

Town of Willington
Planning and Zoning Commission
September 19, 2023 7:30pm
Meeting Minutes

A. Call to Order

W. Parsell called the meeting to order at 7:30pm

B. Roll Call/Seating of Alternates

Walter Parsell
John Tehan (via Zoom)
Robert Shabot
Doug Roberts
Rebecca Sinosky
Joseph Hall
William Bunnell (Alternate)
Michael Johansen (Alternate)

Also Present:

Michael D'Amato, Zoning Agent
Evelyn Delaney, Asst Land Use Agent

C. Applications for Receipt

None

D. Public Hearing

**1. PZ-23-10: Proposed Zoning Regulation Amendment to Section 7.07.05 pertaining to Accessory Dwelling Units.
Applicant, Willington Planning & Zoning Commission**

M. D'Amato stated that in 2021 the state passed a law indicating addressing several issues, one of which pertains to accessory dwelling units and they had to follow those unless they opted out. We chose to opt out because of some issues that may come up particularly in relation to UConn. Opting out and revising the regulations was the better decision. These regulations reflect multiple revisions, many other towns regs have been reviewed as well to best fit our own. The discussion from the last meeting pertaining to concerns of the units having a separate entrance that is not visible from the street was added into this draft as well. This draft also reflects that one of the units (whether main or accessory) be owner occupied which will require a deed restrictions stating the owner will remain on the property.

R. Sinosky asked if a tiny home is ok, M. D'Amato said yes just not tiny homes on wheels. W. Bunnell asked if there is anything regarding the minimum square footage since we do have a maximum square footage. M. D'Amato stated that we cannot tell someone how big the home must be, we can only regulate the maximum, they would still have to abide by the public health and building code. M. D'Amato also said the intent here is that it's a bonafide living unit and not just a tiny space that you turn into something that you can rent, It should be livable. W. Parsell expressed concerns about a home being made from a shipping container. M. D'Amato said he has had tons of questions about them but has not seen anyone meet the building code requirements for them yet. The Commission discussed adding that an accessory dwelling cannot be in an intermodal freight container under item H. M. D'Amato agreed it could be added to the general requirements at the end of H. W. Parsell asked if anyone from the public had any comments. There were no comments from the public.

R. Shabot motioned to close the hearing. Second by R. Sinosky All in favor. Public Hearing is closed.

**2. PZ-23-11: Proposed Zoning Regulation Amendment to Section 7.10 pertaining to Seasonal Outdoor Dining.
Applicant, Willington Planning & Zoning Commission.**

M. D'Amato explained that this is an amendment prompted by legislation at the State level. During COVID the Governor's Executive Orders allowed restaurants and food service establishments to have outdoor dining. There was language that was passed after the executive order which requires town to allow outdoor seasonal dining as a right associated with a food service establishment, and we cannot opt out of this one. This language does not allow for anything else including liquor service outside or to expand live entertainment. This essentially just allows all the obligations that we were under during to COVID to be permanent. The proposed draft has been revised multiple times, particularly relating to the number of tables and, capacity and parking. This language aligns with what we're required to allow, it doesn't allow anything beyond that really. It explains that this is only an accessory to a lawfully existing restaurant or food establishment. This would still require a zoning permit from the staff, we cannot require them to have a public hearing requiring a special permit etc.. We also the proposed language regarding hours of operation.

M. Johansen asked if any of these restaurants should demonstrate that there's protection between the parking and the actual seating. M. D'Amato mentioned that was part of the Fire Marshall review. M. D'Amato asked if the Commission wanted to add that into the regs to clarify it. W. Parsell agreed that there should be some sort of barrier. M. D'Amato stated that we can add it as a new number 1E. W.Parsell said it at least requires them to put it on the plan so we can see it as well. R. Shabot asked about hours of operation being until 11 p.m. M. D'Amato said they would be subject to whatever the special permit they have for it says so they would have to go by whatever restrictions were imposed by the commission. W.Parsell commented that we actually extended the time from 9 p.m. to 11 p.m.

There were no comments from the public.

R. Sinoski motioned to close the hearing. Seconded by R. Shabot. All in favor. Public hearing is closed.

E. New Business

**1. PZ-23-10: Proposed Zoning Regulation Amendment to Section 7.07.05 pertaining to Accessory Dwelling Units.
Applicant, Willington Planning & Zoning Commission. (Decision Possible but not required)**

W. Parsell commented that we could get this one done tonight.

W. Parsell motioned to approve with the changes that were made, effective date of November 1, 2023.
Seconded by R. Sinosky. All in favor.

**2. PZ-23-11: Proposed Zoning Regulation Amendment to Section 7.10 pertaining to Seasonal Outdoor Dining.
Applicant, Willington Planning & Zoning Commission. (Decision Possible but not required)**

W. Parsell commented that this one could be acted on tonight as well.

D. Roberts motioned to approve. R. Shabot seconded it. This is with change for the barrier. Effective date November 1, 2023. All in favor.

F. Unfinished Business

1. Affordable Housing Plan: Review and Adopt.

M.D'Amato commented that this has gone through a couple of meetings, public hearings, and has been on the website. This is the final layout after tweaks that have been made over the past few meetings. This is now a final draft that can still be updated if needed. R. Sinosky asked if the Commission were to adopt this would the recommendations be set in stone. M. D'Amato clarified that it would not be. It is a reference and can be amended at any time. The only thing that adopting these action items means is that we are going to consider the items in the Plan, the Town is not under any obligation to implement them. W. Parsell commented that this has been a long time coming, it has been

talked about for almost 2 years now. R. Shabot said that the good thing about having this is that it gives the general population an opportunity to look and see what you considered. W. Parsell stated that we have only about 7% of affordable housing and you need a minimum of 10%.

W. Parsell motioned to adopt. Second by R. Shabot. All in favor.

G. Approval of Minutes

08/15/2023 – R. Sinosky motioned to approve, Seconded by W.Parsell. All in favor.

H. Correspondence

None

I. Public Participation *(items not listed on the agenda)*

None

J. Staff Report/Discussion

1. Commissioner Training Requirements + Training Opportunities

M. D'Amato gave an overview on training requirements. Once the first year of training is completed, the obligation was lifted and now you only need to do it every 4 years or once every term. W.Parsell asked if everyone met all their training criteria. M. D'Amato said he believed they are all done, and if anyone is interested to do them, they can do it online. 4 Credits are required.

M. D'Amato updated that the scanning project had been completed. All 105 boxes of land use files that were taken to be scanned had been returned. M. D'Amato mentioned that we are scheduled to have a 100% design meeting with CRCOG for the sidewalk project from the mill to the school. Since it is a state road, we had to wait for comments back from DOT which were received in September and were favorable.

The Commission discussed the lot on Ruby Road. M.D'Amato indicated that they are making sure they tease out the construction costs before they proceed further.

R. Sinosky asked about what's been happening to the property on 32 that the town was having some troubles with. M. D'Amato stated that a Cease and Desist Order was issued to the owner. The person who initially created the violation lost the property to foreclosure. That previous owner had worked to clean up the property during the foreclosure process. It then went up for action and was purchased by the person who owns the property next to Dunkin. Since the property changed owners, the previous enforcement order went away. A new Cease and Desist Order was sent and the owner has acknowledged that something needed to be done.

K. Adjournment

W. Parsell adjourned the meeting at 8:21pm

Respectfully Submitted,

Evelyn Delaney

Assistant Land Use Agent