




## TOWN OF HARWINTON

HARWINTON, CONNECTICUT 06791

Tele: (860) 485-9051 • Fax: (860) 485-0051

TO: Nancy Eldridge, Harwinton Town Clerk

FROM: Polly Redmond, Land Use Coordinator 

DATE: March 30, 2022

RE: Proposed Zoning Regulation Amendment

Please be advised that the Town of Harwinton Zoning Commission will hold a public hearing on Monday, April 25, 2022 at 7:00 p.m. in the town hall, 100 Bentley Drive to consider opting out of Public Act 21-29, Section 6, Accessory Dwelling Units.

A second public hearing will immediately follow to consider opting out of Public Act 21-29, Section 4, Parking Space Requirements.

A copy of the Resolution drafted by our town attorney for Section 4 and Section 6 is attached.

Doc: Public Act 21-29 Notice to Harwinton Town Clerk – opting out



*In Consideration of a Resolution to opt out of Connecticut Public Act 21-29, Section 6, which governs the regulation of Accessory Apartments by zoning agencies,*

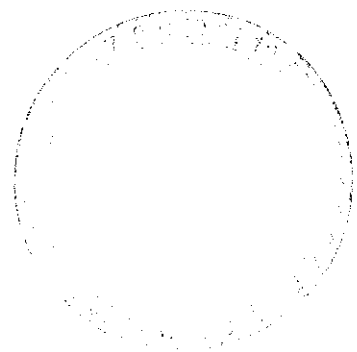
WHEREAS the Connecticut General Assembly adopted Public Act 21-29, Section 6, requiring municipalities to amend their land use regulations to allow for the development of accessory apartments, otherwise referred to as accessory dwelling units as of right, in any zoning district that allows single family homes and must also designate additional locations or districts where accessory apartments will be allowed; and

WHEREAS 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

WHEREAS this Public Act 21-29 states that there can be no limit on the number of bedrooms an accessory apartment can have; and

WHEREAS the existing Harwinton Zoning Regulations provide for a diversity of housing without creating an undue concentration of population or the creation of congestion on public highways while protecting public health, all of which would be negatively affected by the as of right approval process for accessory apartments as provided in Section 6 of Public Act 21-29.

**NOW THEREFORE, BE IT RESOLVED, that the Harwinton Zoning Commission hereby affirmatively opts out of the provisions of Public Act 21-29, Section 6, and hereby advances said Resolution to the Harwinton Board of Selectmen, to complete this process by considering this opt-out Resolution, or one substantially similar to it, at a public meeting of said Board, and by approving this Resolution, or one substantially similar to it, by a vote of no less than a two-thirds majority of said Board.**



*In Consideration of a Resolution to opt out of Connecticut Public Act 21-29, Section 4(d)(9), which governs parking requirements for accessory dwelling units/apartments,*

WHEREAS the Connecticut General Assembly adopted Public Act 21-29, Section 4(d)(9), requiring municipalities to amend their land use regulations so as not 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.

**NOW THEREFORE, BE IT RESOLVED, that the Harwinton Zoning Commission hereby affirmatively opts out of Section 4(d)(9) of Public Act 21-29, and hereby advances said Resolution to the Harwinton Board of Selectmen, to complete this process by hearing and considering this opt-out Resolution, or one substantially similar to it, at a public meeting of said Board, and by approving this Resolution, or one substantially similar to it, by a vote of no less than a two-thirds majority of said Board.**

