

**PLANNING AND ZONING COMMISSION
REGULAR MEETING - MINUTES
NOVEMBER 24, 2015 – 7:30PM
GOSHEN TOWN HALL – 42 NORTH STREET**

PRESENT: Chairman Don Wilkes, Cynthia Barrett, Russell Hurley, Lu-Ann Zbinden; Alternates Mark Harris and Garret Harlow; Town Planner and Zoning Enforcement Officer Martin Connor, AICP.
EXCUSED: Stephen Cooney.

1. CALL TO ORDER AND DESIGNATION OF ALTERNATES.

Chairman Don Wilkes called the meeting to order at 7:30PM. All regular members present were seated for the evening. Alternate Mark Harris was seated for Stephen Cooney. Alternate Garret Harlow arrived at 7:34PM. The proceedings were recorded digitally, and copies are available in the Land Use Office.

2. PUBLIC HEARINGS:

A. Jason Dismukes, PE for Charles & Lisa Lillis, 28 Pie Hill Road – 2-Lot Resubdivision “South Farms”.

The Recording Secretary read into the minutes the legal notice for this matter. Jason Dismukes, PE, addressed the Commission on behalf of the applicant. Mr. Dismukes submitted proof of notice to abutting neighbors, and he also distributed revised plans to the commission members.

Mr. Dismukes explained that the plans had been revised as Mr. Connor had requested that the 30-foot utility and right-of-way easement be shown on the Site Analysis Plan in addition to the Subdivision Map. He then read to the Commission a portion of Section 8.25b of the Connecticut General Statutes regarding the offering of open space. Per the statute, any subdivision of less than 5 lots where all the lots are being transferred to members of the applicant’s family, the requirement for the provision of open space cannot be applied. As the applicants planned to transfer the newly created lot to their daughter, Mr. Dismukes stated that they were claiming exemption from the open space requirements.

Mr. Dismukes also noted that Torrington Area Health District approval had been obtained and submitted for the record. Mr. Connor then read into the record his report dated November 21, 2015 regarding this application. The Commission briefly discussed Section 2.7 of the Zoning Regulations which pertains to rear lots.

The Commission then briefly discussed the waivers which the applicant was requesting: (1) waiver of open space requirements; (2) waiver of requirement for contour lines to be shown at 2-foot interval on Lot 2; and (3) waiver of requirement for state plane coordinates at not less than 4 points on the subdivision perimeter. Mr. Dismukes explained that as Lot 2 was already developed with an existing house and accessory structures; no additional development was planned on this lot; therefore, the applicant was requesting the second waiver. Additionally, Mr. Dismukes requested a waiver of the state plane coordinate requirement due to the very small size of this subdivision. He explained that it would be expensive and time-consuming to meet this requirement; while he could see the benefit in obtaining this information for large subdivisions, he believed it of limited value for such a small subdivision.

Mr. Wilkes opened the floor to public comment; however, no one present expressed a desire to speak. Hearing no further comments or questions, the Commission agreed to close the public hearing at 7:45PM.

The Commission then agreed to amend the agenda to discuss item 4A first, and then return to the agenda as written.

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4. OLD BUSINESS:

A. Jason Dismukes, PE for Charles & Lisa Lillis, 28 Pie Hill Road – 2-Lot Resubdivision “South Farms”.

MOTION Mr. Harris, second Ms. Zbinden, to grant the following requested waivers and approve the application in the matter of **Jason Dismukes, PE for Charles & Lisa Lillis, 28 Pie Hill Road – 2-Lot Resubdivision “South Farms”** subject to the following conditions:

WAIVERS:

1. Waiver of Section VIII.3 of the Subdivision Regulations regarding the provision of open space. The applicants are transferring the newly created lot to a family member.
2. Waiver of Section V.2.B.25 of the Subdivision Regulations regarding state plane coordinates at not less than four points on the subdivision perimeter. The amount of work needed to meet this requirement is substantial in light of the small size of this subdivision.
3. Waiver of Section V.6.S of the Subdivision Regulations which requires existing and proposed contour lines at an interval of not more than 2 feet unless otherwise allowed by the Commission. Lot 2 has an existing dwelling and accessory structures, and no further development is proposed for this lot.

CONDITIONS:

1. The applicant’s surveyor shall install the proposed iron pins in accordance with the subdivision map and shall submit a letter to the Commission indicating they have been installed prior to filing the recording resubdivision map.
2. Prior to filing the recording resubdivision map, the applicant’s attorney shall prepare the utility and right-of-way easement document for review and approval by the Town Attorney. The approved document shall be filed on the Goshen Land Records along with the recording resubdivision map.

The motion was unanimously approved.

3. READING OF THE MINUTES:

A. October 27, 2015 regular meeting.

Mr. Connor suggested removing reference to an Economic Development Commission in the 5th paragraph of agenda item 8A, as he had been advised by the First Selectman that an EDC was not planned at this time.

MOTION Mr. Harris, second Mr. Hurley, to approve the minutes of the October 27, 2015 regular meeting as amended.

5. NEW BUSINESS:

No business was discussed.

6. ZONING ENFORCEMENT OFFICER’S REPORT:

The Commission reviewed the report of the Zoning Enforcement Officer’s activities over the previous month. Mr. Connor advised the Commission that the work at 59 Torrington Road had been completed.

MOTION Mr. Hurley, second Mr. Hurley, to accept the Zoning Enforcement Officer’s Report for the period from October 28, 2015 to November 24, 2015; unanimously approved.

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7. **CORRESPONDENCE.**

No business was discussed.

8. **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

A. **Update of 2006 Plan of Conservation and Development (POCD).**

The Commission met with Jocelyn Ayer from the Northwest Hills Council of Governments (NHCOG) in order to discuss ways in which the NHCOG could provide assistance with the POCD. Ms. Ayer explained that the NHCOG was current working on a regional POCD and regional transportation plan, and they would be able to provide economic and demographic data and analysis for the Commission to use in their work, including comparison information in relation to other northwest towns. She also suggested that the Commission consider using strategies from the "Community Heart and Soul" document published by the Orton Foundation as a way to obtain public input to update the POCD. Ms. Ayer said that the NHCOG can also assist with grant writing as a part of POCD strategy implementation. Ms. Ayer said that she could also provide information to help with the economic development and housing sections in the POCD.

Mr. Connor explained that the POCD had to be completed and adopted by December 2016. He said that the Commission was hoping to hold a community outreach meeting in the early spring. Mr. Connor stated that he would also like to have Ms. Ayer help with the development of sections of the POCD that are newly required by State statute.

Ms. Ayer then provided a brief update regarding economic development work being done under the auspices of the NHCOG. A grant had been obtained by the NHCOG for eight area towns, including Goshen, to share economic development consulting services. Thus far, the consultant had met with First Selectman Bob Valentine as well as several Town business owners. A report was then created discussing the business environment in Goshen; a brochure was then created highlighting reasons business owners might want to relocate to Goshen. Ms. Ayer noted that there were many home-based businesses in Town, and a "Buy Local" guide was also planned. Work was largely focusing on supporting existing businesses to ensure they know they are valued by the Town.

At this time, the Commission thanked Ms. Ayer for meeting with them, and she left for the evening.

The Commission then discussed the Economic Development section of the POCD. Ms. Zbinden questioned whether the Town really wanted to attract industrial park uses such as that mentioned in Issue #2. Mr. Hurley concurred, stating that this would undermine the rural character of the Town. Mr. Wilkes also agreed, expressing surprise that corporate parks were encouraged in this POCD. Mr. Connor stated that, absent a sewer system of sufficient size, it was unlikely the Town would attract these types of industrial/corporate park uses. He suggested that the POCD emphasize attracting business of a size and scale that are comparable to the Town's rural character; he also suggested supporting home-based businesses. The Commission agreed to keep the goal listed; however, they decided to eliminate Issue #2 and Recommendations #2 and 3.

Ms. Zbinden noted that the existing POCD endorsed a policy of sewer avoidance; however, she questioned whether there was provision for special situations in which the Town could connect to the sewer, such as for senior or affordable housing. Mr. Connor stated that the City of Torrington also has a sewer avoidance policy for their rural areas along Route 4; he did not think it likely that such connections as Ms. Zbinden was suggesting would be feasible. He noted that affordable housing could also consist of duplexes with shared well and septic systems; sewer was not absolutely necessary.

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The Commission then discussed the Natural Resource Protection section of the POCD. Mr. Connor suggested that the reactivated Water Pollution Control Authority should be asked to participate in addressing the sections on sewer avoidance. He informed the Commission that Recommendation #2 was no longer valid, as the Torrington Area Health District no longer has a requirement that septic systems be located at least 75-feet from wetlands. Recommendation #6 had been implemented, so it could be removed. The Open Space Plan had recently been updated by the Conservation Commission, so the wording of this section should be revised. Commission members agreed to keep Recommendation #9 in place, expressing interest in implementing ideas in this section.

Mr. Harlow questioned whether it would be worthwhile to increase the required acreage for rear lots. Mr. Connor noted that this was already done in the RA-2 Zone; rear lots had to be 3 acres but frontage lots could be 2 acres. He expressed reluctance to increase the lot size requirement in the RA-5 Zone, as lot size was thought to be the one of the reasons house prices have become so expensive over the years.

Members then discussed Recommendation #11 regarding the monitoring of water quality in lakes and ponds. Mr. Harris detailed efforts being made to address water quality at Tyler Lake, West Side Pond, and Dog Pond, including the hiring of a limnologist. He explained about the problems created by weeds in Tyler Lake and Dog Pond. Mr. Harris said that a report was being put together by their limnologist; Mr. Connor requested a copy of the report for inclusion in the POCD.

Members agreed to discuss the next two sections – “Roads and Circulation” and “Housing” – for the next regular meeting.

9. ADJOURNMENT:

MOTION Ms. Zbinden, second Mr. Hurley, to adjourn at 9:01PM; unanimously approved.

Respectfully submitted,

**Stacey M. Sefcik
Recording Secretary**