



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

Regular Meeting Minutes  
Tuesday, February 7, 2023

The Regular Meeting of the Town of Warren Planning & Zoning Commission was called to order at 7:05 pm on Tuesday, February 7<sup>th</sup>, by Chair Victoria Sahadevan Fossland. Commission members present were Chair Victoria Sahadevan Fossland, Vice-Chair Pete Sandberg, Paul Prindle, Jack Baker, and alternate Joanne Mansfield who attended remotely via Zoom and was seated for Andy Carollo, who was absent. Also absent were Ryan Curtiss, Deb Ouellette, Lee Vance, and Aaron Schiller. Janell Mullen was present as Warren's Zoning Enforcement Officer. Members of the public included Hermann Tammen, Waltraud Tammen, Michelle Soos, John Masotti, and John Liu by Zoom; among the public attending in person were Bert Ouellette, Cindy Shook, Terry Shook, and applicant Paul Szymanski, PE of Arthur Howland & Associates.

The first matter of business was "Items to be Added to Agenda" since a new application was received after the agenda had been finalized and posted. The application, ZPA #23-1, involved the development of a single-family home at 159 No. Shore Road which was subject to a Special Exception due to Section 22.0 Excavation & Grading. Jack Baker moved to add this new application to the agenda as #7c. Paul Prindle seconded the motion. The motion to add the new application to the agenda passed unanimously.

The second matter of business was the approval of minutes of the January 3<sup>rd</sup> Regular Meeting. Chair Victoria Sahadevan Fossland moved to approve the minutes as written. Jack Baker seconded the motion. The motion passed unanimously.

Item 4 on the agenda was "Correspondence Received". Janell Mullen stated that she had received two items of correspondence that pertained to the Kent Road application which was subject to a Public Hearing. She stated that she would be reading those two communications into the record once the hearing had been opened.

Item 5A on the agenda was a Public Hearing for ZPA# 22-4. The applicant, Paul Szymanski PE of Arthur Howland, was present on behalf of the property owners Anna Sellers and Andrew Burych. The application proposes the development of a single-family home on a undeveloped 93-acre lot which is located at Windy Ridge Road & Melius Road (Assessor's Map 38 Lot 17). The proposal includes other site improvements such as a guest cottage (which qualifies as an accessory apartment), free-standing solar array, sport court, in-ground pool, and driveway. The Special Exception was required per Section 22.0 of the Town of Warren Zoning Regulation due to the extent of grading on-site which would be greater than 20,000 square feet.

The Public Hearing began with an applicant's presentation of the proposal. Paul Szymanski stated that the construction would involve five (5) acres of disturbance. Access to the site would come from Windy Ridge Road. The applicant stated that because of the large size of the lot, the proposal would be well below the threshold for impervious coverage. He also stated that the construction would entail about 100 cubic yards of net fill.

Chair Victoria Sahadevan Fossland stated that this application was also subject to a Public Hearing in accordance with Section 8.0 Accessory Apartments. According to the Zoning Regulations any accessory apartment that is greater than fifty (50) feet from the primary dwelling requires a Special Exception. Pete Sandberg asked the applicant the size of the accessory apartment. Paul Szymanski replied that it was 1,200 square feet. Chair Victoria Sahadevan Fossland asked that the applicant label the square footage of structures on future site plans.

Chair Victoria Sahadevan Fossland asked the Commissioners if there were any other questions and hearing none, she opened the floor to members of the public.

Hermann Tammen of 50 Curtiss Road asked the Commission why they were not requiring architectural plans in accordance with the Zoning Regulations Section 29- site plan requirements. He also stated that the application had been sloppily filled out with the zone indicated incorrectly as Center Zone and vague answers in other sections.

Ms. Mullen referred to the Town of Warren Zoning Regulations Section 29 which stated that all Special Exceptions require the submission of a site plan. In accordance with the Regulations, Section 29.5 requires architectural plans (item m) unless the Commission agrees to grant a waiver in accordance with Section 29.6 which states that: “the Commission may waive any of the items required should they deem that the information is not needed for determining compliance.”

John Liu, of 232 Melius Road, asked how is it that the Commission would manage approvals to ensure that what gets built doesn’t stray from the plans and lead to more expansive developments. Janell Mullen responded that there are several follow-up steps after Special Exception approvals to ensure that projects get built in accordance with the approved plans. All Special Exceptions are to be recorded on the Town’s Land Records in accordance with the Regulations. This certification ties back to the approved plan. Any plan that significantly changes would be funneled by the ZEO back to the Commission for the review of a formal modification. Ms. Mullen added that upon issuance of the Special Exception there are other subsequent steps that involve the issuance of the zoning permit, coordination with the Building Official regarding issuing permits, follow-up inspections which focus on the conformance of the construction activity to what was proposed during the planning process, and the filing of final as-built plans which are required for any new single-family home prior to the final zoning inspection and Certification of Zoning Compliance.

At the conclusion of the comments from the public and provided there was no more discussion amongst the Commission regarding ZPA # 22-4, Jack Baker moved to close the Public Hearing. Pete Sandberg seconded the motion to close the Public Hearing regarding the proposal at Windy Ridge & Melius Road.

The second Public Hearing on the agenda involved application ZPA #22-5 a Special Exception application for the development of a single-family home on a lot located at Kent Road & Brick School Road (Assessor’s Map 21, Lot 27). The proposal also involves a driveway and other site improvements on a lot that is approximately forty (40) acres. The Special Exception is required per Section 22.0.

The Public Hearing opened with a presentation from Paul Szymanski on behalf of the property owner, Kickles, LLC, who described the site plan in detail. Chair Victoria Sahadevan Fossland asked if any members of the Commission had a question. Town staff, Janell Mullen, asked Mr. Szymanski about the dimensions of the house on the site plan (95’ X 50’) vs the dimensions of the floor plan (50’ X 20’) and asked what wasn’t being illustrated. Mr. Szymanski stated that it would be the space for the garage and provided Ms. Mullen with three (3) additional documents to be included with the application. One included the lay-out of the garage and the other two (2) were architectural renderings of the structure.

Chair Victoria Sahadevan Fossland asked if there were other questions for the applicant and then asked if any member of the public cared to speak to this application. Ms. Mullen stated that she would like to read the two (2) items of correspondence that she had received pertaining to this application into the record. One was from Celia Ucciardo of 31 Brick School Road and the other was from Michelle Soos and John Masotti of 184 Kent Road. She read those letters verbatim.

Chair Sahadevan Fossland then asked if there were any comments from the members of the public. Hermann

Tammen of 50 Curtiss Road again asked why the Commission was not strictly following Section 29 – Site Plans and requiring architectural plans. Upon conclusion of his comments, Mr. Szymanski provided renderings of the proposed buildings; these were reviewed by the commission. Chair Victoria Sahadevan Fossland stated the renderings should be made available for public viewing on the Town's website.

Next John Masotti of 184 Kent Road spoke. His sentiments echoed what had been read into the record which was a request for a continuation of the hearing because he and his wife had not received the abutter's notice and just found out about the Public Hearing from a neighbor on Sunday. Michelle Soos, also of 184 Kent Road, emphasized that the Town Records were not accurate provided they had purchased their property six (6) months ago and that they only knew about the hearing because of their neighbor.

Bert Ouellette, of 11 Brick School Road, approached the Commissioners and handed a letter to Janell Mullen. He asked that she read it into the record, which she did verbatim.

Cindy Shook, of 37 & 39 Brick School Road, asked to be recognized and stated that the USPS delivers the certified mailings to the address as listed on the item even if the property owners' names needed to be updated. Ms. Shook also stated that she had no objection to what was being proposed and asked if the Commission was asking for floor plans for all applications since she didn't think it was necessary to confirm zoning compliance.

Paul Szymanski was able to confirm that a certified mailing had been sent to 184 Kent Road. He also stated that he would be happy to keep the hearing open as the applicant and that he would provide the abutter's notification to the new property owners at 184 Kent Road as well as arrange to meet with them should they wish.

Member Jack Baker moved to keep the Public Hearing regarding SPA #22-5 Kent Road & Brick School Road open until the next regular meeting of the P&Z, which is scheduled for Tuesday, March 7<sup>th</sup>. Paul Prindle seconded the motion. The motion passed unanimously.

The next matter of business involved the Commission petitioned zoning regulation text amendment which was a proposal to update Section 22.0 – Excavation & Grading. Janell Mullen stated that the full text of the updated Regulations had been provided to the Town Clerk ten (10) days in advance of the Public Hearing, pursuant to statutory requirements, and had also been made available on the Town's website. She mentioned that one change to the text had been discussed at the last meeting and that the final version incorporated that change. The Commissioners, being familiar with the zoning text amendment update, had no further questions. No members of the public cared to speak to the proposal. Chair Victoria Sahadevan Fossland moved to close the Public Hearing. Pete Sandberg seconded the motion. The motion passed unanimously.

The next items on the agenda under "Old Business," items a-c, included the applications for which there public hearings had just been held so the Commission could deliberate on each application and possibly make a decision on the proposals.

The first hearing had involved ZPA# 22-4 Paul Szymanski on behalf of Burych for the development of a property located Windy Ridge Road & Melius Road (Assessor's Map 38 Lot 17). During the Commission's discussion, Mr. Baker stated that they didn't need to understand the design of the house to determine whether or not the setbacks, buildable area, driveway, and other improvements were in compliance with the regulations. He moved to grant a waiver after the applicant put his request for a waiver in writing. Paul Prindle seconded the motion. Pete Sandberg voted against the motion. Joanne Mansfield mentioned that she had missed a few elements of the discussion and would have to abstain from the vote. Chair Victoria Sahadevan Fossland voted in favor of granting the waiver. The motion carried.

The Commission then discussed if it would be ready to vote on the application. Jack Baker moved to approve the application as submitted with the waiver for the architectural plans. Paul Prindle seconded the motion. Pete Sandberg voted against the motion stating that he felt the application was incomplete without the

architectural drawings in accordance with the regulations. Joanne Mansfield abstained from the vote stating that she had missed some of the discussion and was not comfortable with voting at that time. Chair Victoria Sahadevan Fossland voted in favor of the motion on the floor. The motion to approve ZP#22-4 passed.

The second item under old business was ZPA #22-5 Paul Szymanski on behalf of Kickles, LLC. The Public Hearing regarding Kent Road & Brick School Road (Assessor's Map 21, Lot 27) remained open and would be continued to Tuesday, March 7<sup>th</sup> at 7 pm as agreed by the applicant.

The final item under "Old Business" involved the text amendment to update Section 22.0 – Excavation & Grading of the Town of Warren Zoning Regulations. Chair Victoria Sahadevan Fossland made a motion in favor of the proposal to amend the regulations. Paul Prindle seconded the motion. The motion passed unanimously.

The next item on the agenda "Other Business Proper" was a discussion about the replacement for Regular Member Ruth Schnell. Longstanding member Ms. Schnell had sent in her resignation dated January 11, 2023. Chair Victoria Sahadevan Fossland suggested the Commission promote an alternate into the position of a regular member and moved to suggest Joanne Mansfield. Jack Baker seconded the motion. The motion passed unanimously. The Commission now has a vacant alternate seat to be filled.

The next item under "Other Business Proper" was Training update. Janell Mullen stated that she would include any upcoming training offerings on her zoning report each month. Those were now being posted online. Ms. Mullen noted an all-day webinar on Saturday, March 11<sup>th</sup> which was hosted by the CT Bar Association. She suggested that anyone interest email her so that she would sign them up. She also noted that the NHCOC would soon be resuming their "Fifth Thursday" trainings and that the first one scheduled at the end of March would involve affordable housing. It was also noted that UConn Clear's online map training was accessible via <https://clear.uconn.edu/lu/basics/> and was available at anytime. Chair Victoria Sahadevan Fossland mentioned starting it.

No official correspondence had been received other than the communications reading into the record during the public hearings.

The next item on the agenda was the Zoning Agent's Report which Ms. Mullen reviewed and asked if the Commission had any questions. She said that the permitting activity had been a little quieter which is to be expected during the winter season.

During the Opportunity for Public Comment, Chair Victoria Sahadevan Fossland recognized Hermann Tammen who stated that he was disappointed with the Commission for granting waivers and straying from the strict application of their regulations. Waltraud Tammen added that the architectural renderings were necessary.

Paul Prindle moved to adjourn the meeting at 9:32. Jack Baker seconded the motion. The motion passed unanimously.

Respectfully submitted,

Janell Mullen  
Town of Warren  
Land-use Official