



To: Planning & Zoning Commission  
From: Jeremy DeCarli, Planning & Zoning Official  
RE: February 2, 2022 Planning and Zoning Commission Regular Meeting – Staff Notes  
Date: January 28, 2022

The following are staff notes and comments as they relate to agenda items. Additional information and documents are available on the website. The status of applications is subject to change between the date of this memo and the date of the meeting.

## **5. Public Hearings for February 2, 2022:**

### **A. Amendment to Zoning Regulations - Sections 2.2, 4.1.B, 4.2.B, 4.3.B, 4.4.B and Addition of Section 8.4.O and 8.4.P to allow for Home Occupations and Home Based Businesses**

The proposed language is before you for review and comment by the Public. The PZC, in conjunction with the Economic Development Commission held several workshops over the summer and fall months to develop the proposed language for review. As this is a Commission led action, there is no timeline which must be followed. The Commission can keep the hearing open as long as it sees fit.

As of today (1/28/2022) I am awaiting comments from the Town Attorney.

### **B. Enact Opt-Out Provision for Accessory Dwelling Units as Provided for in Section 6(f) of Public Act 21-29.**

As discussed, Public Act 21-29 requires that all municipal zoning regulations allow for the construction of one Accessory Dwelling Unit on each residential lot as of right. The provision includes a maximum dwelling size of 1000 square feet.

The Commission may choose to “opt-out” of the current legislation, allowing the current regulation to remain in place which calls for ADU’s to be reviewed by the Commission and issued a Special Permit. The Commission can only opt-out by a  $\frac{3}{4}$  majority vote (5 yea votes). If approved, the Town Council will also need to approve the opt-out by a  $\frac{3}{4}$  majority. If the opt-out is not approved by both bodies prior to January 1, 2023, the State provision would go into effect and Section 8.4.M of the regulation would become moot.

## **7. Old Business:**

### **A. Application PZC-21-021: Global 66, LLC, 265 West High St., Site Plan Modification, Map 6/Block 12/Lot 9**

Revised Site Plans have been submitted which show all improvements squarely on the Commercial side of the zone line.

Parking: The proposed plan shows a total of 15 marked parking spaces. It is important to note that there are no requirements in the parking chart within the Zoning Regulations associated directly with storage facilities. In the past, the Commission has generally approved what has been proposed on the site plan due to the lack of a specific requirement deferring to the knowledge of the developer. In the case of this property, although only 15 spaces are

officially shown, there is a significant area which will remain paved and could accommodate overflow parking. This being strictly a storage building, it is no anticipated that parking will be a concern.

**Verified Pleading:** As noted last month, a verified pleading has been submitted. After changes to the site plan were made, the verified pleading was amended. As I noted in the memo specific to the intervention process, only items having to do with the current action of the Commission should be considered. In this case, the use as a storage facility has already been approved. As such, the only action at this time is the change of the site plan which includes additional landscaping, parking and drive aisle changes, and drainage. Concerns about environmental impacts of those changes can be considered, but proof must be submitted if the Commission is going to deny based on those concerns. The concern about storage of hazardous materials within the building is the only concern raised in the pleading which is environmental in nature; however, the use as a storage building has already been approved and the Commission is cautioned against denying the application as a result of this concern. The Commission can apply certain conditions prohibiting the storage of hazardous materials if it sees fit.

**Recommendation:** Approve the Site Plan with the following condition: The final Mylar should clearly indicate the zone boundary line between the C Zone and the R-2 Zone and should indicate the Middle Haddam Historic District boundary line.

## 9. Planner's Report

- A. Several parties have shown interest in the Watrous Street property in recent weeks. Town Staff has met with several that may submit proposals for redevelopment. Although the RFP window has closed, Staff has advised those interested to put together a proposal if they choose to and use the RFP as a guide.
- B. The Town Engineer is in the process of creating a master concept plan for sidewalk revisions in the Village Center. The plan is being put together with recommendations made in the Village Center Plan that was developed during the summer months by our Planning Intern, Chris Roberts. Once complete, the mater concept plan will be used to apply for grant funding for final engineered plans and actual construction.
- C. Work has begun on the new "Salt Pond Apartments" at Edgewater Hill. Road and infrastructure work is currently underway. It is anticipated that the first three buildings will be in construction come spring. As a reminder, this was the next phase of the development approved last summer which includes 40 one and two bedroom apartments spread among five buildings.
- D. MS-2 or 11 Edgewater, has received its Certificate of Occupancy. All ten apartments have been rented. The commercial space on the ground floor has not yet been filled, but the developer is actively seeking a tenant.