

TOWN OF WARREN
Planning & Zoning Commission
50 Cemetery Road, Warren CT, 06754

REGULAR MEETING MINUTES
August 1, 2023

Call to Order and Designation of Alternates

The regular meeting of the Town of Warren Planning & Zoning (P&Z) Commission was called to order by Chair Victoria Sahadevan Fossland at 7:04 pm. Commissioners present were Vice-Chair Pete Sandberg, Ryan Curtiss, Jack Baker, Paul Prindle, Deb Ouellette, and alternate Casper Grathwohl. Janell Mullen was present as the Town of Warren land-use official. Commissioner Joanne Mansfield was present via Zoom. Casper Grathwohl was seated for absent member Andrew Carollo. Alternates Lee Vance and Aaron Schiller were also absent. Members of the public present included Bill and Joslyn Pollack in person and Phil Fox on Zoom.

Items to be added to the agenda

None

Approval of the Minutes

Chair Victoria Sahadevan Fossland moved to approve the minutes from the June 6 regular meeting as written. Jack Baker seconded the motion. Pete Sandberg abstained from voting having not read the minutes. The motion to approve the minutes passed.

Official Correspondence received by the Commission

None received

New Business

None

Old Business

Regulation Review- Home Business

Chair Victoria Sahadevan Fossland opened discussion of the preliminary draft of suggested language for regulations governing home businesses in the Town of Warren. She asked members to recall the table comparing Warren's current regulations to those of surrounding towns. Land Use Officer Janell Mullen walked through the proposed changes.

The commissioners brought up several points for consideration:

- Chair Sahadevan Fossland brought up a point about the overall organization of the definitions section suggesting the definitions of "Major Home Business" and "Minor Home Business" should either be subordinate to the definition of "Home Business Use" or language should be placed under "Home Business Use" with direction to refer to the "Major Home Business" and "Minor Home Business" definitions. She also suggested further specificity to the "Home Business Use" definition.

- Commissioner Grathwohl asked about the specifics regarding the Approval Criteria and added that it might be helpful to add specific criteria to the Home Business section in addition to applying the General Criteria of Section 31 for Special Exceptions.
- Chair Sahadevan Fossland asked the commission to consider the possible incentives for a home business owner to comply with the regulations.
- Commissioner Baker brought up the point of additional layers of approvals, like state licensing, for example. He also mentioned enforcement.
- Commissioner Grathwohl suggested enumerating home businesses that would never be permitted.
- Commissioner Baker added that the Commission could condition major home businesses that fall into the “Special Exception” approval process. These would also require a public hearing.
- Vice-Chair Pete Sandberg asked about traffic and safety and mentioned that home businesses might not pose problems if they are located on major roads, such as Route 341, but may be a problem in more compact neighborhoods.
- Chair Sahadevan Fossland brought up the concept of agricultural uses shifting into further retail uses. She also brought up the idea of adding a definition for “Cottage Industries” in addition to “Cottage Food Industry.”
- Vice-Chair Sandberg brought up the concept of AirBnbs. Commissioner Ouellette mentioned that the definition of Bed and Breakfast might cover it and as the Commission works further on the regulations, they might consider specifically addressing short-term rentals.
- Commissioner Grathwohl stated that enforcement seemed to be tricky and that the more specifics, the better.

Stating she felt this was a good initial discussion for Commissioners to consider, Chair Sahadevan Fossland asked the Commission to consider the items discussed and review the proposed language for further discussion at the next meeting.

Other Business Proper

Commissioner Training

Chair Sahadevan Fossland stated that now that the Commission had received copies of Attorney Zizka’s book, What’s Legally Required, the Commission would read a section pertinent to current discussions before each meeting. *(A copy of the book is available for the public to review at Town Hall.)*

- For this meeting, the Commission read and discussed Chapter 21A, Enforcement Against Zoning Violations. The Commission discussed what they had read with several questions posed at Janell Mullen regarding enforcement, keeping records, and tracking violations.

Meeting Calendar

The Chair reminded the Commission that the next meeting date would be Tuesday, September 5th, 2023, the day after Labor Day, and asked if that would pose a problem for attendance and establishing a quorum, suggesting to move the meeting date if it did not appear a quorum would be present. No member mentioned a conflict and no change to the calendar was made.

Chair Victoria Sahadevan Fossland also reminded everyone that the regular meeting in November would be on Wednesday, November 8th, in order not to conflict with Election Day.

Zoning Agent's Report

Chair Sahadevan Fossland gave the floor to Land Use Officer Mullen, who stated she had observed a slight slowdown in permit applications. She mentioned the major projects that were underway which included 85 Curtiss Road, Kent Road & Brick School Road, and 159 No. Shore Road.

With attention to a project that had triggered a Inland Wetlands review, Chair Sahadevan Fossland asked if all projects that require a wetlands license would necessarily come to the attention of the P&Z. Janell Mullen stated that not all projects that require a wetlands license necessitate P&Z review and the building permit may be an administrative action that can be issued by the authorized agent.

Chair Sahadevan Fossland noted work being conducted on Strawberry Ridge was not listed on the Zoning Agent's report. Land Use Officer Mullen said she would look into it.

Opportunity for Public Comment

Joslyn Pollack of 252 Woodville Road was recognized by the Chair. Mrs. Pollack stated that she had many questions regarding the Home Business regulations and that most of them had been answered during the Commission's discussion. She mentioned her work with the Warren business association and that they would be very receptive to including a fact sheet from the P&Z regarding home businesses and permitting when the time comes.

Bill Pollack, also of 252 Woodville Road, followed these comments by stating that there were incentives to complying with the regulations as a business owner. He stated that regulations are often written as a reaction to a trouble-maker. He added that advantages to compliance include a "blue sky reputation" as well as tax-breaks, marketing, and the opportunity to employ people.

For the Good of the Commission

The Chair followed up on the matter that had come before the Commission at the last regular meeting regarding complaints about activity on Reed Road. She stated that she had met with Greg LaCava and the Land Use Officer about the issue and was informed that there is a long-standing series of issues and events on Reed Road. She stated the item was no longer a zoning issue and the issues are being addressed by the Town's legal counsel.

Commissioner Ouellette stated that she had enjoyed the open discussion and the opportunity to work on the regulations. The Chair suggested engaging the public in this discussion, raising the question of whether there are certain home businesses the public would like identified and possibly banned noting the moratorium on adult recreational cannabis as an issue that the Commission would need to return to. Discussion ensued regarding querying the public through formats such as polls or open forum discussions.

Adjournment

Commissioner Prindle made a motion to adjourn at 8:45 pm. Vice-Chair Sandberg seconded the motion. The motion passed unanimously.

Respectfully submitted,

Janell Mullen
August 2, 2023