

PLANNING AND ZONING COMMISSION
December 12, 2016 Meeting Minutes

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

Commission Members Present: Alan Gannuscio, Vincent Zimnoch, Jim Szepanski, Luis Valdez, Cindy Cooper (Alternate), and Kayleigh Royston (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 7:03 pm.

II. Roll Call

Commission roll call was taken. Cindy Cooper was seated for Alexa Brengi.

III. Approval of Minutes from the November 14, 2016 Regular Meeting

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 4-0; Szepanski Abstaining) that the Planning and Zoning Commission approves the minutes of the November 14, 2016 regular meeting as published.

Chairman Gannuscio stated that Section VIII E (i) and (ii) would be moved to this point in the agenda.

(VIII. New Business)

E. Action Items

i. Election of CRCOG Regional PZC Commission member

Chairman Gannuscio asked if there were any volunteers for the CRCOG Regional PZC Commission. Ms. Cooper stated that both she and Mr. Valdez were interested, and she would be the regular member and he would be the alternate. Chairman Gannuscio asked if this had to be submitted to the Selectmen. Ms. Rodriguez responded that there is a form to be filled out and the commission could recommend this to the Board of Selectmen.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission appoints to the CRCOG Regional Planning and Zoning Commission Cindy Cooper as a regular member and Luis Valdez as an alternate member.

ii. Election of officers

It was **MOVED** (Szepanski) and **SECONDED** (Zimnoch) and **PASSED** (4-0, with Gannuscio Abstaining) that the Planning and Zoning Commission elect Alan Gannuscio as Chairman of the Planning and Zoning Commission.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (4-0, with Zimnoch Abstaining) that the Planning and Zoning Commission elect Vincent Zimnoch as Vice Chairman of the Planning and Zoning Commission.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (4-0, with Szepanski Abstaining) that the Planning and Zoning Commission elect Jim Szepanski as Secretary of the Planning and Zoning Commission.

IV. Public Hearings

A. Site plan review for 60' x 150' industrial rental garage bays for Rollies Garage at 4 Lawnacre Road

Mr. Szepanski asked the applicant, Steve Rolocut, if he had complied with the requirement of putting a sign on his property advertising that there would be a public hearing this evening. Mr. Rolocut replied that he had not, that he had only just gotten approval from the Wetlands Commission this past week and he didn't know if he would get approval. Chairman Gannuscio stated that this is a public hearing and the signs haven't been posted, and therefore can't go forward this evening with the public hearing. Ms. Rodriguez pointed out that the hearing was never opened last month so there is no extension needed. Chairman Gannuscio stated the commission will reschedule the public hearing for January 9, 2017. The applicant said he will get the signs up. Chairman Gannuscio thanked him for his patience.

V. Reviews (none)

VI. Action on Closed Public Hearing Items (none)

VII. Old Business

A. Discussion with Commission and Staff (none)

B. Action Items (none)

VIII. New Business

A. Public Input (none)

B. Receive New Applications

i. Liquor permit for Homewood Suites at 65 Ella Grasso Turnpike

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission schedules a public hearing for a liquor permit for Homewood Suites, 65 Ella Grasso Turnpike, for January 9, 2017.

C. Informal Discussions

i. Long term hotel stays

Ms. Rodriguez commented that recently there was something in the newspaper about criminal activity at Motel 6, which started a conversation at her department head meeting. The use of a property is subject to planning and zoning regulations, but making sure there are all different residents in every hotel room once a month is very difficult to follow up on. However, they could at least start by corresponding with the hotels and whenever they see something obvious could work with the police department and other departments to address it to some extent. One of the questions that came up was, what do the zoning regulations say about how long someone can stay in a hotel, but there is no definition in terms of what constitutes a hotel stay, so in those cases they often look to the state statute. The statutes provide under Tenant and Landlord Situation that no one can be asked to leave a hotel or motel if it's been less than 30 days unless it's obvious they've stayed longer than 30 days. If her office is going to attempt to enforce and work as a team with other departments, it's advisable before they start to get the commission's thoughts on whether the statute makes sense or if another timeline makes more sense.

Chairman Gannuscio said that he talked to the Town Attorney, Carl Landolina, and for all the different towns that Attorney Landolina represents, they didn't have anything like this that he knew of in any other town's regulations. Mr. Zimnoch commented that the question would be also whether the commission could impose a shorter stay than this state statute. The answer would be no. If we have a regulation on the books and the statute changes, we would have to change our regulation. We could refer to the state statute in our regulation. Chairman Gannuscio suggested language saying, "is limited to a stay of less than 30 days per Connecticut General Statutes Section 47a-2 unless otherwise amended."

Ms. Rodriguez pointed out that there are certain circumstances where they allow for up to 100 days, such as in a Residence Inn. She referred to Section (c) (2) of the statute, which states, "Occupancy in a hotel, motel or similar lodging for 30 days or more is not transient, except that such occupancy is transient if the dwelling unit or room in such hotel, motel or lodging is not occupied as the primary residence of the occupant and the occupancy is for less than 90 days."

This could be the instance where someone is staying for the summer, like a seasonal thing, but could still prove their primary residence is elsewhere. Ms. Rodriguez remarked that she doesn't know how necessary it is to change the text in the regulations, although it would be an easy text change to make, but now we are realizing right away that we have some issues related to criminal activity, so if we can at least start some correspondence to these businesses to make them aware of what the town considers transient so then the police department is following up on the same page. It could be handy that we at least have a timeline, but being proactive will be difficult.

Chairman Gannuscio suggested, "maybe under our definitions underneath we've got a definition for a hotel, motel, or a Residence Inn, and then we add another definition underneath that, Hotel Occupancy, and then take these two sections, sub 1 and sub 2, and make them our definition for 'a hotel occupant is considered transient if or when...'" And reference the Connecticut Statute, should it change. Ms. Rodriguez concluded that she will add a little definition and reference the statute without an actual timeline.

D. Calendar of Meetings

The list of meetings that the recording secretary drafted is accurate and will be forwarded to the Town Clerk's office and the Selectman's office.

IX. Communications and Bills

Ms. Rodriguez stated a letter was received regarding an Environmental Land Use Restriction Report at 140 Old County Circle to make the commission aware of demolition debris that was generated at off-site locations but buried at isolated portions of the site in 1979 following tornado destruction in the Windsor Locks area. This used to be American Wood Molding and is now Serta. Ms. Rodriguez believes there was an easement as part of the first application and is an area that can't be touched, so this may be considered a conservation easement. Attached is a Declaration of Environmental Land Use Restriction with a survey description, and soil types. There is no action required.

X. Adjournment

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission adjourns the December 12, 2016 meeting at 7:38 pm.

Respectfully submitted,

*Debbie Seymour
Recording Secretary*