

MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PUBLIC HEARING HELD ON MONDAY, JANUARY 14, 2019, AT 7:30 P.M. IN COUNCIL CHAMBERS, TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410

Present

Sean Strollo, Vice Chairman; Jeff Natale, Secretary; Members: S. Woody Dawson, John Kardaras, Louis Todisco.

Alternates: Tom Selmont, Donald Walsh

Absent: Earl J. Kurtz Jr., Matthew Bowman, Gil Linder and Robert Anderson (Alternate)

Staff: William Voelker, Town Planner

I. CALL TO ORDER

Chairman Strollo called the public hearing to order at 7:31 p.m.

Chairman Strollo read the emergency public service notice.

II. ROLL CALL

The Clerk called the roll.

III. DETERMINATION OF QUORUM

Following roll call a quorum was determined to be present.

IV. PLEDGE OF ALLEGIANCE

They group Pledged Allegiance to the Flag.

Mr. Natale read the public hearing notice for the application.

V. BUSINESS

1. Zone Text Change Petition

PH 01/14/19

Planning and Zoning Commission

To amend Section 30, Schedule A,

Para. 5 (Accessory Apartments) and

To add to Section 23 (Definitions)

Barrier Free Design

Mr. Voelker read comments into the record from Naugatuck Valley Council of Governments dates 12/31/18, and Capital Region Council of Governments dated 1/3/19.

The amendments to Section 30, Schedule A, Para. 5 (Accessory Apartments) were reviewed by the Commissioners and Mr. Voelker.

In-Law Apartment is now called an "Accessory Apartment" and the word "Accessory" is used throughout the regulation.

The maximum size of the accessory apartment is increased to 950 S.F. (from 750 S.F.), exclusive of ramps, lifts, etc. are not included in the 950 S.F. apartment size.

Barrier Free Design (definition) – Design for those with physical or other disabilities, requiring the provision of alternative means of access including ramps and/or lifts (elevators) or other structural modifications needed to provide equal access for those with disabilities.

Renewal Provisions (f) (new)- Special Permits for accessory apartments shall remain valid provided that the owners of the property submit a notarized statement to the Zoning Enforcement Officer once every five (5) years verifying that the accessory apartment complies with the requirements of this section. Said permit shall also remain valid when a property is transferred from one owner to another provided that the new owner also verifies to the Zoning Enforcement Officer by way of affidavit that the property remains in conformance with these regulations.

(g) If the Special Permit expires, the property owner shall at their...

Mr. Voelker pointed out that under current regulations the property owner applies to the Commission for renewal of the accessory apartment. For a change of ownership the new owner would have to get accessory apartment approval from the Commission. Under the amended regulations, the renewal goes to the ZEO once every five (5) years. With change of property owner, the new owner verifies with the ZEO that the property is in conformance with the regulations.

The increase in accessory apartment size to 950 S.F. (from 750 S.F.) enables people to stay in the community longer; there is flexibility to move things around in the apartment; and this maintains social capital.

Regarding the five (5) year renewal, Mr. Walsh asked about sending a reminder notice to the property owner.

This reminder can be done and Mr. Voelker noted the Planning Department has a list of homeowners with accessory apartments.

For clarification, Mr. Todisco stated the "barrier free design" does not include ramps, lifts, etc. towards the 950 S.F. apartment size. He also noted that in (f) it should read...property owner shall.

There were no further comments or questions. The public hearing was closed.

VI. ADJOURNMENT

MOTION by Mr. Todisco ; seconded by Mr. Natale

MOVED to adjourn the public hearing at 7:50 p.m.

VOTE The motion passed unanimously by those present.

Attest:


Marilyn W. Milton, Clerk

Respectfully submitted,


Jeff Natale, Secretary
Cheshire Planning and Zoning Commission

