

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

MEETING MINUTES
Tuesday, February 6, 2024

1. Call to order, Roll Call, and Designation of Alternates

Chair Victoria Sahadevan Fossland called the regular meeting of the Town of Warren Planning & Zoning Commission to order at 7:03 PM. Members present in person were Jack Baker, Ryan Curtiss, Vice-chair Pete Sandberg, Deb Ouellette. Members present via Zoom were Joanne Mansfield and Casper Grathwohl. Alternates present were Caroline Klein, who was seated for absent member Paul Prindle. Prospective alternate Molly Smithsimon joined the meeting in person at 7:05 PM. Aaron Schiller, P&Z alternate, was absent. Janell Mullen was present as the Town of Warren's Land Use Official (ZEO). Joslyn Pollack was present as a member of the public via Zoom.

2. Items to Add to the Agenda (*requires a 2/3 vote*)

There were no items to be added to the agenda.

3. Approval of the Minutes

Ryan Curtiss moved to approve the minutes from the most recent regular meeting, which had occurred on December 8th, 2023. Jack Baker seconded the motion to approve the minutes as written. The motion passed unanimously.

4. Official Correspondence

Janell Mullen stated that she had received no items of official correspondence on behalf of the P&Z.

5. New Business

A. Commission Membership

Chair Victoria Sahadevan Fossland brought the Commission's attention to Connecticut General Statutes [Chapter 146 Section 9-167a](#), regarding "Minority Representation" which governs the composition of local boards and commissions. The Town of Warren P&Z Commission is comprised of 8 regular members and 3 alternates. In accordance with state law, no more than 5 members of the Warren P&Z Commission can belong to the same party.

Janell Mullen added that after confirming with the town attorney, the commission's 3 alternates, who have 3-year terms, are considered a different body from the regular members, which have 4-year terms. The addition of Molly Smithsimon as a third alternate belonging to the Democratic party is not be permissible under the state statute. The commission discussed the apparent ambiguity regarding whether the alternates and regular members are considered together or separately in determining adherence to the Minority Representation statute and there was general agreement to align with the advice of the Town Attorney, as obtained by Ms. Mullen.

The Chair raised the question about whether the composition of members present for a quorum needed to meet the state statute when voting on decisions. Ms. Janell Mullen clarified that the best practice is to seat the alternates on a rotational basis to ensure even representation, if possible.

The Commission concluded that they would not be able to onboard Molly Smithsimon at this time and thanked her for her interest. She was invited to remain present for the rest of the meeting.

6. Old Business- Regulations Review

A. Home Businesses

The Chair circulated edited copies of the draft of home business regulations that had also been emailed to the Commission. Annotations and changes were noted and reviewed at length. The Commission worked through the document while the Chair explained her rationale for modifications in the organization and occasional word choice changes. The working draft will be added to the Town's website and a clean copy will be developed for the March meeting. A clean updated draft will be reviewed at the next P&Z meeting, allowing for any further edits or changes prior to setting a date for a public hearing to review the revised and amended regulations.

The Commission spent significant time discussing the pros and cons of requiring periodic renewals for Major Home Businesses and also reworded a section to clearly stipulate that a residence shall be the primary use of the residential property.

7. Other Business Proper

A. Regulation Review & Interpretation

The Commission transitioned into a discussion regarding Section 7.0 of the Zoning Regulations (General Requirements for Permitted Accessory Buildings, Structure, and Uses). Ms. Mullen offered recent examples of applications with ambiguities to the Commission, requesting assistance in interpreting the regulations. The examples provided included: (1) a recent application for a shed on a two (2) acre parcel without a dwelling unit and on which agricultural use was planned; and (2) an application for a dock on a lot also without a dwelling unit. After significant discussion, the Commission concluded that Section 7 could be removed from the zoning regulations in its entirety, noting it was generally felt a dwelling unit did not need to be present on a property prior to the construction of an accessory building or structure. The Commission advised the land-use official to issue the permit for the shed on the two (2) acre lot. Chair Victoria Sahadevan Fossland moved to set a public hearing on March 5th, 2024 at 7:00 PM for a Commission-petitioned text amendment that would remove Section 7 in its entirety from the Town of Warren Zoning Regulations. Jack Baker seconded the motion. The motion passed unanimously.

B. Commission Training

Ziska, *What's Legally Required*, Chapter 20: Monitoring Compliance

The Chair noted the meeting was running over two (2) hours and stated the Commission Training or the discussion of the Ziska book reading would be tabled until the next meeting. Ms. Mullen noted that as of March 1, 2024 she would need to report to the Chief Elected Official the Commission's progress with training in accordance with statutes and she will be able to provide information on the sections of the book already reviewed to date.

8. Zoning Agent's Report

Janell Mullen summarized her agent's report and responded to questions from the Commission.

9. Opportunity for Public Comment

The Commission noted Ms. Pollack had remained for the entire meeting and thanked her for her presence.

10. For the Good of the Commission

It was agreed the meeting had been productive.

11. Adjournment

Jack Baker moved to adjourn the meeting at 9:23 PM. Ryan Curtiss seconded the motion. The motion to adjourn the meeting passed unanimously.

Respectfully submitted,
Janell M. Mullen
Town of Warren Land Use Official
February 7, 2024