

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

MEETING MINUTES
Tuesday, March 5th, 2024

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

The regular meeting of the Town of Warren P&Z was called to order at 7:00 PM by Chair Victoria Sahadevan Fossland. Members present included Vice-Chair Pete Sandberg, Jack Baker, Ryan Curtiss, Deb Ouellette, and Casper Grathwohl. Joanne Mansfield was present on Zoom. Caroline Klein was present as an alternate member. Chair Victoria Sahadevan Fossland seated Caroline Klein for Paul Prindle, who was absent. Aaron Schiller, alternate, was also absent. Janell Mullen was present as Warren's Land-Use Official. Members of the public present included Rudy Montgelas, Jehv Gold, Bert Ouellette, Joslyn Pollock, and Bill Pollock.

2. Items to Add to the Agenda

Chair Victoria Sahadevan Fossland suggested adding two (2) new items to the agenda: (1) FY 24-25 Budget; and (2) Vacant Commission Seats. She moved to add these items to Item #7 of the agenda under Other Business Proper as items 7.A & 7.B, respectively. Jack Baker seconded the motion. The motion passed unanimously.

3. Approval of the Minutes

Pete Sandberg moved to approve the minutes of the regular Meeting held February 6, 2024. Ryan Curtiss seconded the motion to approve the minutes. The motion to approve the minutes passed unanimously.

4. Official Correspondence

Janell Mullen stated that she had received email correspondence germane to the public hearing. She read an email from Michael Guadagno of 31 Arrowpoint received on March 5th into the record verbatim and provided her hardcopy to the Chair.

5. New Business- Public Hearing – consideration of a text amendment that eliminates the contents of Article II Section 7 REQUIREMENTS FOR PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES

Member Jack Baker moved to open the public hearing at 7:05 PM. Member Ryan Curtiss seconded the motion; the motion passed unanimously. Chair Victoria Sahadevan Fossland provided background from discussion at the February 6, 2024 meeting explaining the reasons the Commission had proposed eliminating Article II Section 7. She read the section that would be eliminated into the record.

Ms. Mullen reminded the Commission and its audience that when the P&Z petitions to amend its regulations, the Commission acts in its role as a planning commission, a legislative body that has much more discretion than when the Commission evaluates applications and acts in its zoning capacity.

The Chair asked if other Commissioners had anything to add to her summary and then invited comments from the public.

Rudy Montgelas, 13 Arrowpoint Road. stated that he hopes the changes don't alter other processes like oversight from the Inland Wetlands Commission and the Zoning Board of Appeals. He asked the Commission to clarify what substantive regulation changes were.

The Chair clarified that at this time the proposal was not to add language but to eliminate Article II Section 7 in its entirety. She also stated processes such as zoning oversight and the conduct of the Inland Wetlands Commission and the Zoning Board of Appeals would not be affected by these proposed changes.

Jehv Gold of 44 Arrowpoint Road added that he believed the intent of the Town of Warren Regulations was to promote the residential use of land in a town that is mainly residential. He stated concerns about waterfront and other land in town may be used for storage or other undesired purposes if Article II Section 7 were removed.

Bert Ouellette of 11 Brick School Road asked the Commissioners if by removing Section 7 if people could use land for anything that they want. He stated a concern that accessory buildings such as commercial warehouses might pop up throughout town without a primary dwelling and without governing parameters.

Member Jack Baker reminded those present that the Town's home business regulations would apply which requires a residential use be established on the property before a business use such as a warehouse would be authorized. He also questioned whether a building without a primary residential use and/or a non-residential structure within the 100' setback from bodies of water, such as a dock, should move through the Special Exception process to evaluate individual circumstances.

Chair Victoria Sahadevan Fossland added that the Center Zone, the commercial zoning district, would not change as a result of the proposed text amendment.

Deb Ouellette mentioned the home business regulations that were concurrently being worked on would address some of the concerns raised.

Vice-chair Pete Sandberg asked about warehouses. Janell Mullen added that warehouses are defined as a use in the regulations and fall into the use table under Special Exception and are only permissible in the North Zone. The Chair added the zoning regulations already regulate the building of warehouses.

Member Casper Grathwohl asked if a new set of guidelines would need to be drawn for the Special Exception process suggested by Member Baker. It was suggested the existing Special Exception guidelines prevail.

Rudy Montgelas was recognized again. He stated that he is the head of the water company serving homes on Arrow Point and the water quality is of utmost importance and concern for those served. The Chair acknowledged his comments.

Jehv Gold was recognized again as well and stated that he felt the abandonment of buildings would be more common if a residence was not established as the primary use of a property. He stated that it would be more likely for docks, boathouses, and other items of this sort to go into disrepair and be abandoned without Section 7 of the regulations.

With no further comments from the public or discussion among the Commissioners, Pete Sandberg moved to close the public hearing at 7:47 PM. Casper Grathwohl seconded the motion; the motion passed unanimously.

6. Old Business

A. Discussion/possible decision on Item #5 – Text Amendment to remove Article II Section 7 REQUIREMENTS FOR PERMITTED ACCESSORY BUILDINGS, STRUCTURES, AND USES

Chair Victoria Sahadevan Fossland suggested rather than eliminating Article II Section 7 entirely, language could be added to require an application for a special exception in instances when a property owner wishes to erect or install a structure on properties without a primary dwelling. She suggested that the added language could address the 100' shoreline setback, as mentioned earlier and she also reminded Commissioners the concerns of the P&Z encompass all properties throughout town, in addition to docks and structures related to lake use.

Jack Baker asked that the public notice be read into the record. Janell Mullen read the public notice that was submitted to the Republican American and had been published twice in accordance with statutory requirements.

Casper Grathwohl mentioned that he was curious about what other towns bordering the lake like Washington and Kent do to address the issues that were mentioned during the evening's discussion. Commissioner Baker stated all three towns follow separate regulations; Chair Victoria Sahadevan Fossland and Commissioner Baker stated that Warren had hosted a few meetings with the other towns hoping to achieve some consistency with the regulations around Lake Waramaug. The Chair stated that ideally, an overlay zone would govern all zoning activity within the vicinity of Lake Waramaug.

Vice-Chair Sandberg moved to approve the elimination of Article II, Section 7 as proposed.

Commissioner Baker suggested that docks and sheds used as primary structures within 100' of Lake Waramaug be considered by Special Exception.

Janell Mullen suggested the Commission review and amend the section entitled "Development on Major Waterbodies" as it reviews and updates the zoning regulations.

Commissioner Grathwohl suggested looking at the overall organization of the document when considering various text amendments.

Chair Victoria Sahadevan Fossland made a motion not to remove Article II Section 7 as proposed, but to further review and amend that section of the zoning regulations. Jack Baker seconded the motion. The motion passed unanimously.

B. Regulations Review: Home Businesses

The Commission turned their attention to a revised draft of the Home Business Regulation Amendment that Chair Victoria Sahadevan Fossland had distributed. She pointed Commissioners to the major changes that had been incorporated after the last meeting's discussion, noting these sections were underlined in the draft.

Commissioner Ouellette suggested a few minor corrections where words had been repeated, etc.

The Chair suggested the parameters regarding parking at home businesses, as stated in the proposed Home Business Regulations, be cross-checked against Section 18, Parking Regulations. Janell Mullen stated that once the draft of the Home Business Regulations was finalized, she would review the draft against the entire body of the zoning regulations to look for conflicts.

Commissioner Sandberg voiced a concern that the Home Business Regulations as drafted do not specify a requirement for a resident of the property to have a role in the business operated there. The group amended the draft to specify the business must be registered to an occupant of the property.

Commissioner Ouellette pointed out the Minor Home Business and the Major Home Business definitions differed slightly with regard language in their basic definitions; the Commission agreed align the wording to “private residential property.”

The members of the Commission agreed that the draft was close, but not quite ready, to send the amendment to public hearing.

7. ZEO Report

Janell Mullen had distributed copies of the report and asked if any Commissioners had questions. There were none.

8. Other Business Proper

A. FY 2024- 2025 Budget

The Commission was provided a hardcopy of information received with regards to the Planning & Zoning Commission’s budget for the previous few years. She informed the Commission the Selectmen would need the Commission’s budget request for FY ’24-’25 as soon as possible. The Commission reviewed the line items provided and the two (2) prior years’ expenses. It was noted that they had not expended all their funds in recent years. Commissioner Ouellette asked for clarification of fees spent to date on attorney expenses. Vice-Chair Sandberg suggested that they ask for \$8,000.00. While noting the fees for legal notices were expected to be more than in previous years, given the number of notices that would be required as the Commission updates the regulations, another suggestion was made to request the same amount that had been allotted to P&Z for FY ’23-’24, \$7500. Chair Victoria Sahadevan Fossland made a motion to request \$7,500.00 – the same amount as the previous year. Jack Baker seconded the motion. The motion carried although Vice-Chair Sandberg voted against the motion, stating he felt the Commission should ask for \$8000.

B. Vacant Commission Seats

Chair Victoria Sahadevan Fossland stated that Paul Prindle had resigned from the Commission, creating a regular member vacancy. It was also noted that the alternate vacancy created by Member Grathwohl moving to a regular seat was now in the hands of the Selectmen to fill. She asked the group to help spread the word that the Commission has vacancies; she and Janell Mullen would also work with the Town officials in sending out notices about the vacancies.

C. Commissioner Training

i. What’s Legally Required, Chapter 20 – Monitoring Compliance

Chair Victoria Sahadevan Fossland stated that because the time was close to 9 PM, they would again table this section of the Zizka book. The Chair suggested that in lieu of discussing the Zizka book that everyone watch the UConn Clear webinar on Affordable Housing.

ii. Handout – Land Use Training Guidelines prepared by CT OPM

Janell Mullen distributed a handout from the CT Office of Policy and Management that summarizes Commissioner training requirements and provides examples of various training resources. Ms. Mullen stated that she intended to inform the First Selectman that the P&Z was in compliance with the requirements and asked the group if everyone felt comfortable with that statement. It was noted that one (1) hour of affordable housing and fair housing training is a requirement.

Ms. Mullen stated that she would distribute the handout digitally and also provide the Commissioners with a link to the online UConn Clear webinar.

9. Public Comment

Joslyn Pollock of 252 Woodville Road commended the Commission for their work on the home business regulations and asked if she could share a copy of a recent report that was developed by the Northwest Center for Economic Development. She shared handout from the report entitled “Encouraging Business Growth and Expansion”.

10. For the Good of the Commission

The Commission agreed that the public hearing had been productive and the members of the public who spoke raised additional points to further consider before making a text amendment to Article II Section 7.

11. Adjournment

Vice-Chair Sandberg moved to adjourn at 9:10 PM. Jack Baker seconded the motion. The motion passed unanimously.

Respectfully submitted,

Janell Mullen
Town of Warren Land-Use Official
March 6, 2024

The zoom recording for this meeting can be accessed at:

<https://us06web.zoom.us/rec/play/6WN0NMKh8v1y3n0lRMOOBoCkUbqPjB1arBDvs3fu4H9FAPHE569X4xeaPzycKH8zTRmOfAz-3VvpgaTZ.tFweDNL443cXZzH3>