

**HARWINTON PLANNING COMMISSION
WEDNESDAY, APRIL 13, 2022
TOWN HALL 7:00 P.M.**

Present: Chairman Michael Orefice, Roland Perreault, Paul Roche, Alan Colombie and Land Use Coordinator Polly Redmond

Absent: Lee Hall and Alternate Member Debra Freidus

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman M. Orefice called the hearing to order at 7:00 p.m. All members present are seated. The legal notice of this hearing has been published in the Republican American newspaper on April 1, 2022 and April 8, 2022.

2. AJT, LLC – APPLICATION FOR TWO LOT RE-SUBDIVISION, 300 HILL ROAD (RE-CREATING FORMER LOT KNOWN AS 251 WHETSTONE ROAD).

Ryan and Tia Williams are present to represent and provide a letter written by the property owner of 300 Hill Road giving consent to their representation. Proof of mailings to neighbors giving notification of this hearing are collected and all is in order. The lot to be subdivided off from 300 Hill Road was once a 3.1 acre lot owned by Susan McClen, known as 251 Whetstone Road, and will now be 4.11 acres being shown as Lot 1A on plans provided titled Subdivision Map (Sheets 1, 2 and 3) by Dufour Surveying, LLC, dated 2-14-2022. Additional plans prepared by R.R. Hiltbrand Engineers & Surveyors dated January 20, 2022 titled Proposed Site Plan, Site Plan ~ Notes & Details, and Overall Site Plan are presented. The applicants are informed that the length of the driveway will require pull-offs in compliance with Zoning Regulations with LUC Redmond stating that perhaps they could be shown on an as built plan. TAHD approval and IWWC approval has been received

Chairman Orefice opens the floor to public comment with Ms. McClen asking to step forward and review the plans. She has no comment or opposition to the proposal.

3. CONTINUE OR CLOSE PUBLIC HEARING.

P. Roche **motioned** to close the public hearing at 7:18 p.m., seconded by R. Perreault. Motion passed unanimously.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman M. Orefice called the meeting to order at 7:18 p.m. All members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: SPECIAL MEETING 3/10/2022

R. Perreault **motioned** to approve the minutes of the previous meeting, seconded by A. Colombie. Motion passed unanimously with P. Roche refraining from vote as he was not a seated Commissioner at the 3/10/22 meeting.

3. DISCUSSION/POSSIBLE DECISION - AJT, LLC - APPLICATION FOR TWO LOT RE-SUBDIVISION, 300 HILL ROAD (RE-CREATING FORMER LOT KNOWN AS 251 WHETSTONE ROAD).

P. Roche **motioned** to approve the application for a two lot resubdivision presented by AJT, LLC based on the completion of the application submitted, proper notices given, TAHD approval and IWWC approval received and subject to two pull-offs that should be shown on as built plans. R. Perreault seconded the motion and it passed unanimously.

4. PLANNING COMMISSION REPORT IN ACCORDANCE WITH CGS 8-3A(B) ON ZONING COMMISSION'S PROPOSED REGULATION AMENDMENT TO CONSIDER OPTING OUT OF PUBLIC ACT 21-29, SECTION 6, ACCESSORY DWELLING UNITS AND SECTION 4(d)(9), WHICH GOVERNS PARKING REQUIREMENTS FOR ACCESSORY DWELLING UNITS/APARTMENTS.

Chairman M. Orefice states that the current Zoning Regulations allow for Accessory Apartments within the home. Public Act 21-29, Section 6, which governs the regulation of Accessory Apartments by zoning agencies, requires municipalities to amend their land use regulations to allow for the development of accessory apartments, otherwise referred to as accessory dwelling units, as of right in any zoning district that allows single family homes and must also designate additional locations or districts where accessory apartment will be allowed. Public Act 21-29 defines 'as of right' as meaning that no public hearing can be required on an accessory apartment application and that the decision on the application must be based solely on whether the application complies with specific requirements contained in the zoning regulations without consideration given to such other standards as the health, safety of the community or compliance with the Plan of Conservation and Development and Public Act 21-29, Section 6, states that there can be no limit on the number of bedrooms an accessory apartment can have.

Public Act 21-29 Section 4(d)(9), which governs parking requirements for accessory dwelling units/apartments, requires municipalities to amend their land use regulations so as not to require more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms.

Commissioners agree that there is a need in town for affordable housing but not by doubling up on residential properties. P. Roche **motioned** that the Planning Commission *recommends that the Zoning Commission consider opting out of the requirements of PA 21-29, Section 4(d)(9) and Section 6 because of the uncertainty of the effect of the Act on the Town of Harwinton. The Zoning Commission should continue to work on a regulation for Accessory Units/Apartments keeping the Plan of Conservation and Development, affordable housing and elderly housing in mind.* R. Perreault seconded the motion and it passed unanimously.

5. DISCUSSION ON PUBLIC ACT 21-29, SECTION 9 – REQUIRED TRAINING FOR MUNICIPAL LAND USE COMMISSIONERS.

Chairman M. Orefice believes it would be good to have someone from the Northwest Council of Governments come to the town hall and hold a meeting on land use guidelines for all land use boards.

6. OLD BUSINESS. None.

7. NEW BUSINESS. None.

8. CORRESPONDENCE.

A letter of resignation has been received from commissioner Michael Rewenko. The Commission accepts his resignation.

9. INVOICES. None.

10. ADJOURN.

P. Roche **motioned** to adjourn the meeting at 8:10 p.m., seconded by R. Perreault. Motion passed unanimously.

Respectfully submitted,
Polly Redmond, Land Use Coordinator

