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## Planning and Zoning Commission

Special Meeting Minutes – October 10, 2023

East Haven Senior Center, 91 Taylor Avenue

### I. Roll Call and Pledge of Allegiance

Commission chair, Marlene Asid started the meeting at 7:07pm and led the Pledge of Allegiance.

Present for the meeting were Marlene Asid (Chairperson), John Tarducci (vice-chair), Lou Fusco, Bob Cubellotti and Al Shaul.

Also, in attendance were Planning and Zoning Administrator and Zoning Enforcement Officer, Joseph Budrow and Assistant Town Attorney, Jennifer Coppola.

### II. Review and Action on Prior Meeting Minutes

**MOTION:** Mr. Cubellotti made a motion to approve the meeting minutes of the June 26 meeting. Mr. Tarducci seconded the motion. All were in favor. **Motion carried, 5-0.**

### III. Public Hearing

1. **Application No. 22-07** – on behalf of the East Haven Planning and Zoning Commission. A Petition for a Text Amendment to the East Haven Zoning Regulations to complete the draft revision from 2019, proposing some changes, and proposing a new format.

There was no discussion on the application. Mr. Budrow told the Commission that there was recent State legislation that will result in amending the Regulations. He asked Attorney Coppola if the changes could be made during this open application process. The changes were to delete a Section in Section 51 where the Zoning Board of Appeals has the duty to approve locations and dealers. Also, childcare uses need to conform to a new State law.

2. **Application No. 23-21 – On behalf of Zhifu Deng, 208 Main Street, East Haven.** A Site Plan Review requesting to locate a new massage therapist studio into Suite 222. (Hearing to be closed by November 14, 2023)

At this time, the applicant was not present. The Commission passed the agenda item.

#### **IV. New Applications**

There were no new applications.

#### **V. Deliberation Session**

Mr. Budrow said that he failed to place Application 23-22 on the agenda after it was legally noticed in the newspaper. Attorney Coppola said that the Commission can vote to amend the agenda to add the Application as a public hearing item and then vote to continue the opening of the hearing to another meeting date.

**MOTION:** Mr. Tarducci made a motion to amend the agenda and add **Application No. 22-22** on the agenda as a public hearing. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 5-0.**

There was discussion of a possible special meeting date.

**MOTION:** Mr. Tarducci made a motion to continue the opening of the public hearing for **Application No. 22-22** to October 25, 2023. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 5-0.**

**MOTION:** Mr. Cubelotti made a motion to continue the opening of the public hearing for **Application No. 22-21** to October 25, 2023. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 5-0.**

#### **VI. Other Business**

1. **Vicki Imperato and Statewide Construction, 180 Strong Street.** A request for an extension of 90 days to file an approved plan for subdivision with the Office of the Town Clerk.

Mr. Budrow said there is a letter from Attorney Pellegrino requesting an additional 90 days for the filing of mylars for a 5-lot re-subdivision.

**MOTION:** Mr. Fusco made a motion to grant the applicant an extension of 90 days to January 24, 2024. Mr. Shaul seconded the motion. All were in favor. **Motion carried, 5-0.**

## **VII. Discussion**

Mr. Budrow gave the Commission two versions of the draft Accessory Dwelling Unit Regulation. One version had detached ADUs as allowed. The second version did not have them as allowed. He started with highlighting where changes were made since the last meeting. There was discussion on where ADUs would be allowed. ADUs have to be allowed in zoning districts where single family homes are allowed by right.

Mr. Cubellotti asked if they even want them at all. Attorney Coppola said they can do whatever they want. The Town opted out of the State legislation.

Mr. Tarducci said he thought it was a goal for the Town to pick up affordable units. He asked why do this if we don't get affordable units? Attorney Coppola said that the State made a change to CGS 8-30g(k). An affordable ADU must be deed-restricted for 10 years.

Mr. Fusco said the first point is determining if they want ADUs. Mr. Cubelotti understood where families would help family. Mr. Budrow stated that the draft Regulation shows that ADUs are not to be rented, and for family members only. He also shared that, as an incentive to get an affordable unit, if someone wants to rent an ADU they will have to deed-restrict the unit. Ms. Asid disagreed with not being able to rent to non-family and the incentivized idea.

There was more discussion on ADUs with regard to who would be allowed to live in them. Mr. Budrow then continued reading through some added changes to the draft since the last meeting. Ms. Asid asked if requiring two parking spaces was excessive. Attorney Coppola said that the Commission should consider how many people would be allowed to live in an ADU. Sometimes there may be a case where all inhabitants could be drivers. Ms. Asid said she had that concern, as well.

Mr. Budrow continued, reading through an affordable ADU Regulation. He then referenced application procedures and other changes made top the draft Regulation. There was discussion about when a property is owned by an LLC. Mr. Budrow ended his review with termination language.

Discussion continued regarding detached ADUs and septic systems. Attorney Coppola said the final draft will be referred to many departments. Mr. Budrow said he has had people ask about detached ADUs in the past. He was not sure if their situations were

conforming. Mr. Shaul asked for clarification on the difference between an affordable ADU and a regular one.

The Commission agreed that they want ADUs. The Commission wants owner occupied. Detached ADUs were discussed. Ms. Asid asked who would be allowed to live in ADUs. The Commission decided to go with attached ADUs only. The Commission decided to allow no more than two adults and one minor child to live in an ADU. The Commission decided that an attached ADU shall be permitted by a zoning permit. There was discussion about the proposed affordability language. Discussion went on to focus on renting ADUs. They went on to require two parking spaces on site.

The Commission was updated on the status for a future Section 37 (Affordable Housing) Regulation. Mr. Budrow said there will be a more detailed update at the next meeting.

## **VII. Adjournment**

**MOTION:** Mr. Fusco made a motion adjourn the meeting at 8:47pm. Mr. Tarducci seconded the motion. All were in favor. **Motion carried, 5-0.**