

## **Subject to Approval**

### **MADISON PLANNING AND ZONING COMMISSION PLANNING MEETING MINUTES Jan. 7, 2021**

The Planning Meeting of the Madison Planning and Zoning Commission was conducted Thursday, Jan. 7, 2021, at 7 p.m., remotely, using Zoom Videoconferencing. The public was invited to participate remotely by joining the meeting through a Zoom webinar link password, telephone call-in number, and a webinar identification number. Log-in and call-in details were posted to the Town of Madison website (<https://www.madisonct.org/>) prior to the meeting.

#### **MEMBERS PRESENT**

Chairman Ronald Clark, Vice Chairman James Matteson, Secretary Elliott Hitchcock, Thomas Burland, Giselle Mcdowall, John K. Mathers, Joseph Bunovsky, Jr., and Joel Miller.

#### **MEMBERS ABSENT**

Seonaid Hay.

#### **ALTERNATES PRESENT**

Ron Bodinson and Peter Roos.

#### **OTHERS PRESENT**

Director of Planning and Economic Development David Anderson. The meeting was recorded via Zoom Videoconferencing software for You Tube viewing.

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The Planning Meeting of the Madison Planning and Zoning Commission was called to order at approximately 7 p.m. by Chairman Ronald Clark.

#### **PLANNING AGENDA ITEMS:**

**Request for Extension of Approval.** 67 Boston Post Road, East River Farms condominium development.

Director of Planning and Economic Development David Anderson stated that the original approval given to the original owner of the property at the corner of Boston Post Road and Wildwood Avenue had been achieved in 2009; however, the property then sold in 2014 to Phil Altieri. Mr. Altieri is in the process of completing the construction of phase one of a two-phase project, with the second phase of units planned for the Wildwood Avenue side of the development, and he needs additional time to complete the construction, so he is requesting an extension of the Planning and Zoning Commission approval. In 2014, Mr. Altieri received a Planning and Zoning Commission special exception permit modification, which expired in May 2019, according to Mr. Anderson. The Planning and Zoning Commission could extend that to May 15, 2024, but there could be no further extension granted beyond May 15, 2024, according to Mr. Anderson. Mr. Altieri stated that he thinks that is sufficient time for him to finish the construction; the market seems in better shape. Discussion took place regarding a letter sent by three residents of the condominium development, who do not object to the extension, if granted.

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but sought assurance that the Planning and Zoning Commission could ensure that the developer adheres to any extension timeline granted. Mr. Anderson explained that the extension would be for the completion of the construction and that no additional planning and zoning permits would be issued for new construction. If there is a building permit in process, then that building permit work would continue until completed, but that is not a Planning and Zoning Commission matter, according to Mr. Anderson. The Planning and Zoning Commission is not the agency that would be responsible for enforcing an extension, according to Chairman Clark. If the deadline comes, and the work is not completed, everybody loses, including the builder, and the Planning and Zoning Commission is really not in a great position to have any leverage over the property owner, according to Chairman Clark. At the end of discussion, Chairman Clark asked the commissioners if they would be favorable to a May 15, 2022 extension for Phase 1 of the project and a May 15, 2024 extension for Phase 2 of the construction; all indicated they were in favor of those dates.

**Discussion.** Removal of a portion of fencing along Old Post Road leading to the entrance of Jonathan's Landing.

Director of Planning and Economic Development David Anderson explained that the fencing had been installed when the project was originally built; he showed photographs of the site. Jonathan's Landing Association has reached out, because fencing is in the town's right of way, and the association sought permission to remove the fencing. Mr. Anderson stated that he researched the approval for the project and found no requirement for the fencing, and he would like to give the association permission to remove the fencing along the roadway. In addition, Mr. Anderson stated that he will coordinate with the town engineer to make sure he does not see a reason to keep the fence in the town right of way. But there is no zoning reason to retain it, according to Mr. Anderson. Chairman Clark stated that there is language in the town's zoning regulations stipulating that fencing, or other means, should not be installed, because they give the appearance of gated communities. The commissioners had no objection to the fence being removed, but they expressed the concern that no debris of the removal be left behind, when the process takes place.

**Discussion.** Revisit possible opportunity areas. Discuss formally contacting owners to ensure they want to be included in any proposal for opportunity area designation.

Director of Planning and Economic Development David Anderson stated that he wants to discuss the path forward on this. To proceed, the Madison Plan of Conservation and Development needs to be amended, which requires a public hearing, with 60 days notice being given to the Board of Selectmen and the Council of Governments, according to Mr. Anderson. The majority of the possible opportunity areas are privately owned properties, and it is necessary to notify property owners of the Planning and Zoning Commission's interest in including them in any proposal for opportunity area designation, according to Mr. Anderson. A letter sent out to the property owners would give the meaning of the "opportunity area designation," give residents an opportunity to get back in touch with Mr. Anderson with questions, and would also inform property owners that if they do not want to be included in an opportunity area designation that they are allowed to self select out of it; this letter would also ask if the residents are willing to be a part of the process. It is important to proceed carefully, because if this process moves forward without a full understanding of what is being requested, property owners and adjacent property owners could misunderstand, which could create, for instance, a negative sentiment toward one  
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property owner, or the future use of that particular property—something commissioners do not want to do, according to Mr. Anderson. Commissioner Thomas Burland suggested that working with newspapers to inform the public might be of assistance. Mr. Anderson stated that an effort has to be made to engage in public relations and education on this matter. Commissioner Joseph Bunovsky, Jr. asked for clarification as to why the Planning and Zoning Commission is doing this. Mr. Anderson stated that the Planning and Zoning Commission adopted a Planned Development regulation, which is a flexible tool to allow development on certain properties that would be better purposed, beyond having a single family home. The opportunity area designation process becomes overly onerous, if the Planning and Zoning Commission does not identify these properties ahead of time, according to Mr. Anderson, and it could turn into a situation where property owners might mistakenly decide the designation now means they could, for instance, put 70 apartments on their property, which would not be allowed. Mr. Anderson stated that he will draft this communication and share it with everyone, before he sends it out.

**Discussion.** 2021 Planning Priorities.

Several matters have been discussed, which could be 2021 planning priorities. Director of Planning and Economic Development David Anderson stated that with knowledge of the dark skies and the proper forms of lighting, he has realized that the Planning and Zoning Commission's commercial lighting standards could be updated; there is a lack of prescriptive standards for commercial lighting, and it is causing difficulty. Another issue would involve revisiting some components of accessory housing units, to assist in achieving more diverse housing. There is an Affordable Housing Committee, on which Commissioner Peter Roos serves, and it was suggested by the commissioners that accessory housing units be looked at, first, by the Affordable Housing Committee. An upcoming long term project that should a part of the 2021 planning priorities is the update to the Plan of Conservation and Development, according to Mr. Anderson. There is \$85,000 available, July 1, to undertake that effort, and within the next six months, there will be an ongoing discussion on how the Planning and Zoning Commission wants this process to unfold, according to Mr. Anderson. A draft of a request for proposals, to hire a consultant, will have to be made, he stated. Mr. Anderson stated that he wants to pre-plan as to how the commission will orchestrate this process; he would like the Board of Selectmen to be 100 percent involved in the process. Short term rentals will continue to be an issue, and Mr. Anderson proposed possibly requiring registration of short term rentals, just to get a handle on it; property owners could register with the assessor's office or the fire marshal. Enforcement and tracking is difficult, according to Chairman Clark, but Mr. Anderson stated that he would like to keep short term rentals as a 2021 planning priority.

**Remarks:** Commission Chair ~ Chairman Clark thanked everyone for meeting at Longshore Lane for the site walk.

Director of Planning & Economic Development ~ Mr. Anderson summarized the events of the Inland Wetlands and Watercourses Agency meeting on Jan. 4, 2021. He also summarized a Webinar on the topic Desegregate Connecticut, which appears to have made changes in its approach to zoning; plans now are focusing on accessory dwelling units, owner/occupant requirements, housing within a half mile of transit stations, elimination of minimum parking standards. Mr. Anderson stated that it is important to pay close attention to these efforts, because it could result in grant funds, for which the town of Madison could apply.

Chairman Clark asked Mr. Anderson to please provide the commissioners with a link to this webinar, if one is available.

### **Adjournment**

**Secretary Elliott Hitchcock made the motion to adjourn at 8:29 p.m.; it was seconded by Commissioner Burland and unanimously approved.**

Vote to adjourn at 8:29 p.m. passed, 8-0-0.

IN FAVOR: Chairman Clark, Vice Chairman James Matteson, Secretary Hitchcock, and Commissioners Burland, Bunovsky, Joel Miller, Giselle Mcdowall, and John K. Mathers.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,  
Marlene H. Kennedy, clerk