

**TOWN OF WARREN
PLANNING & ZONING COMMISSION
Public Hearing and Regular Meeting Minutes
Tuesday, February 9, 2016 - 7:30PM
Town Hall Conference Room - 50 Cemetery Road**

PUBLIC HEARING

Commission members **PRESENT** were Chairman Robert Bolte, Susan Bates, John Miller, and Alternates Kelly Tobin and Darin Willenbrock. Also present were Stacey Sefcik, ZEO and Recording Secretary Richelle Hodza. Absent were Vice Chairman Christoffer Brodhead, Phil Good, Robyn Kasler, Howard Lethbridge, Chris Fischer, and Alternate and Brian Coyle.

Chairman Bolte opened the public hearing at 7:33 p.m. in the matter of **Arthur Howland & Associates'** petition on behalf of **DH Partners, LLC, 8 North Shore Road, to amend the text of Section 17.3 of the Town of Warren Zoning Regulations regarding "Nonconforming Structures."** Mr. Paul Szymanski had informed Ms. Sefcik that he was unable to attend on behalf of the applicant. Ms. Sefcik relayed that he had no opposition to the latest version of the proposed text amendment, and had nothing further to present at the Public Hearing. If the Commission sees fit to close the public hearing, Mr. Szymanski would concur.

After summarizing the matter by Ms. Sefcik, and pointing especially to Section 17.3.B1, which had remained of particular concern to Commission members at the conclusion of the last public hearing, Ms. Sefcik read into the record an email sent by Town Attorney Mark K. Branse of Branse & Willis, on February First. The email, which had been forwarded in advance of the hearing to all commission members by Ms. Sefcik, contained additional suggestions for clarifying the proposed text. Concerns and confusion about terms "overhang" and "eave" revealed a more generalized, problematic lack of specific definitions in the existing Zoning Regulations. Attorney Branse suggested limiting the length of an eave or "roof overhang" specifically, for the purpose of amending the Section presently under consideration. (The full content of the Town Attorney's email is available for inspection in the Land Use Office at Warren Town Hall.)

Chairman Bolte invited the Public to speak. Mr. David R. Wilson expressed his professional opinion as an Engineering Consultant, stating that he was in favor of the language proposed by Attorney Branse and that, with the insertion of a 2-foot limit on overhangs, the matter could be put to rest.

Some hesitations remained among the Commission; however, satisfied that sufficient information had been received, Chairman Bolte invited any final public comments. There were none. The hearing was closed at 7:47 p.m.

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REGULAR MEETING

Commission members **PRESENT** were Chairman Robert Bolte, Susan Bates, John Miller, and Alternates Kelly Tobin and Darin Willenbrock. Also present were Stacey Sefcik, ZEO and Recording Secretary Richelle Hodza. Absent were Vice Chairman Christoffer Brodhead, Phil Good, Robyn Kasler, Howard Lethbridge, Chris Fischer, and Alternate and Brian Coyle.

CALL TO ORDER AND DESIGNATION OF ALTERNATES. Chairman Bolte called the meeting to order at 7:47 p.m. and seated Ms. Tobin for Mr. Lethbridge and Mr. Willenbrock for Mr. Brodhead.

PUBLIC COMMENT. Chairman Bolte invited public comment. There was none.

APPROVAL OF MINUTES. Ms. Bates made a **MOTION, SECONDED** by Mr. Miller, to approve the Minutes of the January 12, 2016 regular meeting. The motion **CARRIED**.

OLD BUSINESS.

Arthur Howland & Associates, PC for DH Partners, LLC – Text Amendment to Section 17.3 of the Town of Warren Zoning Regulations – “Nonconforming Structures.”

Chairman Bolte cited the Public Hearing on the same matter held immediately preceding this Regular Meeting. Ms. Sefcik noted that the proposed language is consistent with the Town of Warren’s 2009 Plan of Conservation and Development.

Mr. Bolte stated that some reservations about the proposed text remained. More time to assess the problems posed by uncertain terms, such as “a structure,” “the footprint,” “an overhang,” and the like, especially vis-à-vis setbacks, was preferred. In addition, because the section addresses structures that already do not conform to the Regulations, the Chairman wanted to arrive at language that would contain non-conformity to, and only to, the extent that it already existed.

Ms. Tobin **SECONDED** a **MOTION** made by Ms. Bates to table the application until the next Regular Meeting on March 8. The motion **CARRIED**.

NEW BUSINESS. No new business was brought before the Commission.

CORRESPONDENCE. Ms. Sefcik announced the CFPZA (Connecticut Federation of Planning and Zoning Agencies) Annual Conference to be held March 17, 2016 and invited Commission members to attend. The topic was to be e-commerce and zoning, which includes the online renting of residential properties and/or rooms. Ms. Sefcik also handed out the Planning and Zoning Commission’s Annual Report for review.

ZONING ENFORCEMENT OFFICER'S REPORT. Ms. Sefcik distributed copies of her report covering the period December 9, 2015 through February 9, 2016. (The full report is available for inspection in the Land Use Office at Warren Town Hall.)

Ms. Bates **MOVED** to accept the ZEO's report. Mr. Willenbrock **SECONDED**. All were in favor; the motion **CARRIED**.

OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION. Ms. Sefcik produced copies of the Town of New Hartford's Zoning Regulations section titled "Features that Count to Building Coverage... and Yard Setbacks." She identified it as a good example of a thorough, but clear and easily followed table, defining a range of features (from gutters to accessory buildings) found on, or in concert with, typical buildings. She suggested that, while everything in the document pertained to Warren, it was a sample of what the Commission might want to consider, in order resolve vagueness in the present Regulations. In conjunction with the definitions, Ms. Sefcik put forth the idea of holding a second meeting each month, beginning in March, in order to revise texts and set down definitions. She noted that these meetings would have to be Special Meetings whose business would be limited to these tasks. Commission members agreed that a second meeting each month was warranted. Ms. Sefcik would collect schedules from the rest of the committee members in order to determine suitable dates.

The question was raised whether a letter ought to be sent to commission members who have been historically unable to attend meetings, or members who have missed a number of consecutive meetings, as it was felt that consistent absence did not serve the Commission's purpose. Chairman Bolte stated that such letters might be best be drawn up by Ms. Sefcik and he would review them for his signature.

At 8:20 p.m., hearing no additional questions, comments, or business, Chairman Bolte asked for a motion to adjourn the meeting. Ms. Bates made the **MOTION** to adjourn until **Tuesday, March 8, 2016 at 7:30 p.m.** and Ms. Tobin **SECONDED**. All were in favor. The meeting was **ADJOURNED**.

Respectfully submitted, this 10th Day of February 2016.

Richelle Hodza

A handwritten signature in black ink, appearing to be 'RH' followed by a horizontal line.

Recording Secretary