

November 7, 2022

**Item I: Call to Order:** The special meeting of the Sterling Planning & Zoning Commission was called to order at 7:30 p.m. by Chairman, Frank Bood. Roll was called: Frank Bood-present, Ross Farrugia-present, Victoria Robinson-Lewis-present, Dana Morrow-present, John Angelone-absent, Alternate Jason McLevy-present, Alternate Jon Turban-present, and Alternate Kim Smith-Barnett-present. Staff present-Jamie Rabbitt, Link Cooper, Melissa Gil, and Joyce Gustavson. Alternate J. Turban was seated for J. Angelone.

**ITEM II: Pledge of Allegiance:** Everyone stood to recite the Pledge of Allegiance.

**ITEM III: Accessory Dwelling Units – Opt Out Discussion:** F. Bood stated that he met with Attorney Mike Zizka, Zoning Enforcement Officer, Melissa Gil, and First Selectman, Link Cooper to discuss zoning violations and Accessory Dwelling Units (ADU).

F. Bood stated that his interruption of the meeting is if the State decides to change things, even though we drafted and wrote regulations, if we do not mimic theirs identically, they could erase everything we have done. By opting out we would keep what we have, but if we don't opt out, the State can dictate that we do it their way.

M. Zizka recommended the town opt out of ADU and expressed concern that any non-compliant regulations the town has for accessory dwelling units would become null and void and must be approved or denied based upon the state regulations.

J. Rabbitt summarized State of Connecticut, Substitute House Bill No. 6107, Public Act No. 21-29, Section 6, citing criteria that became effective 1/1/2022 (copies on file).

J. Rabbitt stated that M. Zizka's long-term concern is that if you do not opt out and if any subsections (a) through (d) modify, you will have to follow them because the choice to opt out is until 1/1/2023. His recommendation is to opt out, adopt your own regulations, and you will be allowed to adopt and maintain those outside of any further legislation taken in subsections (a) through (d).

R. Farrugia made a motion, seconded by V. Robinson-Lewis to table this item to the next meeting and to schedule a public hearing on Monday, 11/28/2022 as PZC Application #2022-02A at 7:00 p.m. in Room #15 at the Sterling Municipal Building, 1183 Plainfield Pike to consider: 1) the 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; and 2) the 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. All voted in favor of the motion.

**ITEM IV: Adjournment:** A motion was made by D. Morrow, seconded by V. Robinson-Lewis, to adjourn at 7:52 p.m. All voted in favor of the motion.

Attest: \_\_\_\_\_  
Joyce A. Gustavson, Recording Secretary

Attest: \_\_\_\_\_  
Dana Morrow, Secretary