

**TOWN OF COLUMBIA
PLANNING AND ZONING COMMISSION**

Adella G. Urban Administrative Offices Conference Room
323 Route 87, Columbia, CT
Monday, May 13, 2024 7:00 pm

**Regular Meeting – HYBRID
MINUTES**

Members Present: Chairman Rick Nassiff, Vice-Chair Justin Riendeau, Vera Englert, Thomas Currier, Dave Holcroft, Robert Powell, Walter Tabor

Members Excused: Larry Preston (Alternate), Ed Madrak (Alternate)

Staff Present: Town Planner John Guskowski (via Zoom), Fire Marshal Mike Lester, Board Clerk Mary Kay Hyman

Others Present: 2 Members of the CoDE were present.

1. CALL TO ORDER: R. Nassiff called the meeting to order at **7:00 PM**.

2. ROLL CALL AND SEATING OF ALTERNATES:

No Alternates present to seat.

3. ADDITIONS/CHANGES TO AGENDA:

R. Nassiff **MOTIONED** to make the following changes to the Agenda; J. Riendeau **SECONDED**; **MOTION CARRIED UNANIMOUSLY 7:0:0**

Item 8.1 was moved to New Business as Item 7.1

Item 7.1 was moved to Item 7.2

Item 7.2 became Item 7.3

4. APPROVAL OF PZC REGULAR MEETING MINUTES of April 22, 2024

R. Nassiff **MOVED** to **APPROVE** the Minutes of April 22, 2024 as presented; J. Riendeau **SECONDED**; W. Tabor **ABSTAINED**; **MOTION PASSED 6:0:1**

5. AUDIENCE OF CITIZENS: None

6. UNFINISHED BUSINESS (Discussion/Possible Action): None

7. NEW BUSINESS (Discussion/Possible Action)

7.1 (previously 8.1) (Application # to be **PZC-2324-07**) Section 9 – Modification to Definition of “Structure”

J. Riendeau explained the drafted revisions to Section 9 to better define what items are considered to be a Structure and to simplify the process for the public. He stated the Subcommittee discussed if there is a need for propane tanks and generators of a certain size, and/or distance from the house, to be Regulated or not Regulated.

The Commission discussed changing the definition to say condensers, generators, and propane tanks within 10' of a Structure will no longer be considered a Structure in and of themselves. They stated they will continue to be Regulated by the Fire and Building Codes but not Regulated by Zoning.

The Commission discussed with Fire Marshal M. Lester the NFPA58 Regulations regarding the placement of propane tanks on a property.

R. Nassiff asked if handicap ramps can be a Zoning Regulated item as State Statues may override Town Regulations. J. Guskowski stated that Case Law allows ZBA's to accept handicap as a hardship and therefore they can and should be Regulated through Town Zoning. The Commission discussed not including handicap ramps in the "no more than 10 feet away from a Structure" line of the definition.

The Commission discussed the removal of items currently defined as Structure, such as handicap ramps, chimneys, bay windows, and satellite dishes. The Commission and J. Guskowski discussed the removal of Chimneys and ultimately felt they would be Regulated under the Structure they are attached to.

J. Guskowski displayed the changes to the Drafted Regulation Section 9 and the Commission agreed.

7.2 (previously 7.1) PZC 2324-05: Town of Columbia, Zoning Amendment Application to Revise Sections 21.2.3.11, Replace current Section 52.7.19, and Eliminate Section 52.7.21, for Multi-Family Dwellings. (Receive and Schedule Public Hearing)

J. Riendeau stated that after the previous PZC Meeting, verbiage was added to Sections 52.7.19.5 Letter M requesting a Fire Protection Assessment Letter from the Columbia Fire Marshal that may include recommendations for the installation of facilities, needs to provide water for the site. He stated there may then be a need for a check point/check list to be added in the Building Department for this process. He also stated it may be of interest for the Commission to look at the Regulations to see if a Fire Protection section should be added to cover all aspects of the Zoning Regulations in relation to Fire Protection, ultimately removing this added line and instead refer to one stronger Fire Protection Regulation.

The Commission discussed the adding of the Fire Protection Assessment Letter to the Application checklist and J. Guskowski suggested that this be added to the Application requirements rather than just the checklist, as the checklist is not Regulated. They also discussed changing the verbiage in 52.7.19.5 Letter M to include "if applicable" as in some cases recommendations may not be needed.

Fire Marshal M. Lester stated he feels the change in the process is an improvement.

R. Nassiff thanked M. Lester for his participation and input.

R. Powell stated some Towns hold Applications Review Meetings involving representatives of all parties involved giving the Applicant only one meeting to attend and ask questions. J. Riendeau stated he likes the idea, and this could be a good approach to handling inefficiencies.

7.3 (previously 7.2) PZC 2324-06: Town of Columbia, Zoning Amendment Application to Revise Sections 8.3 for Accessory Dwelling Units and Two-Family Dwellings. (Receive and Schedule Public Hearing)

J. Riendeau stated the only change made to Section 8.3 is to up the unit square footage under 8.3.3 to a maximum of 750 square feet, based on public input and discussion.

R. Powell stated that this would be for a primary dwelling of 2000 square feet or less and that anything larger than 2000 square feet would fall back to the existing 38%.

R. Nassiff **MOVED** to **RECEIVE** and **SCHEDULE** the Public Hearing for the Town of Columbia, Zoning Amendment Applications:

Section 9 (Application # to be **PZC-2324-07**): to Modify Definition of "Structure",

PZC 2324-05: to Revise Sections 21.2.3.11, Replace current Section 52.7.19, and Eliminate Section 52.7.21, for Multi-Family Dwellings,

PZC-2324-06: to Revise Sections 8.3 for Accessory Dwelling Units and Two-Family Dwellings,

for **Monday, June 24, 2024 at 7:00pm**; J. Riendeau **SECONDED. MOTION PASSED 7:0:0**

8. REGULATION REVISIONS (Discussion) None

9. COMMUNICATIONS AND REPORTS:

R. Nassiff asked J. Guskowski to explain the letter of correspondence from the State DOT regarding the Subdivision on Latham Hill Road.

J. Guskowski stated it is a standard letter regarding an encroachment onto a State property and in this case the Applicant it appears did not submit for the approval originally and this is just to inform the Commission of such action.

The Commission then discussed the location of this Subdivision and the fact that Latham Hill is a Town Road and has no intersection to Route 87. They stated overall it does not concern PZC.

J. Guskowski informed the Commission that last week bill 5474 was passed by the Legislature, which addresses housing and local Zoning and there was a provision, which would not necessarily effect Columbia, but it is to allow unused Nursing Home Facilities as Multi Family Housing.

11. COMMISSION OPEN DISCUSSION:

R. Nassiff stated that during the Subcommittee meeting an idea was discussed to take any grant money available to help with infrastructure improvement to assist with Fire Protection needs. He asked if the Commission would be open to this change, which would require a change or modification to the Plan of Conservation and Development and can it be done from a statutory standpoint. J. Guskowski stated this can be done, it would require a modification to the language and would need to go to Public Hearing. He stated he will review the POCD to see if there might be existing language to support such action. The Commission stated they are open to the idea.

R. Nassiff announced the retirement of the Zoning Enforcement Office, Connie Kisluk at the End of May and thanked her for her service and a job well done.

J. Riendeau stated this would be an opportunity to work together with the new ZEO and for everyone to be on the same page.

The Commission discussed if the PZC would be part of the interview process. J. Guskowski stated it is a statute that the Commission approve the hiring of the new ZEO, therefore it would be in their best interest to be a part of the Interview process. R. Nassiff stated he would inform First Selectman, S. Everett and Town Administrator, M. Walter, that the Commission would like to take part in the process.

T. Currier asked if the ZEO job could become a full-time position. R. Nassiff replied it is not permitted in the budget, but maybe the Commission can simplify the requirements to allow the job to meet the part-time hours. R. Nassiff then confirmed that J. Guskowski has the proper certification to stand in for an emergency and J. Guskowski reminded the Commission that they previously appointed him as a backup for the position and therefore he can stand in.

12. AUDIENCE OF CITIZENS:

R. Kincaid, of the CoDE, thanked the Commission for allowing their input and involvement in the process of the Affordable Housing Regulation review. She stated they would still like a bit more than 750 sq. ft. unit maximum. The Commission suggested she bring this up at the Public Hearing.

13. EXECUTIVE SESSION: The Commission did not go into Executive Session

Pending Legal Action per State Statutes Section 1-200(6)(B)

14. ADJOURNMENT:

R. Nassiff **MOVED** to **ADJOURN**; **W Tabor SECONDED**; **MOTION CARRIED UNANIMOUSLY**

The meeting was adjourned at **7:55 PM**.

Respectfully submitted by Mary Kay Hyman, Board Clerk

Please see the minutes of subsequent meetings for approval of these minutes and any corrections hereto.

This meeting can be viewed in its entirety on the Town of Columbia You Tube Channel