



Town of Sterling

Town Hall
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Oneco, Connecticut 06373-0157

Assessor: 860-564-3030
Building Official: 860-564-2275
Economic Development: 860-564-4752
Library: 860-564-2692
Recreation: 860-564-2136
Registrar of Voters: 860-564-2654

Revenue Collector: 860-564-7563
Selectmen: 860-564-2904
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Zoning Official: 860-564-2275

Legal Notice
Town of Sterling
Planning and Zoning Commission
Notice of Public Hearing

The Sterling Planning & Zoning Commission (P&ZC) will conduct a Public Hearing on Tuesday, January 16, 2018 in Room #15 of the Sterling Town Hall, 1183 Plainfield Pike, Oneco, CT beginning at 7:00 p.m. to consider the following:

The P&ZC proposes to amend the Sterling Zoning Regulations to create an Age Restricted Housing Overlay District (ARHOD). More specifically, amendments are proposed to: Article II – Definitions; Article III – Zoning Districts; and to create a new Appendix B “Age Restricted Housing Overlay District”; and new Appendix C “Site Plan Requirements”.

Copies of the proposed amendments are available for public inspection in the Office of the Sterling Town Clerk. At the public hearing, all interested parties are invited to be heard and written correspondence will be accepted.

Dated this 28th day of December 2017 at Sterling Town Hall, 1183 Plainfield Pike, Oneco, CT.

Sterling Planning and Zoning Commission
Frank Bood, Chairman
Dana Morrow, Secretary

January 16, 2018

Call to Order: The special meeting of the Sterling Planning and Zoning Commission followed by the reading of the legal warning for the public hearing was called to order at 7:02 p.m. by Chairman, Frank Bood. Dana Morrow, Ross Farrugia, Alternate Michael Rouillard, and Alternate Victoria Robinson-Lewis were also present. Staff present-Russell Gray, Link Cooper, Jamie Rabbitt, Demian Sorrentino, and Joyce Gustavson. Also present-Joseph Schwartz, Ameila McDade, and Kevin Costa.

The legal warning for the public hearing was read by F. Bood. The purpose of the hearing is to accept written and/or verbal comments on the proposal to amend the Sterling Zoning Regulations to create an Age Restricted Housing Overlay District (ARHOD); specifically, amendments proposed to Article II – Definitions; and Article III – Zoning Districts; and to create a new Appendix B – Age Restricted Housing Overlay District; and new Appendix C – Site Plan Requirements (copies on file).

F. Bood asked if anyone had any questions or comments. There were none.

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J. Rabbitt stated that the Commission has thirty-five (35) days to close the public hearing. You have two (2) choices, you can close the hearing tonight or you can leave it open. If you choose to close the public hearing tonight you cannot receive comments from the general public and you have sixty-five (65) days to take action. Joseph Schwartz of Murtha Cullina, LLP is here tonight if you have any questions for him.

R. Farrugia made a motion, seconded by D. Morrow to close the public hearing. All voted in favor of the motion. The hearing was closed at 7:06 p.m.

R. Farrugia made a motion, seconded by D. Morrow to close the special meeting at 7:06 p.m. All voted in favor of the motion.

Attest: _____
Joyce A. Gustavson, Recording Secretary

January 16, 2018

Call to Order: The monthly meeting of the Sterling Planning and Zoning Commission was called to order at 7:07 p.m.

Roll was called: Frank Bood-present, Dana Morrow-present, Ross Farrugia-present, Chris Turner-present (7:15 p.m.), Caren Bailey-absent, Alternate Walter Moriarty-absent, Alternate Michael Rouillard-present, and Alternate Victoria Robinson-Lewis-present.

Alternate M. Rouillard was seated for C. Bailey and Alternate V. Robisnon-Lewis was seated for C. Turner.

Staff present – Jamie Rabbitt, Russell Gray, Link Cooper, Demian Sorrentino, and Joyce Gustavson. Also present-Joseph Schwartz, Ameila McDade, and Kevin Costa.

Audience of Citizens: No comment.

Approval of Minutes: R. Farrugia made a motion, seconded by D. Morrow to approve the meeting minutes of 11/21/2017 as written and presented. All voted in favor of the motion.

Correspondence: A letter from Don Aubrey, Towne Engineer, dated 12/1/2017 outlining twenty-six (26) preliminary comments and a letter from Jamie Rabbitt, Town Planner, dated 12/30/2017 outlining eight (8) regulatory statements for the proposed gravel excavation for Canterbury Realty, LLC for property located at 76, 92, and 94 Sterling Road (Route 14) – (copies on file).

Unfinished Business:

a. Application #PZ-2017 – Proposed Text Amendment Age Restricted Housing Overlay Development (ARHOD) by the Town of Sterling Planning and Zoning Commission – Discussion and Possible Action: J. Rabbitt, Town Planner, stated Application #PZ-2017 is proposed language to the Sterling Zoning Regulations to Definitions and Article III, Section 301 - Zoning Districts. The red text is language to be inserted. Appendixes B and C are new. D. Sorrentino, Zoning Enforcement Officer asked for clarification regarding Prohibited Uses, Section 301.2. Violations related to using campers as residences are currently enforced under authority of the Sterling Mobile Parks and Trailer Ordinance, in

addition to existing sections of the Sterling Zoning Regulations. If this section 301.2 is approved, and carries with it an effective date, for example, February 1, 2018, does it run any risk of making those situations that exist prior to the effective date of the new Section 301.2 somehow legal non-conforming? Joseph Schwartz of Murtha Cullina, LLP asked what the current Ordinance states as compared to this regulation. Discussion followed. J. Schwartz stated that if the Ordinance already prohibits residing in a camper for longer than the established five (5) day window, and now a regulation also prohibits that, it does not necessarily mean that those existing prior to the effective date of the new Section 301.2 become legal non-conforming under the regulation, because it is already prohibited under the Ordinance. So long as the Ordinance prohibited it, by adopting a separate regulation or act, it should not make anything before that legal non-conforming. Procedurally, this is somewhat out of the context of the amendment we are discussing and the public hearing being closed, staff and legal counsel can discuss this further. R. Farrugia made a motion, seconded by D. Morrow to approve Application #PZ-2017 for the proposed text amendment Age Restricted Housing Overlay Development (ARHOD) to the Zoning Regulations with an effective date of January 29, 2018. All voted in favor of the motion.

b. Discussion Regarding the Plan of Conservation and Development: J. Rabbitt, Town Planner, stated the existing plan was adopted in January 2009 and according to Connecticut State Statutes you are required to update or revise the plan every ten (10) years. By January of 2019 the Town needs to adopt and/or review a plan. In 2015, the Connecticut legislature adopted Public Act 15-95. This act states that if the Town's Plan of Conservation and Development (POCD) is not updated every ten (10) years, the Town is ineligible for any discretionary funding from the State of Connecticut as it relates to municipal funding and notify the Office of Policy and Management (OPM) stating Sterling is not current. This does not prohibit a town for applying for funds; a waiver could be requested and OPM usually grants the waiver if you are in the process of approving the POCD. The plan needs to be submitted to the Board of Selectmen by October in order to give them adequate time to review. The Selectmen can agree with it, disagree with it, or agree with proposed recommended changes. Time is also needed for publication notices and the chance for the public to respond. To meet the October timeframe, the Commission has approximately eight to nine (8/9) months to review and update the plan. Discussion was held on doing a questionnaire and the best way to engage the public; electronically through SurveyMonkey and/or paper copies made available at the school, post office, and Town Hall, as well as through workshops. J. Rabbitt stated that some sections of the POCD, such as, History of Sterling, may not need change. The social economical data and the demographic sections should be updated. Data is pulled from the Census, Department of Housing, Department of Health, Department of Economic and Community Development, and other facilities. Discussion was also held as to where the community will be in ten to twenty (10/20) years, infrastructure and improvements, getting on the census cycle for current data with updates in 2021/2022 and 2031/2032. J. Rabbitt also stated that the infrastructure section of the POCD should support any anticipating funding that the Board of Selectmen may need to apply for; such as upgrades to the town hall, school, sewer, roads, and bridges.

New Business: None.

Audience of Comments: No comment.

Any Other Business:

a. Commission Workshop – Roles, Responsibilities, Policies and Procedures: D. Morrow made a motion, seconded by R. Farrugia to table this item to the next meeting. All voted in favor of the motion.

Adjournment: F. Bood made a motion, seconded by M. Rouillard to adjourn at 8:31 p.m. All voted in favor of the motion.

Attest: _____
Joyce A. Gustavson, Recording Secretary

Attest: _____
Dana Morrow, Secretary