Implementation of PA 21-29 Subcommittee

MINUTES

November 3, 2022

4:00 p.m. Main Level Meeting Room

ZONING COMM. PRESENT: Mrs. Andersen (Zoom) Mrs. Hill, Mr. Solley HOUSING COMM. PRESENT: Mrs. Gorra, Mr. Woodroofe ALSO PRESENT: Mr. Charles, Mr. Hileman

Mr. Solley called the meeting to order at 4:05 p.m. and noted the updated discussion document revised to 10/28/22 had been sent to the subcommittee members earlier in the week.

There was a general discussion regarding whether Multifamily Housing (MFH) should be prohibited in any of the zoning districts. Woodville: Mr. Solley favored eliminating the Woodville Business district due to its small size and limited septic capabilities. Mrs. Hill thought it should be permitted in Woodville so there would be the potential of converting existing commercial buildings to MFH. Mr. Woodroofe suggested MFH be permitted in as wide an area as possible and Mrs. Andersen thought there was no reason not to include it in Woodville as the Health Dept. would not allow MFH in areas with very limited septic capabilities. New Preston: At previous meetings it had been the consensus to prohibit MFH in the New Preston Business district. Mrs. Gorra thought if permitted here, existing commercial buildings might be converted to MFH. Mrs. Hill favored eliminating MFH from New Preston because of its historic character and proximity to the river. Farming-Residential: Mr. Solley supported permitting MFH developments throughout the entire R-1 district. He thought this would be fairer to residents than would creating discretionary MFH boundaries. He did note, however, that there are some parts of Town better suited for MFH and suggested greater density could be permitted on properties accessed by state highways. Lake Waramaug Residential: Mrs. Andersen noted the Health Dept. provides well and water protection and so asked if it would be fairer to open the entire Town, even the Lake Waramaug district, to MFH. The Green Residential: This district was included in those where MFH would not be permitted.

Maximum size of MFH developments was considered. Mr. Solley explained that at previous meetings 30 units accessed by a state highway and 20 units if accessed by a town road had been suggested. It was thought that some existing town roads were too narrow to accommodate MFH developments.

Whether to permit MFH developments by right, by site plan review, or by special permit was discussed. One possibility raised was to permit very small developments consisting of one building with a maximum of 4 units by right in the commercial districts and by site plan review in the R-1 district. However, it was noted the advantage of making MFH a use by special permit was that a hearing would be required and the public would have the opportunity to voice its opinions. The types of standards such as size, siting, architecture, etc. that would be reviewed in the special permit process were noted. Mr. Charles said that people fear change and so would want the opportunity to ask questions at a hearing. Mrs. Andersen thought density and soil based zoning would be issues to consider for all MFH applications and so all should require a public hearing. Mr. Solley noted that Atty. Zizka stated the courts look favorably on MFH permitted by right and that if small developments were allowed by right in the commercial districts, the zoning enforcement officer could refer any controversial applications to the Commission for review. Mrs. Hill said Atty. Zizka had explained the state thought in the past the special permit process had been used to deny MFH applications. Mr. Solley pointed out Washington’s existing regulations already require public hearings for uses such as detached accessory apartments and the conversion of older houses and so thought it made sense to continue with this procedure for MFH. Mr. Charles suggested the number of proposed units might be used to determine the type of application required, but Mr. Solley thought there were additional issues that should be considered when making this decision.

Mrs. Hill, who was taking the minutes, had to leave at 4:45 p.m. to attend another meeting. The subcommittee continued to discuss topics covered in the 10/28/22 discussion document with Mr. Charles and Mr. Hileman.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill