



TOWN OF WARREN
PLANNING & ZONING COMMISSION
50 Cemetery Road, Warren, Connecticut

Regular Meeting Minutes
Tuesday, January 3rd, 2023

The regular meeting of the Town of Warren Planning & Zoning Commission was called to order at 7:02 pm. Present were Chair Victoria Sahadevan Fossland, Vice-Chair Pete Sandberg, and regular members Ruth Schnell, Jack Baker, Paul Prindle, and alternate Aaron Schiller. Absent were Andrew Carollo, Ryan Curtiss, Joanne Mansfield, and Lee Vance. Aaron was seated for regular member Andrew Carollo. Staff present was Janell Mullen serving the Town of Warren as their Zoning Enforcement Officer (ZEO).

The first item was approval of the minutes from November 1, 2022. Pete Sandberg moved to approve the minutes as written, Jack Baker seconded the motion, the motion passed unanimously. There were no minutes from the December meeting due to lack of a quorum.

Under “New Business” Item A on the agenda, 2023 Calendar of Regular Meetings, the commissioners discussed continuing to hold meetings on the first Tuesday of each month at 7 pm. A few members were in favor with sticking to the current schedule rather than meeting on a different day of the week. Aaron Schiller supported the 2023 calendar with the option of scheduling special meetings during the recessed months so as not to hold up any applications’ approvals. Due to the timing of the Board of Selectman meetings, Chair Victoria Sahadevan Fossland stated that the start time of 7 pm could not change. She moved to accept the 2023 Calendar of Meetings with a recess in July and December as presented in a memo prepared by ZEO Mullen. Paul Prindle seconded the motion. The motion passed unanimously.

The next item on the agenda under new business was ZPA# 22-4 Paul Szymanski on behalf of Burych / Windy Ridge Road & Melius Road, Assessor’s Map 38 Lot 17/Special Exception for a single-family home, guest cottage, solar array, sport court, in-ground pool & other associated improvements.

Paul Szymanski presented the application with its associated site plan and stated that the Special Exception is required per Section 22.0 Excavation & Grading. The application involves 5.2 acres of disturbance and involves a net fill of 100 cubic yards of materials.

Ms. Mullen asked if the proposed guest cottage as indicated on the site plan entitled “Overall Site Development Map” revised to 9/30/2022 was to be considered as an “accessory apartment” and would need to be permitted by a special exception in accordance with Section 8.5 of the zoning regulations. Mr. Szymanski stated that it would be subject to a special exception and would need to be considered at the same time as the special exception for excavation & grading.

Commissioner Schnell asked the applicant about the length of the driveway and Mr. Szymanski responded by indicating that pull-off areas had been notated on the site plan as a result of its length.

Ms. Mullen asked Mr. Szymanski to add a demarcation of the “buildable square” on the project map for the public hearing in order to be consistent with what was asked of the last applicant that came before the commission with an application for a single-family dwelling. The applicant stated that he would provide that information before the hearing.

Chair Sahadevan Fossland moved to receive the application and set a public hearing for the next regularly scheduled meeting on Tuesday, February 7th at 7 pm. Commissioner Baker seconded the motion. The motion passed unanimously.

The next and final item on the agenda under “New Business” was Item C. ZPA #22-5 Paul Szymanski on behalf of Kickles, LLC / Kent Road & Brick School Road, Assessor’s Map 21, Lot 27 / Special Exception for single-family home, driveway, and other site improvements.

Mr. Szymanski presented the site plan to the commission and stated that a special exception was necessary due to Section 22.0 Excavation & Grading. Chair Sahadevan Fossland identified this site as the same site as an earlier proposal for commercial activity. The applicant stated that this application was just for a single-family dwelling. Commissioner Baker asked if other accessory structures would be included on the site provided the “Proposed Site Development Plan,” revised 5/26/22, only indicated a rectangular 50’ X 95’ house with a driveway. Mr. Szymanski responded by stating that it was just the proposal for a simple house.

Ms. Mullen asked the applicant about the total area of disturbance. Mr. Szymanski stated that approximately 450 cubic yards of fill would be needed and the total disturbance would be 1.8 acres. She also asked about the trees on the site plan. Mr. Szymanski stated that the trees noted on the site plan were used as reference points in the field and did not mean that they would be retained. All trees within the limits of disturbance were to be cleared. Chair Sahadevan Fossland noted that the area was wooded as she recalled during the site walk performed during the previous application. She asked if the location of the proposed building was similar to the previous proposal. Mr. Szymanski stated that it was close to being the same.

Chair Sahadevan Fossland moved to accept the application and set a public hearing for the next regular meeting on Tuesday, February 7th at 7:00 pm. Vice Chair Sandberg seconded the motion. The motion passed unanimously.

The next item on the agenda was “Old Business” Item A. Regulatory update- Section 22.0 Excavation & Grading. Ms. Mullen distributed a draft of a revision to the regulation. She stated this regulation had been the topic of discussion during the October and November meetings as the commission sought to amend its regulations so that every single-family dwelling did not trigger a need for a special exception. It was noted that over time this regulation was interpreted to be applied to all developments despite the fact that Excavation is included in the Use Table as a Special Exception only being allowed in the North Zone. The proposal was to fix this issue as well as increase the threshold from the current regulations which requires a Special Exception for earthwork greater than 20,000 square feet and/or more than 500 cubic yards. In practice, every application for a single-family home was coming before the Commission as a Special Exception when single-family homes are intended to be a permitted use by zoning permit.

Commissioner Schiller brought up Section 10.5b of the memorandum and a discussion was had regarding an update to the language. An edit was suggested: “No more than five (5) acres shall be excavated and/or graded on a single lot without special exception.” Other than that change, the commission had no other amendments to the proposal.

Jack Baker moved to approve the draft of the proposed regulation amendment with the language change to Section 10.5b as well as set a public hearing date to February 7th. Paul Prindle seconded the motion. The motion passed unanimously.

The next item on the agenda was “Training Update”. Mullen stated that she had reached out to UConn Clear because a commissioner had expressed interest in training regarding the reading of maps and site plans. She was notified that her teacher Bruce Hyde had retired and that the NHCOC would be tasked with disseminating local training for commissioners. Mullen reminded the Commission that due to Public Act 21-29, Planning and Zoning commissioners were required by state statute to receive four (4) hours of training within one year and one of those hours would need to include material about affordable housing. Ms. Mullen stated that she would keep the commission informed about training opportunities and she believes that the CT Bar Association would soon announce the date of their annual day-long training, which typically takes place in March.

Chair Sahadevan Fossland brought to the attention of the Commission that UConn Clear did have online modules teaching map reading at this time. They can be accessed here: <https://clear.uconn.edu/ua/basic/>. Ms. Mullen asked the Commissioners to keep track of any training hours that they complete. She noted she would also relay any updates from the Office of Policy and Management regarding the training policy.

The next item received by the Commission was an indication that Ruth Schnell planned to resign from her position as a regular member of the Planning & Zoning Commission. The Town Clerk will need a letter from her in writing indicating the last date of her service. The P&Z would have thirty (30) days to fill her vacancy as stated by Commissioner Baker. Many commissioners thanked Commissioner Schnell for her service.

The Commission reviewed the zoning report for December. Ms. Mullen stated that they are now being made available online.

During the public comment period, Burt Ouellette of 11 Brick School introduced himself and stated that he was present for information gathering. He also mentioned that he been listening remotely by Zoom and that the meeting had shut-off midway through. Ms. Mullen stated that the Board of Selectmen had had a similar problem and she would let the Town know that there had been technical difficulties during their meeting. Mr. Ouellette thanked the Commission.

Vice Chair Sandberg moved to adjourn the meeting at 8:38 pm. Commissioner Schnell seconded the motion. The motion passed unanimously.

Respectfully submitted,

Janell Mullen
Town of Warren ZEO
January 5, 2023