



**TOWN OF WARREN
PLANNING & ZONING COMMISSION**

Regular Meeting Agenda

Tuesday, February 9, 2021 at 7:30 p.m.

Via Zoom Videoconference (see below for recording)

Call to Order and Designation of Alternates

Dr. Victoria Sahadevan Fossland, Vice Chairperson, acting as Chairperson in the absence of such, called the meeting to order 7:32 p.m. Present were Mr. Jack Baker, Mr. Paul Prindle, Alternate Mr. Michael Zimet (seated for Mr. John Papp), Alternate Ms. Debora Ouellette (seated for Mr. Derek Westfall). Derek Westfall, John Papp, Ruth Schnell, Ryan Curtiss, Andy Carollo and Phil Good were absent.

Additions to the Agenda

Dr. Sahadevan Fossland made a MOTION to add Mr. Robert Fisher (attorney with Kramer and Anderson) to the agenda to present information regarding a property located in both Warren and Washington. The motion was SECONDED by Mr. Zimet. Mr. Baker stated that prior to the vote he would like to disclose that Mr. Fisher has participated in meetings with Mr. Baker through affiliation with Kramer and Anderson Attorneys. Mr. Baker stated that this information should have no repercussions, but wanted to share as a conflict of interest. A vote was held; all in favor. The MOTION CARRIED. Mr. Fisher's presentation is added to item 4 (other business proper) of the agenda.

Elections (Chair remains unfilled)

Dr. Sahadevan Fossland NOMINATED Mr. Jack Baker as Chairperson of the Planning and Zoning Commission. Mr. Baker stated that he would accept the nomination however due to discussion of Mr. Westfall possibly taking the seat in the last meeting. A discussion is held regarding the last meetings process for having seated Dr. Sahadevan Fossland as well as those concerns commission members had of being chairperson without extensive experience in the commission itself. Ms. Hodza stated that there is a possibility of have Co-Chairpersons, and alternating in the responsibility of such. It was determined that due to Mr. Westfall's absence and the possibility he would take the Chair, that commission should table the elections until the following meeting. A MOTION was made by Mr. Prindle to table the election of officers until the following meeting, the motion was SECONDED by Mr. Baker; all in favor. The MOTION CARRIED.

Approval of Minutes of January 12, 2021

A MOTION was made by Mr. Baker to APPROVE the minutes from the January 12, 2021 meeting. The motion was SECONDED by Ms. Ouellette; all in favor. The MOTION CARRIED.

Old Business (none)

New Business (none)

Other Business Proper (none)

Mr. Robert Fisher is given the floor to present. Mr. Fisher, attorney with Cramer and Anderson and representative of Mr. Charles Eaton, Lake Waramaug LLC explained that Mr. Eaton owns the former Boulders Inn Property, which includes a 20 plus acre piece of land in Washington, CT. Mr. Fisher stated Mr. Eaton would like to make a donation of land to Steep Rock. A cabin located on the property within the Washington land only has an access drive from that of a Warren entry point. Washington requires 50 ft. of frontage for a drive to be established and this area only has 26 feet of frontage. For the purposes of receiving a value for the contribution in regards to the donation to Steep Rock, an access point is necessary on the property. A request is being made to continue using the Warren drive to serve the Washington property which accesses the cabin. Mr. Fisher stated there is no intention of developing the property, however it needs to remain a possibility as that would affect the value of the donation. Mr. Fisher stated that Mr. Eaton intends to donate the 20 acres over 2 years.

Mr. Prindle stated that the property 375 Lake Rd., has abandoned their frontage on 45 and now enter their property on Pinnacle Valley stating that now there are 4 properties presently using the one access point. Mr. Fisher stated that this is correct and there are likely 5 or 6 properties utilizing the access point.

Mr. Baker asked if the intention is to add another lot. Ms. Hodza stated there are currently only two lots, existing lot 1 and 2. Existing lot 1 is 22 plus acres, however the portion in Warren is 2.5 acres. Mr. Fisher's proposal would have a lot line revision so that the 22 plus acre parcel would be divided by the border line, which then would cause the cabin to be on a 3rd lot. Dr. Sahadevan Fossland asked if the lot division line is determined based on the border. Mr. Fisher verified. It is verified that Lake Waramaug LLC owns the entire property, both lots. Ms. Oullette asked what the property would be used for post donation to Steep Rock, specifically, would the property then be accessed as hiking trails etc. causing public parking build up in the access points. Mr. Fisher stated that Steep Rock Conservation Easement does not allow public access; it would only allow access to individuals to check the property and ensure it is being conserved. Mr. Fisher described the process of having changed the property from commercial to residential, and why the subdivision of lot 1 and 2 became necessary and with individual access. Mr. Baker asked if adjusting the paper frontage an additional 25 feet into Warren on the property line at Route 45 to create the 50 foot frontage necessary. Mr. Fisher stated this was a possible creative suggestion. Dr. Sahadevan Fossland asked if the land is donated to Steep Rock it would not be expected to be developed. Mr. Fisher verified. Dr. Sahadevan Fossland asked if the property then abutted the Macricostas Preserve, and if the property is adjoined, then would the necessity for the 50 foot frontage become moot. Mr. Fisher stated he believed that to be correct and that creating a driveway off 45 would be very difficult. Dr. Sahadevan Fossland asked if access could then be created on the Macricostas side for maintenance etc. Mr. Fisher stated that would be correct. Mr. Zimet asked if the donation was going to be done in two pieces, would the property be donated "left and right" or "top and bottom" as the driveway would again become moot if the house was within the first donation. Mr. Fisher stated he believed that Mr. Eaton wanted to donate the vacant land that abuts Steep Rock first and the second parcel which would abut the first piece that gets donated. Mr. Baker asked if he needs to show two building lots for the evaluation, donating raw unusable land would not allow Mr. Eaton the evaluation. Mr. Fisher verified, stating it was necessary to show there is legal access to the property and if Washington approves the variance they would have legal access off 45, however at this time Mr. Fisher and Mr. Eaton would like to ensure they can continue to use the Warren drive access point.

Dr. Sahadevan Fossland thanked Mr. Fisher for the presentation and sharing the information, she stated that a public hearing may be necessary in regards to the requests and recommends to the commission not to give an indication at this time due to the fact that this was not an application but just a presentation of information. Ms. Hodza stated that because no application has been submitted, no decision can be made. Ms. Hodza stated the ZBA of the town of Washington had not yet posted their minutes regarding the discussion of this variance and that it is important the commission take the time to process the presentation, and advises Mr. Fisher to obtain an engineer and planner. The commission thanked Mr. Fisher for the presentation; Mr. Fisher thanked the commission for being heard.

POCD subcommittee report and priority items

- Training sessions with COG regarding P&Z basics for commission members

Dr. Sahadevan Fossland discussed creating priorities to best support the plan of conservation and development for the Planning and Zoning Commission. Dr. Sahadevan Fossland made a request to the commission members is to fill out the survey in order to identify the greatest objectives and then address those, whatever they may be based on the feedback. Dr. Sahadevan Fossland stated that it may be beneficial to have an annual or bi-annual meeting to discuss the POCD in order to better identify the goals, show record of what is being done, and communicate with the other groups in Warren such as the Lake Waramaug Task Force and the Warren Land Trust etc. Dr. Sahadevan Fossland stated that there are resources available to volunteer commission members such as regular webinars for individuals who are learning how to efficiently and effectively fulfill the duties of being on the Planning and Zoning Commission. Mr. Zimet stated the legal eye standpoint on the regulations and ensuring they are conforming was a priority of the POCD subcommittee. Ms. Ouellette stated that guidance from professionals like that of Ms. Jocelyn Ayer and Ms. Janell Mullen would be beneficial as they have hands on experience and knowledge, specifically of State statutes and legal guidelines. Ms. Ouellette stated that the resource should be utilized. Dr. Sahadevan Fossland recommended that the commission attend the 5th Thursday forums held through NHCOC as well as engaging in the training session offered by Ms. Ayer and Ms. Mullen. Priority items will be discussed at the next meeting in March. Dr. Sahadevan Fossland made a MOTION to invite Ms. Ayer and/or Ms. Mullen to come and provide the commission with a training session. Mr. Prindle SECONDED the motion; all in favor. The MOTION CARRIED.

Announcement: Upcoming Warren Public Housing Forum

Dr. Sahadevan Fossland shared information regarding the efforts of the Warren Public Housing Committee and the survey that has been developed and shared Dr. Sahadevan Fossland encouraged commission members to share information regarding the upcoming February 23, 2021 forum as well as the survey itself.

Zoning Enforcement Officer's Report

Ms. Hodza reported no new violations however 3 remain; Wells / 163 Melius Road / Shed constructed within front yard setback and without permit. Hade/ 85 Hardscrabble Road / Deck constructed without permit. Berrell / 33 City Road / Shed constructed without permits. All properties have been notified. Ms. Hodza urged the commission to elect a Chairman as soon as possible due to the upcoming zoning and IWC applications.

Dr. Sahadevan Fossland asked Ms. Hodza if correspondence via email or mailing campaign to residents to inform them of requirements for permits. Ms. Ouellette stated that the past newsletter had effective reminders for planning and zoning requirements and supported the idea of consistent reminders to residents of permit requirements.

Correspondence Received

Correspondence received via email from Jocelyn Ayer about Training and Continuing Education Resources for Planning & Zoning Commission Members through the Northwest Hills Council of Governments.

Opportunity for Public Comment

Mr. Herman Tammen, 50 Curtiss Rd is acknowledged by Dr. Fossland. Mr. Tammen stated he was pleased by Dr. Sahadevan Fossland's efforts. Mr. Tammen stated that he felt a public hearing was necessary regarding the presentation provided by Mr. Fisher. Mr. Tammen was disappointed the commission allowed Mr. Fisher to be added to the agenda due to the timeframe of Mr. Fisher's correspondence.

Dr. Sahadevan Fossland clarified to Mr. Tammen that applications are required to be submitted the Wednesday before the meetings, however Mr. Fisher was added to the agenda because it was a preliminary presentation, not an application, and therefore, no decisions could be made.

Ms. Hodža reiterated that State statute requires that the date of receipt of an application must be the day of the next regularly scheduled meeting of the commission immediately following the day of submission to the land use officer of such petition, application, request or 35 after such submission, whichever is sooner. Arbitrary dates for receipt of applications conflict with the statute [N.B. see CGS §8-7d(c)]

Dr. Sahadevan Fossland stated that this concern of timeline of application acceptance can be addressed during the training session Ms. Jocelyn Ayer will be providing. First Selectman Angevine thanked the commission for their efforts. Mr. Tammen stated again that the IWC and P&Z have regulations requiring the Wednesday before the meeting applications be received. Mr. Tammen stated that the website forms need to be updated.

Adjournment

Mr. Prindle made a MOTION to adjourn the meeting; the motion was SECONDED by Mr. Zimet. All were in favor, the MOTION CARRIED. The meeting was ADJOURNED at 8:48 p.m.

Respectfully Submitted,

Melissa Woodward
Recording Secretary Town of Warren
02/16/2021

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