

Subject to Approval

MADISON PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES Nov. 4, 2021

The Regular Meeting of the Madison Planning and Zoning Commission was conducted Thursday, Nov. 4, 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, Giselle Mcdowall, and Seonaid Hay.

MEMBERS ABSENT

Joseph Bunovsky, Jr., John K. Mathers, and Thomas Burland.

ALTERNATES PRESENT

Carol Snow, Peter Roos, and Ron Bodinson.

OTHERS PRESENT

Town Planner Erin Mannix. The meeting was recorded via Zoom Videoconferencing software for You Tube viewing.

The Regular Meeting of the Madison Planning and Zoning Commission was called to order at approximately 7 p.m. by Chairman Ronald Clark, who seated Alternate Commissioner Ron Bodinson for absent Commissioner Joseph Bunovsky, Jr., Alternate Commissioner Carol Snow for absent Commissioner John K. Mathers, and Alternate Commissioner Peter Roos for absent Commissioner Thomas Burland.

REGULAR MEETING:

21-22 CSP. 307 Neck Road. Map 12, Lot 147, R-4 District. Owner/Applicant: Nancy J. Brault. Coastal Site Plan Review to chip seal asphalt a portion of existing gravel driveway area of 2,780 sq.ft +/-.

Town Planner Erin Mannix stated that this application was referred to the state Department of Energy and Environmental Protection (DEEP), and it has responded with concerns about existing tidal wetlands violations on the property, as well as plans to chip seal. A request has been made to table this application until the Planning and Zoning Commission's Dec. 2, 2021 planning meeting.

Commissioner Joel Miller made the motion to table 307 Neck Road to Dec. 2, 2021; it was seconded by Vice Chairman James Matteson and unanimously approved.

Vote to table 307 Neck Road passed, 8-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Elliott Hitchcock, and Commissioners Giselle Mcdowall, Seonaid Hay, Carol Snow, Peter Roos, and Ron Bodinson.
OPPOSED: None.
ABSTAINED: None.

Presentation from Madison Land Trust regarding grant application for LaFarge Property.

Madison Land Conservation Trust President Benjamin Diebold shared a map of the property and a color photograph of a meadowland in the center of the property. Mr. Diebold asked the Planning and Zoning Commission to write a letter of support to the state for the Madison Land Conservation Trust's application for an Open Space and Watershed Acquisition grant, which, if awarded, will enable the trust to protect 29 acres of land adjacent to the Hammonasset River and near Green Hill Road in Madison. Known as Thelin Meadows, the 29.3 acres will have no cost to the town's taxpayers, and it will provide a cold water fishery for trout. Former Director of Planning and Economic Development David Anderson wrote a June letter in support of the grant application, according to Town Planner Erin Mannix, who shared the letter with the commission. This property provides over 4,000 linear feet of frontage along the Hammonasset River, and the Town of Madison Plan of Conservation and Development emphasizes the need to protect the Hammonasset River, according to Mr. Anderson's letter. Ms. Mannix also drafted a letter on behalf of the Planning and Zoning Commission, which she shared with the panel. The site consists of 29 unimproved acres, and the Plan of Conservation and Development recommends protecting the natural resources, which on this site include the public water supply watershed, wetlands, watercourses, inland floodplain, and special habitat areas, according to the letter drafted by Ms. Mannix. Both letters would be sent to the state, in support of the grant application, according to Ms. Mannix.

Commissioner Miller made the motion to approve the letters and support the grant application for the Madison Land Conservation Trust; it was seconded by Secretary Hitchcock and unanimously approved.

Vote to table approve the letters and support the grant application passed, 8-0-0.
IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Hitchcock, and Commissioners Mcdowall, Hay, Snow, Roos, and Bodinson.
OPPOSED: None.
ABSTAINED: None.

Discussion of Accessory Apartment Regulations Section 24.

Town Planner Erin Mannix stated that Interim Town Planner John Guskowski analyzed Madison's Planning and Zoning Regulations Section 24 accessory apartment regulations in relation to elements of the state of Connecticut Public Act 21-29 on accessory apartments. It has been found that Madison's accessory apartment regulations are in harmony with the public act, according to Ms. Mannix. She shared the detailed, three column written analysis that Mr. Guskowski created and discussed areas which are similar, as well as where there are differences. Madison is fairly close to the public act's language, and once it is reviewed further by the Planning and Zoning Commission, a decision can be made whether to opt out of adopting the state's language, as well as deciding to make amendments to the town's current regulations, *Page 2. Madison Planning and Zoning Commission, Regular Meeting, Nov. 4, 2021*

if desired. Public Act 21-29 becomes effective Jan. 1, 2022, and towns have until Jan. 1, 2023 to decide to opt out of the state's language; opting out requires a two-thirds vote, according to Ms. Mannix. If the commission does not opt out of the state's language in Public Act 21-29, the town's existing regulations on accessory apartments become null and void, according to Ms. Mannix. Madison has done a great job in encouraging accessory apartments, she stated. In Madison's situation, there are not too many changes that would need to be made in the current accessory apartment regulations to match Public Act 21-29, according to Ms. Mannix. Historically, accessory apartments were in-law apartments, Chairman Clark stated. That doesn't apply anymore, he stated, adding that it is allowing anyone to have an income producing property in their home. The state statute is silent on owner occupied, Ms. Mannix stated. Even if the Planning and Zoning Commission adopted the majority of the language in the public act, it would still be able to incorporate owner occupied, she stated. Vice Chairman Matteson stated that he has property where he could build a new building, he could make it 1,000 square feet, and the result of that would be the town could see a lot more small structures being built to accommodate another person or another family. Vice Chairman Matteson stated that he would have no objection to changing Madison's accessory apartment regulations, but it needs to be owner occupied in one of the units. Language as to septic system capacity and any requirements for private wells or private sewage systems would have to be upheld, Mr. Mannix stated, adding that she can create some language that complies with the state language, as well as incorporate the owner occupied language, provided it would be legal to include it, which is something she plans to check.

PENDING APPLICATIONS:

21-20+CSP. Wildwood Avenue. Map 54, Lot 21, RU-1 District. Owners: Hilary & Michael Delaney; Applicants: Hilary & Michael Delaney. Application for a 3 lot subdivision. (Tabled to 11/18/21 meeting.)

The Inland Wetlands and Watercourses Agency has tabled this application until Dec. 6, 2021, so Town Planner Erin Mannix asked that the Planning and Zoning Commission table the application until Dec. 16, 2021, instead of Nov. 18, 2021. The application is tabled until Dec. 16, 2021.

21-21. Regulation Amendment. Applicant: 14 Railroad Avenue, LLC. Petition for Regulation Amendment to Madison Zoning Regulations 6.2.3 to include new sub section (o) (Public Hearing set for 11/18/21.)

21-23+CSP. 92 Scotland Avenue. Map 39, Lot 37, R-2 District. Owner/Applicant 92 Scotland, LLC; Site Plan Review application for a proposed affordable housing development under C.G.S. 8-30g, to construct six residential dwelling units and associated site improvements. Application also includes a Coastal Site Plan Review. (Public Hearing set for 11/18/21.)

To meet the state statute 65-day requirements, this public hearing could take place at the Planning and Zoning Commission's Dec. 6, 2021 meeting, rather than originally set for Nov. 18, 2021, according to Town Planner Erin Mannix. The public hearing for 92 Scotland Avenue will be Dec. 2, 2021.

REMARKS: Commissioner Chair ~ None. Town Planner ~ None.

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ADJOURNMENT:

Vice Chairman Matteson made the motion to adjourn at 8:07 p.m.; it was seconded by Secretary Hitchcock and unanimously approved.

Vote to adjourn at 8:07 p.m. passed 8-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Matteson, Secretary Hitchcock, and Commissioners Mcdowall, Hay, Snow, Roos, and Bodinson.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,
Marlene H. Kennedy, clerk