

PLANNING AND ZONING COMMISSION
February 11, 2019 Meeting Minutes

These minutes are not official until approved at a subsequent meeting.

Commission Members Present: Alan Gannuscio, Vincent Zimnoch, Jim Szepanski, Cindy Cooper, Doug Wilson (Alternate), and Peggy Sayers (Alternate)

Commission Members Absent: Alexa Brengi

Town Staff Present: Jennifer Rodriguez (Town Planner)

I. Call to Order

Chairman Gannuscio called the meeting to order at 7:09 pm.

II. Roll Call

Commission roll call was taken. Chairman Gannuscio seated Peggy Sayers for Alexa Brengi.

III. Approval of Minutes from the January 14, 2019 Regular Meeting

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission postpones the approval of minutes from the January 14, 2019 meeting to the March 11, 2109 meeting.

IV. Public Hearings (none)

V. Reviews (none)

VI. Action on Closed Public Hearing Items (none)

VII. Old Business

A. Executive Session (Pool Table Magic/Litigation)

It was **MOVED** (Gannuscio) and **SECONDED** (Sayers) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission includes Jennifer Rodriguez, Town Planner, and Debbie Seymour, Recording Secretary, in the Executive Session.

The commission went into Executive Session at 7:14 pm.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission comes back out of Executive Session at 7:42 pm.

(VIII. New Business)

A. Public Input (none)

B. Receive New Applications

The Planning and Zoning Commission received from First Selectman Kervick drafts of the Tax Increment Financing (TIF) District Master Plans for the proposed Champions Landing East and Champions Landing West with a request for a written advisory opinion from the commission on whether they are consistent with the Plan of Conservation and Development (POCD).

Chairman Gannuscio stated that this commission has to send a written report to the Board of Selectmen with the commission's thoughts on this subject. He would like to have all the proper noticing on the agenda that has been posted for people to read. Ms. Rodriguez remarked that even if there were a recommendation tonight no further action can be taken until the 90 days is up. Chairman Gannuscio suggested scheduling on the agenda for March 11 a discussion regarding TIF Master Plans for East and West Champions Landing. Ms. Rodriguez pointed out that the commission will have to be sure the TIF is consistent with some sections of the POCD such as a section on Ella Grasso Turnpike and the Route 20 corridor. She said she will send those two pages for consideration to the commission before the next meeting.

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission places on the agenda for the March 11, 2019 meeting under "Action Items" a discussion regarding the TIF Master Plans for East and West Champions Landing.

Ms. Sayers asked if this TIF has to be approved by the legislature. Chairman Gannuscio replied that Section 15-57 allows it to be done by a Town meeting. Ms. Rodriguez added that this new legislation allows municipalities to develop their own TIF district.

(VII. Old Business)

B. Discussion with Commission and Staff

i. POCD

Ms. Rodriguez stated that several chapters of the POCD have been submitted to the commission for review. (She noted that Mr. Wilson and Ms. Sayers need copies of these chapters.) The chapters that were submitted included an Introduction, Area of Influence, Population and Housing, Environment and Natural Resources, Education, Park and Recreation, and Capital Improvements. The remaining chapters are: Economic Development, Existing and Future Land Use with a visual depiction, and Planning Policies. She didn't want to move

forward with these remaining chapters yet because those summarize all of the other chapters. Now she needs to know in theory and conceptually if the draft chapters are okay so she can take those final chapters in each section and create the policies and goals and objectives summary at the end. For example, if she knows the commission's thoughts on the new TIF district, that will be included in the new Economic Development section. The discussion on Spring Street will also be summarized and included in the new Economic Development section.

Chairman Gannuscio commented that we have a very good draft plan and a lot of time and effort and thought have been put into it. He thinks we should continue to roll on with it as time allows Ms. Rodriguez to. Ms. Rodriguez said there is information to summarize about Ella Grasso Turnpike such as transportation, safety, and whether parcels are underutilized. The airport has completed their master plan study from which she can also pull information regarding the new car rental building. One recommendation might be to do a study to inventory what the rental car properties could be used for once they move to the airport. There is plenty of information we can use to update various sections of town.

Ms. Rodriguez added that the rest is creating the visuals and adding an Appendices. She noted that in a lot of other communities there is an acknowledgement letter signed by the chair of the commission that is submitted as part of the POCD. It's not just an acknowledgement of planning and zoning members and staff but community organizations and whoever else has been involved. Ms. Rodriguez told Chairman Gannuscio that she could send him a few examples if he would like and if he wanted to include something like that he could to make it a little more personal. She noticed that other communities included more photographs and bits of data from workshops over the years in the Appendix. When commission members are comfortable, it can be set for a public hearing. Chairman Gannuscio stated that after this commission's public hearing for the POCD, he thinks it goes to the Board of Selectmen where they just vote up or down on this. Ms. Rodriguez added that this also has to be sent to CROG ahead of time. She concluded by saying that she will keep plugging along but if anyone comes up with anything between now and next month, let her know.

VIII. New Business

C. Informal Discussions

i. Bradley Court

Chairman Gannuscio stated that he mentioned to Mark Doody, the Building Inspector, that there are what appear to be already existing basement apartments in the buildings closest to Elm Street. Ms. Rodriguez commented that someone approached them and asked about this, saying that it seems that one or two are approved, but she and staff did not find their original approval, so it was hard to go back to the approval. At first she thought it would be an amendment or

modification to their permit, but they couldn't find anything on their original permit. Her direction to this person will probably be to have a land use attorney look into the best way to seek a revision, but at the same time she would like to give them some guidance. However, in the absence of finding the original approval, she's not sure that there's even a vehicle for having them ask for something like this. You have multi-family development, but they don't comply with the current regulations. There's adaptive re-use, but they're not really building any new buildings, and it's not an underutilized site. Ms. Rodriguez said in terms of the Planning and Zoning application, she was at a loss in terms of how to tell them to apply—what should they call it (whether it's just a special use permit, a modification of their approval, adaptive re-use, or multi-family special development regulations).

Mr. Szepanski asked if there are people living in these units now. Ms. Rodriguez responded that the person who contacted her wants people to live in the basements, but she does not know if they are living there now. She said that the person who called her, the architect, had the understanding that there was at least one that was approved, but she does not see any apartments that have been approved. Mr. Szepanski asked if the Fire Department would have any approvals in their files. Ms. Rodriguez responded that she will check with the Fire Marshal. She added that because she has been out, she's not sure whether the Building Official has been over there to inspect. They want to apply to have more of these basement units, so she needs to give them some guidance on what zoning vehicle they can use that's in the regulations. There was a brief discussion on what type of application would be best. Chairman Gannuscio suggested that they hire counsel who can discuss with staff and the Planning and Zoning Commission what to do. He added that there should be a set of plans with the Fire Marshal. Ms. Rodriguez summarized: She thinks she is hearing that it would be a minimum of Special Use Permit, and the direction is that there really is not a perfect vehicle for them to apply right now, and "these are the regulations that we have and you may want to hire Land Use counsel to make a recommendation on how you apply." She added that she will check with the Fire Department.

D. Action Items (none)

IX. Communications and Bills (none)

OTHER

Ms. Rodriguez commented that three or four months ago she and her staff were approached about 18 Maple Street, the Castle, which is in the MSOZ. The folks that called were quiet for a while but when she got back from her leave there was a proposed use notification, so she thinks they do want to apply. She will call back the real estate person tomorrow, but she wanted to get the commission's thoughts on this. They wanted to do apartments upstairs, and on the bottom floor they wanted to be able to have a retreat, cooking classes, calligraphy classes, and yoga. This is someone interested in buying the property. She is hoping to get more details. It sounds

similar to a bed and breakfast, but they will have classes there also. Special use permit, overlay zone, mixed use...she doesn't see any reason that they couldn't apply, but she thinks she needs to ask them to supply to the commission a specific narrative. One thing that comes to mind is that a lot of times you go to a place like this and there is massage, so then you get into massage parlor ordinance laws versus massage therapy and requiring licensed massage therapists. Chairman Gannuscio asked about parking. Ms. Rodriguez said it's a large property that has a long garage with five or six bays in the back. She commented that we might see an application. She was planning to handle the application as a special use permit and have them list specifically the types of things they were interested in, and if there were one or two that seemed to need a separate application or they didn't fall under the permitted use list they would have to come before the commission.

Chairman Gannuscio asked if there is still an ongoing concern with the massage place on Old County Road. Ms. Rodriguez replied that she hasn't had any complaints.

X. Adjournment

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission adjourns the February 11, 2019 meeting at 8:27 pm.

Respectfully submitted,

Debbie Seymour
Recording Secretary