

**PLANNING & ZONING COMMISSION
SPECIAL MEETING – MINUTES
SEPTEMBER 2, 2021 – 7:30PM
HELD AT GOSHEN TOWN HALL AND BY ZOOM VIRTUAL MEETING**

PRESENT: Don Wilkes, Cynthia Barrett, Lu-Ann Zbinden, Patrick Lucas, Laura Lemieux, William Clinton, and Leya Edison

EXCUSED: Thomas Carey

OTHERS: Town Planner and Zoning Enforcement Officer Martin Connor, and members of the public Robert Valentine (exofficio), Jim Withstandley, Blanche Martin, Jim Martin, Paul Collins, Mark Harris, Marty Harris, Judi Armstrong, Dexter Kinsella, Michael Edison, Todd Carusillo, Brigitte Michaud, and Laura Stancs.

1. CALL TO ORDER AND DESIGNATION OF ALTERNATES.

Don Wilkes called the meeting to order at 7:28PM. The meeting was conducted in person at Goshen Town Hall and virtually through Zoom and recorded digitally.

2. READING OF THE MINUTES: The Commission reviewed the minutes from July 27, 2021, regular meeting. Following corrections made:

A. Others: Blanche Martin not Beverly Martin; Paul Collins not Collin; Judi Armstrong not Judy Armstrong.

B. Section 4A: Correction of spelling - Governors to Governor's.

C. Section 4C: stated there disgust to stated their disgust; Mr. Zbinden to Ms. Zbinden.

IN A MOTION by Mr. Wilkes and seconded by Ms. Barrett, it was VOTED to accept the minutes as amended. Motion carries.

3. NEW BUSINESS:

A. Proposed text amendment to the Zoning Regulations to place a Temporary and Limited Moratorium on Cannabis Establishments and set Public Hearing date: Mr. Connor recommended that the Commission set a Public Hearing date for October and treat it like any other zoning change. Short discussion was had then a motion was made.

IN A MOTION by Ms. Zbinden and seconded by Mr. Lucas, it was VOTED to set a Public Hearing date of October 26 to place a Temporary and Limited Moratorium on Cannabis Establishments. Motion carries.

B. Request to review the proposed discontinuance and report findings per State Statute Section 8-24 for Howe Road: Mr. Valentine stated that the Board of Selectmen received a request of discontinuance of Howe Road. The property is owned by LLC and they would prefer no one drive up the road and turn around. From the Boards perspective it is not an access to any other property

and will give control and cost to the property owner. Mr. Connor stated that he did do a memo on this and is submitting to record and recommended a favorable recommendation to the Board of Selectmen.

IN A MOTION by Mr. Wilkes and seconded by Mr. Lucas, it was VOTED to make a Favorable Recommendation to the Board of Selectmen for Discontinuance of Howe Road.

Ms. Edison interjected that she has no vote but feels a discussion should be had. Mr. Wilkes indicated that it had already been closed, then allowed her to speak. It was suggested by Ms. Edison that the information was just received and research should be done on it. Ms. Barrett pointed out that this information has been out for 3 to 4 weeks, and was corrected by Mr. Valentine, it was 6 weeks. Mr. Connor also pointed out that the information was provided to Commissioners prior to the meeting in packets. Discussion was had. Motion was redone with a Motion Carries.

IN A MOTION by Mr. Wilkes and seconded by Mr. Lucas, it was VOTED to make a Favorable Recommendation to the Board of Selectmen for Discontinuance of Howe Road. Motion Carries.

4. OLD BUSINESS:

A. Past motions to be discussed if research done by Ms. Leya Edison has been sent (via certified mail/email as stated at prior meeting) to P&Z Commissioners with adequate time for them to review documentation: Ms. Edison spoke on an issue from a meeting in March, 2021 and looked at the responses and was happy to see suggestions taken seriously and thanked staff and chair for addressing. It was then discussed the concern of staff giving direction to Commissioners during meetings and that was not allowed. Chair should be running the meeting. A discussion was had between Commissioners, and Staff. Ms. Edison then moved to discuss Spensor Albano property and that his name was not on the card. Mr. Connor spoke on this matter and stated that all items were posted on the website and available in the office as stated on the website and all proper documentation was done and followed to the law. A heated discussion was had on this matter by Commissioners, Staff and Mr. Valentine. Conflict of interest was also brought up by Ms. Edison. Heated discussion was had by Commissioners, Staff, and Guest. Ms. Edison then brought up changing statues and them being done correctly. Specifically 3.7.3D dated 9/24/19. Mr. Connor gave a clear picture of where to find the information

to research how it was changed legally. Ms. Barrett gave a clear picture of how she did her research prior to meeting after receiving Ms. Edison's email and indicated everything seemed to be in order.

5. **ZONING ENFORCEMENT OFFICER'S REPORT:** Mr. Connor reviewed ZEO's report and gave a brief update.

IN A MOTION by Ms. Barrett and seconded by Mr. Lucas, it was VOTED to accept the ZEO report. Motion carries.

6. **CORRESPONDENCE:** None

7. **ADJOURNMENT:**

IN A MOTION made by Mr. Lucas to adjourn the meeting at 8:19PM. Motion carries.

Respectfully submitted,



Lori Clinton
Commission Clerk

Received Sept. 8, 2021 @ 12:00 P.M.

Attest. Barbara Z. Breen
Goshen Town Clerk



TOWN OF GOSHEN

42A NORTH STREET GOSHEN, CT 06756-0187
PHONE 860 491-2308 x 232 FAX 860 491-6028

Martin J Connor, AICP, Town Planner/Zoning and Inland Wetlands Enforcement Officer

To: Planning & Zoning Commission
From: Martin J. Connor, AICP
Subject: Activity Report
Date: August 31, 2021

8-24 Referral from Board of Selectmen for discontinuance of Howe Rd.

Met with the 1st Selectman and discussed discontinuance of Howe Rd. as proposed by Attorney McCormick representing the property owner. Howe Road services only 1 single-family home. Marfield246 LLC own 214.8 acres and both sides of Howe Road. The address for their property is listed as 91 Hillhouse Rd. Howe Road acts as a driveway to their dwelling. No other properties will be affected by the discontinuance. The owners themselves have requested the discontinuance. I wrote a memo recommending that the Commission make a favorable recommendation to the Board of Selectmen on the discontinuance of Howe Road.

Goshen Affordable Housing Plan: The Town of Goshen was approved for a \$15,000 grant to prepare and adopt an Affordable Housing Plan under the provisions of § 8-30j of the Connecticut General Statutes ("CGS"). This grant opportunity is intended to enable eligible municipalities to undertake a proactive planning process and lay out a strategy for meeting the housing needs of existing and future residents and workers. Section 8-30j requires the Town to prepare an affordable housing plan. Bob Valentine formed a study Committee with 2 members from PZC serving on Committee, Don Wilkes and Cindy Barrett. I was asked to serve on the Committee as well and have been attending monthly meetings as a technical advisor to the Committee.

Patricia A. Studley, 12 Sunset Drive, Occupied Trailer & Junkyard: Received complaint from Public Works Supervisor that a occupied trailer and junk was located in the Town right-of-way at the end of Sunset Drive. I investigated complaint and sent letter requesting voluntary compliance. Vehicles have been moved outside of the Town right of way and some clean-up has occurred. Wrote follow-up letter citing junk pile remaining and television set next to utility pole. Took photos on 3/14/20. Still in violation 3/21/20. I requested that the Town Attorney write her a letter. Follow-up email to Town Attorney to write letter threatening Court Action. Attorney Roraback sent out a letter. Attorney representing owner contacted Attorney Roraback and indicated the property owner was suffering some health issues and was living out of state. The tenant has

been evicted who has created the junkyard on the property. Attorney, Alan Hudson represents the property owner and indicated in a phone call that a company has been hired to clean up the site. 2 large dumpsters are on site. Substantial progress on the cleanup has occurred.

Issued ZP 21-32 Jim Terrell, 138 Hillhouse Rd., construct kitchen addition 20' x 20' and screen porch 14' x 12'.

Issued ZP 21-33 to Eric Anderson, 46 Wellsford Dr., construct dwelling.



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Martin J Connor, AICP, Town Planner/Zoning and Inland Wetlands Enforcement Officer

To: Planning & Zoning Commission
From: Martin J. Connor, AICP
Subject: 8-24 Referral from Board of Selectmen for discontinuance of Howe Rd.
Date: August 31, 2021

The Board of Selectmen have referred request for the discontinuance of Howe Rd.in accordance with Connecticut General Statutes Section 8-24. (See Section 8-24 below.)

"No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project, or (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such action has been referred to the commission for a report. Notwithstanding the provisions of this section, a municipality may take final action approving an appropriation for any proposal prior to the approval of the proposal by the commission pursuant to this section. The failure of the commission to report within thirty-five days after the date of official submission of the proposal to it for a report shall be taken as approval of the proposal. In the case of the disapproval of the proposal by the commission the reasons therefor shall be recorded and transmitted to the legislative body of the municipality. A proposal disapproved by the commission shall be adopted by the municipality or, in the case of disapproval of a proposal by the commission subsequent to final action by a municipality approving an appropriation for the proposal and the method of financing of such appropriation, such final action shall be effective, only after the subsequent approval of the proposal by (A) a two-thirds vote of the town council where one exists, or a majority vote of those present and voting in an annual or special town meeting, or (B) a two-thirds vote of the representative town meeting or city council or the warden and burgesses, as the case may be. The provisions of this section shall not apply to maintenance or repair of existing property, buildings or public ways, including, but not limited to, resurfacing of roads."

Howe Road services only 1 single-family home. Marfield246 LLC own 214.8 acres and both sides of Howe Road. The address for their property is listed as 91 Hillhouse Rd. Howe Road acts as a driveway to their dwelling. No other properties will be affected by the discontinuance. The owners themselves have requested the discontinuance. I

recommend that the Commission make a favorable recommendation to the Board of Selectmen on the discontinuance of Howe Road.