

**PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES FOR JULY 31, 2017**

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**Present:** Tom Failla, Chairman; Jane Connolly, Vice Chairman; Don Saltzman, Ken Edgar, Sally Korsh, Britta Lerner, Richard Wolf

**Also Present:** Tracy Kulikowski, Land Use Director; Sarah Schlechter, Weston Conservation Commission, members of the public

**Digitally recorded on 7/31/17**

**RECEIPT OF APPLICATION: APPLICATION FOR LOT DEVELOPMENT APPROVAL, 18-22 GREY FOX LANE, NEW LOT 26R (LOT CONSOLIDATION), OLD FARM HILLS SECTION II RESUBDIVISION – 1988 [MIKE TROLLE, BPC GREEN BUILDERS]**

With neither the applicant, nor applicant's representative present, Ms. Kulikowski gave a brief summary of the application. The Commission members asked questions and a discussion ensued.

Chairman Failla moved that the Commission receive the application for Lot Development Approval, 18-22 Grey Fox Lane, New Lot 26R (Lot Consolidation), Old Farm Hills Section II Resubdivision – 1988. Seconded by Sally Korsh. Vote in favor (7-0).

**DISCUSSION/DECISION (CONT'D): APPLICATION FOR ACTIVITY IN A FLOOD ZONE, 108 VALLEY FORGE ROAD, INTERIOR RENOVATION OF EXISTING HOUSE [RAKAJ & STAKAJ, RAYMOND LEMLEY]**

This application involves renovation of a pre-existing, non-conforming structure, located in a Special Flood Hazard Area (SFHA).

Tracy discussed the findings of her research on the process utilized by surrounding communities, and provided a sample application for development in a SFHA. Raymond Lemley, representing the applicant, came forward and a discussion began with the Commission, Ms. Kulikowski, and Mr. Lemley.

During subsequent discussion, Commission members suggested requiring affidavits from each of the following - architect/engineer, contractor, and owner, both before and after construction. The Commission also discussed establishing the structure's assessed value and the Regulation's definition of Market Value.

The Commission agreed that Tracy will draft forms for a Substantial Improvement Review Procedure, based on her findings and tonight's discussion, to be reviewed with the Town Attorney.

**DISCUSSION/DECISION (CONT'D): APPLICATION FOR ACTIVITY IN A FLOOD ZONE, 108 VALLEY FORGE ROAD, INTERIOR RENOVATION OF EXISTING HOUSE [RAKAJ & STAKAJ, RAYMOND LEMLEY]**

CONT'D

Richard Wolf suggested a land record stating FEMA's "substantial improvement" requirement exists for the property. Tracy will refer to the Town Attorney for guidance.

Discussion continued with the members, Tracy, and Mr. Lemley. Ken Edgar suggested a motion to delegate the promulgation of the forms required to comply with the current regulation to Tracy.

Sally Korsh moved that the Commission delegate the promulgation of the forms necessary to comply with the regulation to Tracy Kulikowski, Land Use Director. Seconded by Vice Chairman Connolly. Vote in favor (7-0).

The members gave Tracy recommendations to begin the process of final documentation.

**DISCUSSION: LEGISLATIVE UPDATE (LAND USE DIRECTOR)**

**A) PUBLIC ACT 17-155 (SB 922) AN ACT CONCERNING TEMPORARY HEALTH CARE STRUCTURES (EFFECTIVE 10/1/17)**

Tracy began the discussion on to the law, which will become effective on October 1, 2017. The law allows a temporary health care structure as an accessory use on a lot zoned for single-family residential. Discussion ensued with the Commission members and Tracy. The option of holding a public hearing to opt out of this default position, with affirmative votes of the Commission and the Board of Selectmen, was discussed. The members will review the law and continue the discussion at the next meeting.

**DISCUSSION: LEGISLATIVE UPDATE (LAND USE DIRECTOR)**

**B) PUBLIC ACT 17-39, AN ACT CLARIFYING THE CONTINUATION OF NONCONFORMING USES, BUILDING OR STRUCTURES (EFF. 7/1/17)**

Tracy gave a brief summary of the act. It specifies that municipal zoning regulations cannot terminate or deem abandoned a nonconforming use, building, or structure unless the property owner voluntarily discontinues the nonconforming use, building, or structure with the intent not to reestablish it. The act also states that demolishing or deconstructing a nonconforming use, building, or structure is not, by itself, evidence of an owner's intent to abandon the use, building, or structure. Discussion began between Tracy and the Commission. Tracy will review existing Town regulations regarding the demolishing of a nonconforming use, building, or structure.

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Regarding other updates, Tracy discussed recent changes made to CGS 8-30g, the Affordable Housing Land Use Appeals Procedure. Discussion ensued with the members and Tracy. Ms. Kulikowski will keep the Commission updated as more guidance is received.

**DISCUSSION: RENEWAL OF WESTON'S MS4 PERMIT (DEEP 5-YEAR GENERAL PERMIT FOR THE DISCHARGE OF STORMWATER FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS) (LAND USE DIRECTOR)**

Tracy discussed the modified MS4 General Permit which became effective July 1, 2017. This general permit requires each municipality to take steps to keep stormwater entering its storm sewer systems clean before that stormwater enters water bodies. Tracy indicated some of the modifications to the permit relate to low-impact development and stormwater management. Potential changes to Weston's Soil Disturbance Permit and the need to possibly formalize a site inspection process was discussed. Discussion ensued with Commission members and Tracy. As the renewal proceeds, Tracy will keep the members updated and informed, as needed.

**DISCUSSION: TOWN PLAN OF CONSERVATION AND DEVELOPMENT**

Ken Edgar commented on the considerations and suggestions mentioned in CGS Section 8-23 in the preparation of the Plan. Discussion on the statute ensued with the members. The Commission and Ms. Schlechter, Conservation Commission member, discussed strategies for beginning the update process. The Commission discussed potentially scheduling Special Meetings and, when appropriate, inviting other Town boards or commissions to provide information.

Chairman Failla suggested the members develop a list of boards or committees to meet with and possible dates to hold Special Meetings.

**APPROVAL OF MINUTES: JULY 10, 2017**

Ken Edgar moved that the Commission approve the minutes of July 10, 2017. Seconded by Tom Failla. Vote in favor (5-0). Jane Connolly and Sally Korsh abstained.

Tom Failla moved that the Commission adjourn the meeting. Seconded by Jane Connolly. Vote in favor (7-0).

9:15 p.m. Meeting adjourned

Respectfully submitted:

AnnMarie Fontana, Administrative Assistant