

Town of Warren
PLANNING AND ZONING COMMISSION
Special Meeting Minutes
Tuesday, August 25, 2020 – 7:30 pm
Via Zoom Videoconference*

Present members were Howard Lethbridge, John Papp, Paul Prindle, and Jack Baker (recently appointed by Board of Selectmen and sworn in). Alternates present were Ruth Schnell, Victoria Sahadevan Fossland, and Derek Westfall (recently elevated from alternate to member by the Board of Selectmen and sworn in at this very meeting by Town Clerk Tiedmann). Also present were staff members Richelle Hodza, recently hired Land Use Officer (as of 8/12/2020) and Town Clerk Joanne Tiedmann, assisting as host of Zoom meeting. First Selectman Timothy Angevine was also present, *ex officio*. Members of the public were also in attendance.

Before the official call to order, the new Land Use Officer/Zoning Enforcement Officer, Richelle Hodza, introduced herself and offered relevant credentials.

1. Call to Order and Designation of Chairperson *pro tem*

For lack of a sitting Chairperson, Ms. Hodza called the meeting to order at 7:33. She invited nominations by self or other to preside over the meeting until Item 3 on the agenda, “Election of Chairperson and Vice Chairperson.” Mr. Lethbridge nominated Mr. Papp who, hearing no other nominations or objections to his nomination, agreed to act as Chairperson *pro tem*.

2. Designation of Alternates

Mr. Papp seated Alternate Ms. Schnell for Mr. Curtiss and Dr. Sahadevan Fossland for Mr. Carollo.

3. Election of Chairperson and Vice Chairperson

Ms. Hodza explained that anyone nominated and voted into these positions would be responsible for fulfilling the duties of that position until the end of the calendar year. In January, the Commission would ordinarily be expected to elect a new chair and vice chair.

Mr. Lethbridge NOMINATED Mr. Papp as Chair. Mr. Prindle SECONDED the nomination. Mr. Papp abstained from voting; the nomination was APPROVED.

Mr. Prindle NOMINATED Mr. Lethbridge who declined the nomination because he plans to resign from the commission at the end of his term this year.

Mr. Lethbridge NOMINATED Mr. Westfall to Vice Chair. Mr. Westfall stated his ambivalence owing to his short tenure. Assistance by the Chairperson Papp and Land Use Officer Hodza was assured. Mr. Papp SECONDED the nomination.

A member of the public held up a hand-written sign to the commission asking how she could speak. Ms. Hodza diverged from the open matter to address the public stating that such actions were inappropriate, as the meeting of the Planning and Zoning Commission was not the same as a public hearing. She stated that public comment, while not required by law, since it is a meeting of the Commission, was offered on the agenda in item 5. She iterated that public comment was most effective, particularly at a Special Meeting, when commenting on items on the agenda. In addition, Ms. Hodza stated that public comments are to be addressed to the Chairperson of the Commission and that neither the Chair nor commission members were to be expected to respond, address, resolve, or become involved in a dialogue with the person making the comment. The nature of the comment would be recorded in the minutes, and if the commission saw fit, it would include the matter on the next agenda. Ms. Hodza

*The Zoom recording of this meeting is available here:

https://zoom.us/rec/share/tc8uNpzv0mFLb5HKsGXHclFiMbr_eaa82ilY-YLxE3HTzXw2l9KtBx52_FNGJec

also informed the public that she, as Land Use Officer, is the paid, designated agent of the Commission and as such, was available, even by cell phone, to answer many of the questions or concerns being raised at meetings.

The MOTION to APPROVE Mr. Westfall's nomination as Vice Chairperson PASSED with five affirmative votes cast by the commission.

4. Review of the Statutes and Ordinances Governing the Combined Planning and Zoning Commission

Ms. Hodza stated that she began to review the Ordinances, which were pieced together at different times, and did not seem to fully or succinctly address and proscribe the combined Planning and Zoning Commission's operation, powers, and duties. Her recommendation was to review these Ordinances and possibly submit a new one in time for the next Town Meeting, which might supersede the existing ones. Ms. Hodza requested the commission's participation in educating itself with her assistance, vis-à-vis its charge to uphold the rights of individual property owners, while balancing the interests of the community, namely, to promote health and general welfare.

5. Opportunity for Public Comment Related to Agenda Items

Hermann Tammen, 50 Curtiss Road was recognized by Chairman Papp. He questioned the manner in which the commission was "expanded." He questioned the legality of the manner in which "two new members were added." Mr. Tammen read aloud certain Ordinances related to the Zoning and Planning Commissions, and the Combined Planning and Zoning Commission. Mr. Tammen also stated that former Chair Adam Crane's resignation was accepted on July 7, while former Vice Chair Susan Bates' resignation was not duly accepted until the Board of Selectmen's meeting on August 21; thus, questioned the ability of the Board of Selectmen to move Mr. Westfall up from alternate to member since thirty days had not yet passed since the Board's acceptance. Mr. Tammen also had questions regarding seniority of alternates and whether there was a duty to appoint the most senior alternate. Ultimately, Mr. Tammen stated that in his opinion, the Board of Selectmen did not have the authority to appoint more than one full member to the Commission. Chairman Papp thanked Mr. Tammen for his comments. Ms. Hodza invited Mr. Tammen to speak with her directly about his concerns. He requested that the issue be placed on the next regular meeting agenda for discussion.

Mr. Papp recognized Ms. Ellen Baron of Kent Road. Ms. Baron stated that Mr. Papp, had been to her house and told her that the proposed [Sawing High Climbers, LLC] warehouse and commercial enterprise abutting her property would not affect the value of her house. She wanted to know how Mr. Papp, a real estate broker, came to that conclusion.

Ms. Hodza interjected, advising Ms. Baron that commenters had been asked to limit comments at this Special Meeting to items on the agenda. She also admonished that neither Chairman Papp nor any other Commission member need respond directly to public comments. Convention and the interests of order dictate that the Chair simply acknowledge and thank the commenter. A list of comments or questions would be made by the Land Use Officer and addressed in an appropriate manner at a later date.

Ms. Baron asked for transparency and was concerned by the fact that Ms. Hodza and the former Land Use Officer, Ms. Castagnetta, had both at worked for Mr. Paul Szymanski, PE, the engineer on the Kent Road/Brick School Road project. Ms. Hodza invited Ms. Baron to call her at the Land Use Office to discuss the matter further. Ms. Baron thanked Ms. Hodza and the Commission.

Mr. Papp recognized Ms. Celia Ucciardo of 31 Brick School Road, who wished to speak. She stated that she saw certain conflicts of Commission members' interests regarding the Kent Road/Brick School Road project, specifically citing Mr. Papp's business of real estate. Ms. Ucciardo stated that she herself had been in real estate many years ago whose motto remains: "location, location, location." Ms. Ucciardo did not think that Mr. Papp would be capable of being unbiased. She thanked Mr. Papp and the Commission.

Mr. Papp recognized Ms. Cynthia Warshaw, who resides at 219 Kent Road at the corner Brick School Road. Ms. Warshaw brought up the Town of Warren's Plan of Conservation and Development stating that the document was put together by the townspeople and is meant to reflect the vision of the town for the next ten years. She stated that she had been told that the document is no more than a guide and that many of the Commissions do not use it in making decisions. Ms. Warshaw iterated her frustration that the POCD is not referred to and seems to lack validity in the deliberations of the Commission. She implored the Commission to consider the document and thanked the Commission for allowing her to speak.

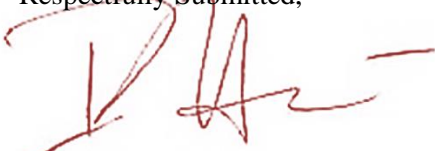
Mr. Papp recognized Mr. Tammen, who wished to speak again. He was concerned about the inexperience of the Planning and Zoning Commission and implored Mr. Papp to request that the Town's Land Use Attorney attend the September 8th hearing. Mr. Tammen thanked the Commission.

Mr. Papp identified no others wishing to speak.

6. Adjournment

A MOTION was made by Mr. Prindle, SECOND, Mr. Westfall, to adjourn the meeting until the next regular meeting on September 8, 2020 at 7:30 at Warren Woods. MOTION CARRIED at 8:25 pm.

Respectfully Submitted,



Richelle Hodza, Land Use Officer
8/31/2020 11:41 a.m.

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