

Planning and Zoning Commission

November 16, 2021 – 7:30 PM

Meeting Minutes

Note: This meeting was held online

A. Call to Order

W. Parsell called the meeting to order at 7:38pm

B. Election of Officers

J. Tehan made a motion to nominate Walter Parsell to be the chairman of the Planning and Zoning Commission. B. Shabot seconded the nomination. **All in Favor.**

W. Parsell made a motion to nominate John Tehan to be Vice Chairman of the Planning and Zoning Commission. B. Shabot seconded the nomination. **All in Favor.**

W. Parsell made a motion to nominate Bob Shabot to be secretary of the Planning and Zoning Commission. J. Tehan seconded the nomination. **All in Favor, B. Shabot abstained.**

C. Members Present

Walter Parsell

John Tehan

Bob Shabot

Rebecca Sinosky

D. Applications to be Received

E. Public Hearing

a. PZ-21-17: Temporary Moratorium on Cannabis Establishment to consider the development of regulations regarding the cultivation, sale, transport, and distribution of adult use cannabis.

Applicant: Willington Planning and Zoning Commission

M. D'Amato explained that the recent legislation requires towns to develop regulations, determine they would like to prohibit, or do nothing in regards to adult use recreational cannabis. He explained if the town chooses to do nothing then the town would be obligated to treat it as a similar use based on the zoning regulations. He further explained that the temporary moratorium would make it so that the town is not obligated to accept any applications while the moratorium is in place to give the PZC time to develop regulations. He stated that the public hearing was only related to whether or not the commission should adopt the moratorium.

W. Parsell asked the commission if they had any questions or comments.

B. Shabot stated that he thinks that it's the right choice for the town as it gives time to carefully write regulations.

The commission agreed and W. Parsell stated that lots of other towns are doing this as well.

W. Parsell asked if anyone from the public had any comments.

No public comments made. B. Shabot motioned to close the public hearing W. Parsell seconded. **All in Favor, Motion Carried.**

W. Parsell asked M. D'Amato what the next steps were. M. D'Amato stated that the commission can now make a decision on the enactment of the cannabis moratorium if they wanted to.

The commission agreed that they would like to act on the moratorium.

M. D'Amato added that the commission needs to set an effective date and suggested December 15th 2021, as that would leave sufficient time to post public notice and have time for the 15-day appeal period.

W. Parsell motioned to enact the Temporary Moratorium on Cannabis Establishment to consider the development of regulations regarding the cultivation, sale, transport, and distribution of adult use cannabis, effective December 15th 2021. J. Tehan seconded. **All in Favor Motion Carried.**

F. New Business

a. Informal Discussion: Admiral Septic/D. Lytwyn

M. D'Amato explained that David Lytwyn has been considering a proposal for his business and property and wanted to have an informal discussion with the commission to gauge the viability of his potential proposal. M. D'Amato stated that this informal discussion was allowed per Connecticut General Statutes, and was informal and nonbinding on either party.

D. Lytwyn asked M. D'Amato about some regulations he had concerns about.

M. D'Amato explained that in his reading of the regulations regarding certain uses needing ZBA approval that he didn't believe it applied to D. Lytwyn's situation.

D. Lytwyn explained that his current business, Admiral septic, was operating as a home occupation via a certificate of zoning compliance. He explained his goal was to expand his business and begin bulk propane distribution during the winter months.

W. Parsell asked if he would purchase the propane from a larger company and distribute it. D. Lytwyn clarified that that is exactly what he would be doing.

D. Lytwyn explained that it wouldn't be different than what he does with his property currently. He would leave with an empty truck, fill it up from a larger facility, distribute the propane and return to his property with an empty truck.

W. Parsell asked what the current zoning on the property was.

M. D'Amato asked D. Lytwyn to clarify if he was considering acquiring other property for this endeavor.

D. Lytwyn clarified that he was interested in doing so but the owner of property he was looking at wasn't ready to sell yet. He went on to explain that the propane industry was heavily regulated for safety.

W. Parsell again asked what the current zoning was for his current property.

M. D'Amato explained that it was R-80 zoned and currently D. Lytwyn operates under a home occupation via a certificate of zoning compliance. He further explained that the first step would be to change D. Lytwyn's home occupation to include propane, with the long term goal of expanding into a different property.

W. Parsell asked what the capacity of the trucks were. D. Lytwyn stated that his trucks could hold 2800 to 3000 gallons of propane.

W. Parsell asked M. D'Amato if he saw any concern with that much flammable propane in an R-80 zone.

M. D'Amato stated he would have to talk to the Fire Marshal, but explained that he would not be storing propane or filling the trucks on site.

W. Parsell asked how many trucks would be involved. D. Lytwyn said eventually he would like to expand to two trucks.

W. Parsell asked M. D'Amato what he saw as the biggest hurdles would be going forward with this operation.

M. D'Amato stated that he would look through and clarify in the current regulations, as well as talk to the fire marshal to get his thoughts.

W. Parsell stated he wouldn't be opposed but he would also like the Fire Marshals opinion.

The commission agreed.

D. Lytwyn stated that in his reading of various regulations regarding propane and its distribution he has found regulations regarding distances between trucks and buildings, but he would clarify with the fire marshal.

W. Parsell asked the rest of the commission if they had any further thoughts. All agreed that talking to the fire marshal should be the next step.

M. D'Amato said he would reach out to the fire marshal and circle back with D. Lytwyn

b. Affordable Housing Plan: Introduction and Demographic Review

M. D'Amato stated that they were in the beginning stages of the Town's Affordable Housing Plan. This included elements of the plan, and exploring preliminary data. He introduced his colleague Rachael Burstein who had put together a PowerPoint to present initial data, elements of the plan, and initial steps to begin the process.

R. Burstein gave her presentation overviewing the affordable housing plan's beginning stages, and demographic data.

R Burstein concluded her presentation.

M. D'Amato added that the next step was to put out a community survey and informed the commission that he would present to them the survey in the next meeting and then release it to the public in order to collect data and feedback pertinent to the plan. He cited the sources for data from the presentation (2010, and 2020 census, Partnership for Strong Communities, Department of Housing, and CERC) and again summarized the next steps.

W. Parsell asked what the timeline was for getting the survey out.

M. D'Amato stated that he would like to leave the survey open for a few weeks, and would like to review it with the commission as soon as possible in order to get out the survey sooner. He suggested that he could send the commission members the survey via email and take their questions rather than wait until the next meeting in order to speed up this process. He again reiterated the purpose of the survey is to gauge the community's feeling and understanding of affordable housing as it pertains to Willington.

W. Parsell asked if M. D'Amato could send the survey to the commission before the next meeting.

M. D'Amato said that he would and he would take their questions and that if the commission was comfortable with the survey prior to the meeting they could open it to the public earlier. W. Parsell agreed.

B. Shabot questioned if the survey would have a definition of affordable housing and other terms found in the survey and stressed the importance of defining significant terms on the survey so it was understandable and transparent.

M. D'Amato stated that this was an element of the survey and something that has been considered.

J. Tehan added that the survey should mention USDA loans because they are considered affordable housing. W. Parsell mentioned that CHFA loans were as well and should also be mentioned.

W. Parsell said it's important to have context behind this for the community.

G. Unfinished Business

None

H. Approval of Minutes

a. October 19, 2021

B. Shabot motioned to approve the minutes from October 19th 2021. J. Tehan seconded. **All in Favor. Motion Carried.**

I. Correspondence

None

J. Public Comment:

W. Parsell stated that the Commission will hear brief comments at this time from anyone wishing to speak. No business can be conducted here nor can any comments be made about any items on the agenda.

R. Tulis presented a question for the commission to think about when considering affordable housing. He asked how the transient population for example UConn students effect the younger demographics of Willington's population.

K. Staff Report/Discussion

a. 8-24 Septic Old Town Hall

M. D'Amato explained that at the last meeting the commission was presented with this project and had some additional questions and wanted to see a site plan. He added that First Selectwoman Erika Wiecenski was present to answer further questions as she knew the project better.

W. Parsell stated that the main concern was seeing a site plan.

M. D'Amato shared a site plan with the commission.

E Wiecenski added that no visual or physical changes would be made to the green other than the addition of the septic system.

W. Parsell asked if cars would still be able to drive on the green.

E. Wiecenski said that cars would be able to drive on the green as well as other normal uses as the structures would be concrete and buried 4-6 feet under the ground. She stated that use of the green was an important element when designing the septic system.

D. Lytwyn commented that in his opinion as a septic professional that the septic system should be vented somehow in order to allow necessary oxygen for the septic system especially if its 4-6 feet underground.

W. Parsell asked the commission if they had questions.

B. Shabot asked if the septic system leaves room for the other properties in the area to utilize the town green for similar applications in the future if needed, as the surrounding properties were very small as well and might not have room for such systems.

E. Wiecenski stated that she was not prepared to answer that question.

B. Shabot replied that it was just something that he believed should be considered when designing the septic system.

D Lytwyn added that in his experience that you can design a septic system to fit on small lots such as the ones in the area.

W. Parsell said the commission should move forward with this project.

M. D'Amato gave background on the project and why the 8-24 review was required.

W. Parsell motions to make a positive referral for the septic system for the old town hall. B. Shabot seconded. **All in Favor Motion Carried.**

W. Parsell added that D. Lytwyns points were important and should be considered.

E. Wiecenski said that she would pass them on to those in charge of the project.

L. Executive Session: Pursuant to CGS 1-200(6)(D)to include: M.D'Amato, C.Roberts,E. Wiecenski,(Town of Willington) C.Benson, P.Pastan, (Ruby Road Associates), J.Hope (Alter Pearson)

J. Tehan motioned to go into executive session. W. Parsell seconded. **All in Favor. Motion Carried.**

W. Parsell motioned to end the executive session. J. Tehan seconded. **All in Favor. Motion carried.**

M. Adjournment

W. Parsell motioned to adjourn the meeting at 8:59pm. B. Shabot seconded. **All in Favor. Meeting Adjourned.**