the screen. Concern was expressed by Mr. Williams that if a word version were to be used clear directions for how to mark up with responses would be needed. Mr. Schnubel, experienced at editing, said the letter in word should be enabled for editing before it is sent out.

Ms. Bellamy was concerned about the deadline for submissions. She suggested end of May 2023, allowing 5 months, so that final report could be prepared during June and July to be completed in August. It was felt, later in the discussion, that August might involve vacations so that expecting report completion in September a better idea.

The Chair noted that he is working with Tyche to see how they could be involved as consultants in getting this POCD work organized and completed. Ms. Bellamy thought they would be useful in supplying charts and/or graphs but that a smaller group would be needed to create the introduction, etc., wording.

Mr. Gantick of Our Town Our Future will be notified and all groups would be expected to write or contribute to their own sections.

Mr. Brauch agreed with Ms. Bellamy and thought May a good deadline. He noted that the Agriculture Comm. would comment on their own area. He also agreed that Mr. Schnubel’s editing experience and comments were important. Further comments asked for a writing sample, exactly how to markup and track changes would be needed as doing this would be a challenge for most groups.

An important statement he made was that there should be one place for distribution of copies and one place for all participating to see a copy (version control). Mr. Schnubel agreed to provide editing / markup instructions for participants.

Mr. Williams stated that, regarding the letter asking for POCD ideas, the work on POCD revision would require a person to be in-charge of a small group to get the writing done. These people do not necessarily need to be PZC members. But someone is necessary to lead the project. As a result, the Chair asked for volunteers from the

PZC members. Ms. Bellamy, Mr. Silver-Smith and Mr. Brauch volunteered and Mr. Williams offered his comments as well. Volunteers were asked from those attending the meeting; Ms. Christine Acebo and Ms. Nora Galvin volunteered. All were thanked by the Chairman.

The earlier POCD revision had been helped by an intern at NECOG per Mr. Williams. The Chairman stated that NECOG is very busy with current projects and that Tyche would be helpful to us if their involvement is achieved. Mr. Silver-Smith will revise the dates in the letter and get it sent out by January 9, 2024, after the PZC Jan. 8th meeting.

8. New Business:

A. PZ-23-10: Text Amendments to Section 300-17 pertaining to Family Child Care and Group Child Care Homes

Mr. Williams moved and Ms. Bellamy seconded a motion to accept PZ-23-10, the proposed Text Amendments to Section 300-17 pertaining to Family Child Care and Group Child Care homes as stated in the Oct. 2, 2023 memorandum by Mr. D'Amato and shown on the screen to meeting attendees. Motion passed unanimously.

B. PZ-23-11: Special Permit renewal for Short Term Rental at 21 Lakeside Dr. (For Receipt Only)

Mr. Dufresne moved and Mr. Williams seconded a motion to accept PZ-23-11, Special Permit renewal for Short Term Rental at 21 Lakeside Dr. Motion passed unanimously.

9. Zoning Officer Report:

Mr. D'Amato reported time spent on preparing survey, posting it in several places and receiving results. To date replies have been received from 190 respondents; deadline is Dec. 31, 2023. He is working with the Town Clerk to update the website. The interim building official is being brought up to speed.

Mr. Williams reported homes built in Eastford are having ventilation problems, and the builder can not be located, a real problem with no zoning regulations, etc.

Mr. Brauch thanked Mr. D'Amato for the survey. Ms. Bellamy also offered thanks but felt that the PZC members should have had time to study it before the meeting.

Mr. Yakovleff asked about the status of the burned building on Rte.89. The fencing is up to building code, but with no property maintenance or blight standards or regulation there is little the PZC can do about any possible violations. There are no issues with the septic system or that affect the environment per the Zoning Officer. Blight would be covered by an ordinance. Mr. Williams mentioned an earlier issue with blight at property on Rte.89. It was thought that the town cleaned up this property. The Chair said confirmation would be needed to know the facts.

10. Adjournment:

Mr. Dufresne moved and Mr. Brauch seconded a motion to adjourn. Motion passed unanimously at 8:14 p.m.

*Respectfully submitted by,
Valerie B. Oliver, Recording Secretary
12/12/2023*