

**NORFOLK PLANNING & ZONING COMMISSION**

Special Meeting

Norfolk Town Hall

March 21, 2023 @ 6:30 p.m.

**Approved Minutes**

**Present:** Tom Fahsbender-Chair, Chris Schaut, Paul Madore, Melissa Renkert, Marion Felton, Kevin Gundlach, Wiley Wood (alternate), Edward Barron (alternate), Steve Landes (alternate)

**Also Present:** ZEO Michael Halloran

1. **Call to Order**-6:30 pm
2. **Roll Call** –Steve Landis seated for Jonathan Sanoff
3. **Agenda Review**- A motion to move #6, Approval of Minutes, to before New Business was made by Chris Schaut, seconded by Melissa Renkert and approved unanimously.

4. **Public Comment**-none

6. **Approval of Minutes**

**Regular Meeting February 14, 2023**

A motion to approve minutes as amended for the February 14, 2023 meeting with Michael checking the name of one of the public, was made by Chris Schaut, seconded by Marion Felton, and approved unanimously.

Melissa Renkert made a motion to move 5C to above 5A, seconded by Chris Schaut, and approved unanimously.

5. **New Business**-

**C. Special Permit Application 23-006, Applicant Richard McCue for Carlene Laughlin 305 Mountain Road. Accessory Dwelling Unit in accordance with the provisions of Section 3.05D.**

Tom Fahsbender said that the Commission is just reviewing the application to make sure it is complete.

Chris Schaut questioned if the property had been divided already which is shown on the map. Michael Halloran said that it has not been divided yet.

Mr. Schaut requested that the Commission receive a map of the property as it currently is, which is not subdivided. Mr. Fahsbender questioned if it was an

existing barn that was being replaced with a garage and apartment and Mr. Halloran said that it was and also that the Wetlands Agency has already approved it. Mr. Schaut would like confirmation that the Health District has approved a septic plan. The Commission would like a utility plan as well as the proposed square footage of the apartment. With square footage, septic plan, utility plan, Torrington Area Health approval and site plan showing one lot included, Chris Schaut made a motion to receive the application and schedule a public hearing for the April 11, 2023 meeting immediately following the dog park application, Paul Madore seconded, and it was approved unanimously.

**A. Public Hearing 6:45 pm. Application 23-004 property of Brian and Brenda Lilly, 105 Greenwoods Road East; 3.02-1A2 Two family dwelling in accordance with the provisions of Section 3.05E. Possible deliberation and vote.**

Tom Fahsbender asked if any member would like to recuse themselves from the deliberation because of any conflict of interest. There were none. Sitting were Chris Schaut, Paul Madore, Melissa Renkert, Marion Felton, Kevin Gundlach, Steve Landis sitting for Jonathan Sanoff and Tom Fahsbender

Mr. Fahsbender read the legal notice.

Mr. Halloran received the receipts for certified mail to all the abutting landowners.

Brenda Lilly spoke and explained the project. The Commission had a few questions and then Mr. Fahsbender opened the discussion to the Public. Richard Kessin said that he was an abutting owner. He asked if these properties would be rentals or for sale. Ms. Lilly said they were rentals. Galeen Kessin asked if the side yard would be used by all the residents of the building. Ms. Lilly said as of now they would be used by all. The Lilly's are currently using the first-floor apartment. Ms. Kessin also asked if the parking lot would be reconfigured, and Ms. Lilly said no. Mike Halloran said that they meet all the criteria for a 2-family dwelling section 3.05E. except they would usually have painted lines in the driveway, but Mike Halloran does not think that would be necessary.

Ms. Kessin asked if the Fire Department has requirements for egress from the second floor. Mr. Halloran said that the Fire Marshall does not have any oversight on two family houses, only three family and more. Ms. Lilly said that the Fire Marshall has inspected the building a few times. She also said that they installed brand new smoke and co2 detectors. Ms. Kessin wanted to state the importance of people being able to get out of a second floor easily. Mr. Halloran said that there were no written correspondences.

Ms. Lilly said that they will have the tenants that were there before to come back and rent again.

Ms. Kessin wanted to express that since this couple has occupied the house, they have done a stunning job restoring the house.

The Lillys said that they are taking out the kitchen that was in the apartment above the garage.

Chris Schaut made a motion to close the Public Hearing, seconded by Melissa Renkert, and approved unanimously.

Chris Schaut made a motion to approve the application with conditions that might be added after deliberation, seconded by Steve Landes and approved unanimously.

Mr. Schaut suggested a condition would be to add that if the Lillys decide to make any changes to the number of units, ie renting out the garage unit, that they need to come back to the Commission.

Mr. Fahsbender said that the permit complies with P&Z regulations consistent with the Plan of Conservation and Development, Section 5 regarding the need for additional housing opportunities and meets the requirements of Zoning Regulations Section 305E.

Chris Schaut made a motion to approve the application with the condition that any rentals beyond the two approved apartments would require a modification or a new permit, seconded by Steve Landes, and approved unanimously.

**B. Extended until April 11, 2023, Public Hearing, #23-001 Special Permit Application for Recreational Facility 3.05L A Dog Park on vacant land on Westside Rd. Lot parcel #7-10/18**

The applicant asked for an extension in writing to the next scheduled meeting on April 11, 2023.

**7. Old Business- none**

**8. Bills & Correspondence-**

**A. CFPZA membership dues \$110.00**

Chris Schaut made a motion to approve the payment to the CFPZA membership dues of \$110, seconded by Marion Felton, and approved unanimously.

**B. Regular Wetlands minutes February 6, 2023**

The Wetland minutes were handed out to the Commission.

**9. ZEO report-**

**A.** Richard McCue accessory unit application was received.

**B.** The Answer date for the Second Notice of Citation for Zoning Violation expired regarding Mr. Shiff and his property at 24 Greenwood Road West. Michael Halloran read emails from Attorney

Mike Zizka describing the next step in the process. Peter Ebersol, the Hearing Officer, needs to certify that there was no response from Mr. Shiff. Mr. Halloran read an email he sent to Attorney Ebersol and will contact him as well.

- C. Ted Chiu from the Connecticut-Asia Cultural Center on 207 West Side Road talked to Mr. Halloran regarding installation of air conditioning in the building. They want to put 3 air conditioning units in the front of the building and cover them with shrubs. One condition of the Certificate of Approval in 2001 states that air conditioning shall be designed and screened to minimize noise.

The Commission let Mr. Halloran know that he can go ahead and approve the air conditioning after confirmation of a plan showing how Mr. Chiu will adhere to the condition.

**10. Action Items and responsibilities**

- A. Mike Halloran had sent out an email about the 5<sup>th</sup> Thursday to take a class online for professional development on affordable housing. Anyone should sign up if they want to attend.
- B. Mike Halloran will get in touch with Peter Ebersole.

- 11. Adjournment-**A motion to adjourn was made at 8:02 pm by Chris Schaut, seconded by Steve Landis, and approved unanimously.

Respectfully submitted,



Marinell Crippen, Secretary