

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, March 27, 2019 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Ted Stoutenberg, Dave Krimmel, Dan LaPlante, Marty Post, and
Alternate Mike Misiorski, Zoning Enforcement Officer Mike Lucas,
Zoning Consultant Rista Malanca.

ABSENT: James Steadman, Alternates Tom McLoughlin and Peter Ventre.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM.

Mr. Misiorski was seated for Mr. Steadman.

1. PUBLIC HEARINGS:

None.

2. PENDING APPLICATIONS:

None.

3. NEW APPLICATIONS:

None.

4. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. Review of Subdivision and Zoning Regulation Changes.

The Commission reviewed the marked-up version of the current Subdivision Regulations. Mr. Stoutenberg had noted that the Land Use Attorney Mark Branse had flagged four areas for review.

Section 4.3.1 was reviewed. Ms. Malanca explained that Attorney Branse had cautioned that the Subdivision Regulations be consistent with both the Plan of Conservation and Development as well as the Zoning Regulations. She urged the Commission to review their definitions of the various types of streets already included in the Zoning Regulations so that they sync with the Subdivision Regulations.

It was agreed that 'Commercial Street' ought to be kept in the Subdivision Regulations and added to the Zoning Regulations.

Ms. Malanca referenced the past discussions of 'Estate Lots', noting that she understood that the Commission wanted to allow private roads, eliminate the requirement that lots must be double in size, and hold the developer to build the private roads to the same standards as that of the town's public roads. She explained to the Commission that if these are permitted in the Zoning Regulations as a Special Permit, a public hearing would be required. Without such a provision, private roads would be an As-of-Right use. Discussion ensued.

Mr. LaPlante shared his recent experiences doing canvassing, going door to door to as many as 437 houses in the last month, as the Town's Dog Warden. Mr. Stoutenberg noted that there shall not be no more than twenty houses on a dead end street and a dead end street may not exceed 2000 feet.

The consensus of the Commission was to allow private roads not to exceed 2000 feet built to town road standards that meet density requirements or a provision for Estate Lots in the Zoning Regulations that reduce the requirement of the road but limit the number of houses that can be built.

Mr. Krimmel opined that an As-Built ought to be required for driveways, in addition to the foundations, prior to the issuance of a Certificate of Occupancy.

The Commission reviewed *Section 4.23 - Driveway and Accessways* of the Subdivision Regulations. It was noted that this section should be consistent with the Driveway Ordinance contained in Appendix E of the Subdivision Regulations.

Additionally, Appendix D should be indicated as Appendix C

Mr. Stoutenberg requested that a finished copy be drafted, be sent off to the neighboring towns and that a public hearing be scheduled.

B. Continued Discussion on Definition of Family and Workforce Housing Regulations and Housing Regulations.

It was noted that Mr. Lucas had previously emailed the Commission with sample agricultural regulations along with a couple of articles about the definition of family in regulations.

The Commission discussed the challenges with changing the definition of family. Mr. Post noted that figures should be included when looking at housing, in terms of an amount of square footage per person. Mr. Krimmel questioned whether there was a need for this type of regulation for housing. He disagreed with disturbing the residential areas as they currently stand.

Discussion ensued with the consensus of the Commission being to not change the definition of family within the Zoning Regulations. They also were not in favor of considering the addition of a Workforce Housing Regulation at this time.

C. Regulation Changes Pertaining to Propane Tanks and Emergency Generators.

Ms. Malanca reminded the Commission that an opinion was sought from Consulting Planner Martin Connor regarding propane tanks and emergency generators. The Commission discussed whether there was a Building Code requirement that propane tanks be a certain distance from a property line.

Ms. Malanca noted that the current zoning regulations holds the setbacks of these structures to the same setbacks as a principal structure. She noted that if the house is non-conforming, the setbacks for these structures can be reduced through approval of a Special Exception.

Mr. Stoutenberg suggested that a revision to the Zoning Regulations be drafted to allow the setbacks for these items to the same as an accessory structure.

5. APPROVAL OF MINUTES: March 13, 2019.

MOTION: Mr. Post, Mr. Krimmel second, to approve the March 13, 2019 Minutes; unanimously approved.

6. ZONING ENFORCEMENT OFFICER'S REPORT:

No report.

7. CORRESPONDENCE:

Mr. Stoutenberg updated the Commission about the Connecticut Bar Association Land Use Seminar that he, Mr. Post, Mr. Misiorski, Mr. McLoughlin and Mr. Lucas attended on Saturday, March 23, 2019.

MOTION: Mr. Post, Mr. Krimmel second, to adjourn at 8:59PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**