



Town of Sterling

Town Hall
1183 Plainfield Pike
P.O. Box 157
Oneco, Connecticut 06373-0157
860-564-2904

Legal Notice
Sterling Planning and Zoning Commission
Public Hearing
7:00 p.m. – November 28, 2022

The Sterling Planning and Zoning Commission will hold a Public Hearing on Monday, November 28, 2022 at the Sterling Town Hall/Municipal Building, Room #15, 1183 Plainfield Pike, Oneco, CT at 7:00 p.m.

The purpose of the meeting is to accept written and/or verbal comments on the following:

1. Proposal to opt out of the provisions of subsections (a) through (d), inclusive, of Section 8-2o of the Connecticut General Statutes. Those provisions would establish a variety of state requirements for the Commission's regulation of accessory apartments.
2. Proposal to amend the Zoning Regulations to opt out of the provisions of subdivision (9) of subsection (d) of Section 8-2 of the General Statutes. Those provisions would limit the Commission's ability to set minimum parking requirements for residential uses.

Copies of the proposed opt-out resolutions are available for review at the Office of the Town Clerk in the Sterling Town Hall during normal business hours.

Dated this 9th day of November 2022 at Sterling Town Hall, 1183 Plainfield Pike, Oneco, CT.

Frank Bood, Chairman
Sterling Planning and Zoning Commission

"This institution is an equal opportunity provider and employer."

November 28, 2022

The public hearing was called to order at 7:00 p.m. by Chairman Frank Bood.

Other members present-John Angelone, Ross Farrugia, Victoria Robinson-Lewis, and Alternate Jon Turban.

Staff present-Link Cooper, Melissa Gil, and Joyce Gustavson.

Also present-Jackie Angelone and Erika Lorange.

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 1) provisions establishing a variety of state requirements for the Commission's regulation of accessory apartments and 2) provisions that would limit the Commission's ability to set minimum parking requirements for residential uses.

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

F. Bood stated that he met with L. Cooper and Town Counsel. Basically, if the State has any changes and we don't opt out, the State could circumvent what we have.

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

V. Robinson-Lewis made a motion, seconded by R. Farrugia to close the public hearing at 7:04 p.m. All voted in favor of the motion.

November 28, 2022

Call to Order: The special meeting of the Sterling Planning and Zoning Commission was called to order at 7:04 p.m.

Roll was called: Frank Bood-present, Dana Morrow-absent, Ross Farrugia-present, Victoria Robinson-Lewis-present, John Angelone-present, Alternate Jon Turban-present, Alternate Jason McLevy-absent, and Alternate Kim Smith-Barnett-absent.

Alternate J. Turban was seated for D. Morrow.

Staff present-Link Cooper, Melissa Gil, and Joyce Gustavson.

Also present-Jackie Angelone and Erika Lorange.

Pledge of Allegiance: Everyone stood to recite the Pledge of Allegiance.

Audience Comments: No comment.

Approval of Minutes: R. Farrugia made a motion, seconded by V. Robinson-Lewis to approve the public hearing minutes, the monthly meeting minutes of 10/17/2022, and the special meeting minutes of 11/7/2022 as written and presented. All voted in favor of the motion.

Correspondence: None.

Unfinished Business:

a. Discussion Regarding Plan of Conservation and Development: F. Bood stated that the Commission has been in discussion with staff regarding the Plan of Conservation and Development (POCD) for three (3) years. The Office of Policy and Management (OPM) does not have a copy of the POCD. Staff reached out to Rebecca Augur of OPM and was informed that the Planning & Zoning Commission needs to adopt the POCD, set an effective date, and send to OPM where they acknowledge receipt of the adopted POCD and they will update the inventory. V. Robinson-Lewis made a motion, seconded by R. Farrugia to adopt the Plan of Conservation and Development with an effective date of December 12, 2022. Four (4) members voted in favor and one (1) member abstained. Motion carries. M. Gil, Zoning Enforcement Officer stated that the Commission does not have to wait another ten (10) years to make changes and adopt a plan with a new effective date.

b. Land Use Training (Section 9 of Public Act No. 21-29): F. Bood stated that Halloran & Sage, LLP is working with Council of Governments (COG) to train locally or to have all towns meet at Wesleyan University. M. Gil stated that if you are on the Commission as of 1/1/2023 the training needs to be completed by 1/1/2024. V. Robinson-Lewis made a motion, seconded by R. Farrugia to table this item to the next meeting. All voted in favor of the motion.

c. Affordable Housing Plan (Connecticut General Statute, Title 8, Chapter 126a, § 8-30j): F. Bood stated that the Sterling Zoning Regulations need to be updated. V. Robinson-Lewis made a motion, seconded by J. Angelone to table this item to the next meeting. All voted in favor of the motion.

d. Accessory Dwelling Units (Substitute House Bill 6107-Public Act No. 21-29): The public hearing regarding Accessory Dwelling Units closed early tonight. F. Bood stated that the Commission refers to this as in-law apartments. Our current regulations are similar to what the State is asking us to do. The few changes that we discussed are: Dwellings no longer have to be attached, square footage, and separated utilities. Sterling has regulations in place, and we are compliant.

F. Bood read both Resolutions into the minutes.

Resolution 1

Resolved: That in accordance with subsection (f) of Section 8-2o of the Connecticut General Statutes, the Town of Sterling Planning and Zoning Commission hereby opts out of the provisions of subsections (a) through (d), inclusive, of Section 8-2o of the Connecticut General Statutes upon the following findings: Subsections (a) through (d), inclusive, of Section 8-2o of the Connecticut General Statutes contain several ambiguous provisions that could lead to inconsistent interpretations, legal challenges and litigation. Opting out of those provisions would allow the Commission to develop clearer regulations that could accomplish many of the same goals.

The Commission finds that it is important to maintain flexibility in the development of its housing policies and to allow future adjustments in its regulations that are more in keeping with the Plan of Conservation and Development, as it may be amended from time to time.

Adopted by the Sterling Planning and Zoning Commission this 28th day of November, 2022. In accordance with subsection (f) of Section 8-2o of the Connecticut General Statutes, this opt-out resolution shall become effective upon approval by the Town of Sterling Board of Selectmen.

Resolution 2

Resolved: That in accordance with Section 8-2p of the Connecticut General Statutes, the Town of Sterling Planning and Zoning Commission hereby opts out of the provisions of subdivision (9) of subsection (d) of Section 8-2 of the Connecticut General Statutes upon the following findings:

Subdivision (9) of subsection (d) of C.G.S. Sec. 8-2 would limit the Commission's ability to establish parking requirements for certain categories of dwelling units based solely on the number of bedrooms in such dwelling units. This limitation would prevent the Commission from considering other important factors such as public safety and physical disabilities that may affect the need for additional parking spaces in some situations.

Adopted by the Sterling Planning and Zoning Commission this 28th day of November, 2022. In accordance with Section 8-2p of the Connecticut General Statutes, this opt-out resolution shall become effective upon approval by the Town of Sterling Board of Selectmen.

New Business:

a. Consider & Act on 2023 Schedule of Meetings: R. Farrugia made a motion, seconded by V. Robinson-Lewis to approve the 2023 Monthly Meeting Schedule. All voted in favor of the motion.

b. Election of Officers: Nominations were opened for the position of Chairman. Frank Bood was nominated for Chairman. There were no other nominations. V. Robinson-Lewis made a motion, seconded by R. Farrugia to elect F. Bood as Chairman. All voted in favor of the motion. Nominations were opened for the position of Vice Chairman. Ross Farrugia was nominated for Vice Chairman. There were no other nominations. V. Robinson-Lewis made a motion, seconded by D. Morrow to elect R. Farrugia as Vice Chairman. All voted in favor of the motion. Nominations were opened for the position of Secretary. Dana Morrow was nominated for Secretary. There were no other nominations. R. Farrugia made a motion, seconded by V. Robinson-Lewis to elect D. Morrow as Secretary. All voted in favor of the motion. V. Robinson-Lewis made a motion, seconded by R. Farrugia to close the nomination of officers and to accept the slate of officers. All voted in favor of the motion.

Audience Comments: No comment.

Any Other Business To Come Before the Planning & Zoning Commission:

V. Robinson-Lewis asked F. Bood if the Commission could receive a monthly report from the Zoning Enforcing Officer regarding Cease & Desist letters, Building Permits, etc. F. Bood said not at this time.

a. Commission Workshop:

- 1. Roles of Commission Members**
- 2. Responsibilities**
- 3. Policies and Procedures**

V. Robinson-Lewis made a motion, seconded by R. Farrugia to table all Commission Workshop items to the next meeting. All voted in favor of the motion.

Adjournment: V. Robinson-Lewis made a motion, seconded by R. Farrugia to adjourn at 7:30 pm. All voted in favor of the motion.

Attest: _____
Joyce Gustavson, Recording Secretary

Attest: _____
Dana Morrow, Secretary