

ZONING COMMISSION  
NOANK FIRE DISTRICT  
10 WARD AVE NOANK, CT 06340

Minutes of the Regular Meeting

Date: May 23, 2023

A link to the recording of the meeting:

[https://1drv.ms/u/s!ApV\\_BVCbHuQwu3Q0H4LD4OkpEBEs?e=LAhiUC](https://1drv.ms/u/s!ApV_BVCbHuQwu3Q0H4LD4OkpEBEs?e=LAhiUC)

Call to Order: Chairman Rick Smith called the meeting to order at 7:00 PM.

Members Present: Dana Oviatt, Beth Steele (Vice Chairman), Rick Smith and Peter Drakos. Others: Janet Sutherland, Clerk.

Chairman's remarks: Smith discussed the Tarpon Towers III LLC proposal for a telecommunications facility, and emphasized that no application has been filed yet and cannot be until June 21, 2023. There is a 90-day consultation period that occurs first to inform municipalities. Smith added that a technical expert was hired to consider alternative sites.

A. Public Comment - Issues Not on the Agenda

Greenfield requested clarification regarding the Tarpon Towers cell tower timeline, particularly whether Noank lost their opportunity to comment on the proposed facility, Smith replied they had not. Smith explained once Noank begins the formal consultation process, then the first meeting date will be set. Noank Zoning Commission did schedule a public information session for June 1.

Liz Lanza of 12 Westview Ave commented on the misinformation regarding the cell tower on social media.

B. Public Hearing on Applications for Design Review - None

C. New Applications for Design Review - None

D. New Business - None

F. Old Business

1. Residential Renting Opportunities - Consideration of public comments from October 18, 2022 informal public information meeting and deliberation on enhancement of residential renting opportunities in Noank and potential ways to accomplish this goal.

Smith began the discussion, reminding the Commissioners of public comments from the October meeting, including submissions via email. Members of the

public who had submitted comments via email were invited to participate in the discussion. Smith questioned whether the Commission was prepared and willing to pursue amendments to promote residential renting opportunities.

Oviatt commented on the public interest in exploring residential renting opportunities and added his favor in pursuing. Oviatt suggested regulation amendments be separate for attached and unattached Accessory Dwelling Units (ADUs), adding topics such as parking could apply to both. Oviatt further suggested regulating attached ADUs may be easier than unattached.

Steele commented favor in enhancing residential renting opportunities. Drakos also commented his favor, citing the current Zoning Regulations purposes to lessen street congestion, prevent overcrowding of land, prevent undue concentration of the population, and regulate population density. Drakos encouraged the development of housing opportunities for all citizens.

Smith then referenced a spreadsheet made of potential regulation alterations that would be discussed amongst the Commission.

Smith opened the floor to Nip Tanner to discuss a spreadsheet provided by the Town of Groton that included extensive data on all village properties. Currently, 33 residential properties in the village have more than one dwelling unit on their property, with 224 total dwelling units within the village. Of these 33 residences, most have two dwelling units, one has four dwellings, and one has seven. These 33 properties provide 78 dwelling units within the village. Current regulations require a minimum of 850 sq ft, but six dwelling units are smaller than this. Tanner added the average lot coverage required for an ADU is 10,000 sq ft. Currently in the village, the average lot size is 7,400 sq ft and median 5,900 sq ft. Tanner commented that 61 properties currently have an accessory unit that could be converted to an approved accessory dwelling unit, yet only 20 meet the 850 sq ft minimum floor size required for a dwelling unit.

Smith asked about the minimum floor size for a retirement center, Tanner responded it was included in Section 17.1 of the regulations. Drakos questioned the relevance, Smith responded to get a sense of livability within the district. Tanner stated the minimum floor size for a retirement center is 400 sq ft.

Oviatt asked how many of the 33 village properties with ADUs were detached, Tanner replied five.

Smith stated the necessity for new units to complete Architectural Design Review as specified in the regulations. Units would additionally have to be code compliant and complete with water, sewer and electric.

Drakos questioned the origin of the current 850 sq ft minimum floor size requirement, and why that specific number was agreed upon. Smith responded perhaps to avoid larger developments. Tanner added the typical property in

Noank was a Greek Revival built in the mid-1800s and averaged between 1700 to 1900 sq ft, therefore if subdivided the average is approximately 850 sq ft.

Drakos referenced the Stonington Zoning Regulations as being particularly well written. Smith agreed and commented on the wide range in minimum floor size, being 300 to 1100 sq ft. Oviatt questioned Steele's suggestion of 550 sq ft, Steele responded it was adequate space for comfortable living conditions. The Commission began discussing specific topics on the spreadsheet provided by Smith.

Requiring a permit or fee for ADUs: Smith stated this idea was suggested by Powell, and would allow for better regulating of ADUs. Steele proposed a Certificate of Occupancy and asked if a fee was required.

Number of ADUs per lot in addition to a Personal Dwelling Unit (PDU). Steele preferred just one, Drakos agreed. Oviatt questioned whether a property could have one attached and one detached dwelling unit in addition to their PDU, adding the potential need for different regulations in each zoning district. Smith suggested allowing only one ADU per property in the village to reduce congestion.

Two family dwellings allowed as of right: Drakos referenced Section 2.13 in the regulations regarding conversion of Existing Dwelling. Commissioners discussed pre-existing non-conforming dwellings agreeing that altering the minimum requirement for lot coverage and/or the need for a property to have been construction prior to 1965 could allow for additional ADUs. Tanner added that of the 224 residential properties within the village, only 37 have the required 20,000 square foot minimum lot coverage.

Minimum ADU floor size in square feet: On the spreadsheet provided to Commissioners, Smith and Powell suggested 700 sq ft, and Steele suggested 550 sq ft. Drakos commented the lot size caused greater restrictions. Smith noted number is significant to people searching for affordable housing, but also those who wish to keep the character of Noank.

Minimum Lot Size in square feet: Smith suggested 7,500 and Steele 5,000 sq ft. Smith commented that 10,000 sq ft was perhaps too large, Drakos added that few houses met this requirement. Steele recommended differing lot size requirements for PDUs compared to unattached units.

Number of parking spaces required in addition to PDU: All agreed upon one parking space. Oviatt questioned whether PDUs with insufficient space for additional parking could create cutouts into property, Smith responded that Stonington's regulations did not allow this. Smith mentioned Steve Pendery's idea from the October meeting to allow for owners with additional parking spaces to rent to those who need.

Should the owner live in one of the units: Steele commented that few rental properties were currently owner occupied, and questioned the ability to regulate this. Oviatt preferred owner occupied units, Steele questioned why, Oviatt responded it would prevent the misuse of ADUs as short-term rentals. Drakos noted that Stonington regulations require one unit to be owner occupied, but was against this requirement in Noank. Steele would not make this a requirement.

Prevent on non-conforming lots (NCL): Steele suggested there be a distinction between attached and detached ADUs as smaller lots may not allow for a separate structure.

Allow on NCL if setback and limits are compliant: Smith and Powell noted yes in spreadsheet. Drakos commented a new structure would have to meet setbacks, and no conforming structures would have to meet setback requirements.

Number of bedrooms in an ADU: Smith and Powell noted two on spreadsheet. Oviatt, Steele and Drakos were comfortable with two as well.

Should separate structures require special permits: Smith and Steele yes on spreadsheet. Commissioners decided to continue this discussion at a later meeting.

Maximum height required for ADUs: Stonington requires 30 feet, Smith proposed 20 ft, Drakos agreed.

Should ADUs be architecturally consistent with PDUs: Steele said yes, Smith agreed yes. Oviatt noted that several garages and sheds passed architectural design while being inconsistent with the design of the main dwelling.

Should ADUs include a bathroom and kitchen: Drakos commented yes and added the regulations require it for a dwelling unit. Steele added they should require a full kitchen and bathroom.

Should ADUs be code compliant: All agreed yes.

Oviatt encouraged the Commissioners to keep residential renting topic open to public comment while creating regulations. Smith added the public should email [nfdzoning@gmail.com](mailto:nfdzoning@gmail.com) with any comments or questions on topic, and there would be a public information session in the near future.

2. Tarpon Towers - Discussion of meeting parameters for June 1, 2023 special meeting.

Smith commented a meeting was set for June 1 where the public is invited to speak for a maximum of three minutes. The Commission would be accepting idea for an alternative site at the meeting. Drakos added the Noank Fire District hired a technical consultant for this as well.

3. Approval of Meeting Minutes - The minutes of the Regular Meeting of April 18, 2023 were approved without objection.

4. The ZEO report for April 2023 was received.

**Motion to Adjourn carried unanimously at 9:01pm (Steele/Drakos).**

Respectfully submitted,

Janet Sutherland  
Clerk, Noank Zoning Commission