

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

Minutes of the Regular Meeting

Date: September 19, 2023

A link to the recording of the meeting:

https://1drv.ms/u/s!ApV_BVCbHuQwvW4uSKnsl9qxVmww?e=mrfoVh

[Times shown correspond to recording.]

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.

A. Chairman's Remarks - Smith detailed the upcoming public meeting hosted by Tarpon Towers at the Marriott in Groton on Monday, September 25. Smith recommended a format for Tarpon to follow at the meeting - starting with a presentation from Tarpon, comments from elected officials, followed by public comments.

B. Public Comment - Issues Not on the Agenda - None

C. Public Hearing on Applications for Design Review - None

D. New Applications for Design Review - None

E. New Business - [4:30]

1. Receipt of Application for Municipal Coastal Site Plan Review - Docko, Inc. for the property of the Town of Groton, Parks & Recreation Department at Spicer Park, 29 Spicer Avenue for stone wharf modifications, for potential consideration at the October 17, 2023 meeting.

Keith Neilson of Docko, Inc. discussed the Application to facilitate improvements to the rowing dock facilities at Spicer Park located on Beebe Cove. The current stone wharf is more than a century old and has suffered from significant deterioration, including loss of stones and fill. Project to encapsulate wharf with concrete shell and cap as approved by DEEP. There will be a small concrete landing with a brush finish meeting ADA (American's with Disabilities Act) standards. A porous paver made of stone dust will create an ADA compliant pathway.

Neilson referenced the Site Plan shown with existing and proposed conditions for the wharf. The portion of the project requiring Zoning approval lays above the Coastal Jurisdiction Line. The Town of Groton reviewed the project to

ensure code compliance, stated Neilson, then added ADA access is mandatory for this site as it is on town property. The Town of Groton and Docko, Inc. agreed the proposed path best avoids interfering with existing boat storage, and would avoid rowing shells.

Neilson mentioned this project had already taken two years since it was State funded and required a flood management certificate. Drakos asked where the ADA compliant parking space would be located, Neilson referred to Site Plan. Drakos then asked if any boulders would be moved, Neilson responded just some immediately to the east of the current staircase. Drakos had a few clarifications, then concluded the proposed stone wharf would be a beautiful improvement.

[10:10] Smith commented on his discussion with ZEO Bill Mulholland regarding the Coastal Site Plan Review. Both agreed it was a minor application that would not require a Public Hearing or consultation with DEEP. Smith then referred to the commissioners to endorse or discuss further. All agreed there was no need for further consultation or Public Hearing.

Motion to receive application carried unanimously, 4:0.

The Coastal Site Plan Review for stone wharf improvements at Spicer Park was scheduled for the October 17th Regular Meeting.

F. Old Business -

1. Residential Renting Opportunities - Consideration and deliberation on enhancement of residential renting opportunities in Noank and potential ways to accomplish this goal.

[13:31] Smith detailed the commissioners proposed regulation changes discussed in previous meetings. Oviatt recommended separate regulations for attached and detached ADUs to be presented to the Fire District Attorney John Casey, and then hold a Public Hearing. Commissioners agreed to focus on potential regulation adjustments for attached Accessory Dwelling Units (ADUs) in the Village of Noank.

2.13 CONVERSION OF EXISTING DWELLINGS - Any single-family dwelling in the Fire District, existing as of April 19, 1965, may be converted to contain not more than two single-family dwelling units, provided that each dwelling unit shall contain the required 850 square feet of floor area and provided further that the lot area shall be not less than 10,000 square feet per family unit and that the provision of an adequate sanitary sewerage system shall have been approved by the Director of Health of the Town of Groton. Parking requirements of Section 9 (OFF-STREET PARKING) must be met.

Oviatt commented on several agreements that were made during the previous meeting. Potential agreements included: one ADU per property that requires a 550 sq ft minimum unit floor size, minimum 5,000 sq ft lot size, one parking space, having a two-bedroom maximum, and conform to Regulations lot coverage. Smith detailed non-conforming pre-existing lots and the need for equal treatment.

Drakos expressed his concern for allowing ADUs on smaller lots as this would increase density. Steele responded that density would be an issue for most homes within the village. Smith noted the Executive Committee suggested they would address the issue of overcrowding if it should arise. Oviatt stated overcrowding is inevitable as there are 550 boating slips at marinas bringing numerous boaters into the village every summer, therefore ADUs should not be restricted for local families. Drakos added it would depend on the increase in density. Smith noted the enormous pre-existing use of traffic due to marinas, and added an increase in population density could potentially add value to the community. [32:55] Smith encouraged commissioners to reference the list provided to have clear and coherent suggestions prior to a public meeting. Smith noted the town attorney Casey could assist the Commission with numerical changes to Section 2.13 of the Zoning Regulations, as in minimum lot size requirements.

Drakos queried the April 19, 1965 changes and any public comment made. Smith suggested lot size changes. Oviatt replied the numbers were arbitrary for an attached in-home ADU as they would not affect overall floor or lot sizes. [44:32] Smith responded that many non-conforming homes and lots within the RV (Residential Village) district are smaller than the current requirement of a 20,000 sq ft lot. Smith discussed Oviatt's suggestion of 5,000 sq ft lot size per attached ADU, as this would allow for more currently non-conforming lots to have an ADU. [47:50]

Drakos questioned whether each ADU apartment would require a kitchen and facilities, Smith replied yes. Steele commented a reduction in the min lot size to 10,000 sq ft would not enhance ADUs for most owners, and asked whether Smith discussed this with Casey, he replied no. Steele further expressed interest in Casey's input regarding this subject. [52:05]

Oviatt noted that Section 2.13 also mentions minimum floor size requirements. Smith stated this number could be reduced and not lot size, then suggested a minimum of 500 sq ft per ADU.

[55:41] Drakos questioned whether the Fire Department would need to be contacted regarding accessibility for new ADUs. Drakos and Smith then discussed current parking requirements of two spots for the principal dwelling unit and one additional parking spot for an ADU (Section 9 - Off-Street Parking).

Smith suggested the number of parking spots equal the number of bedrooms or adults in each household, Drakos replied this could reduce the ability to create more ADUs.

Minimum lot size - Smith referenced the commissioners consensus of 5,000 sq ft per family. Drakos asked if this change would go for public review, Smith replied yes.

Lot coverage - Smith noted since no additional structure was to be added, lot coverage is not relevant.

Parking spaces - Smith suggested two spaces per ADU and get public feedback. Drakos and Steele agreed with two spaces. Oviatt commented his opposition as two spaces is a lot for many homes. Drakos added the Fire Chief should decide on parking. 8:04

Owner must live in one of the units [1:06:06] - Drakos repeated his position that the Executive Committee should regulate this and not Zoning. Smith replied this requirement was suggested to avoid the problem of short-term rentals. Smith referenced Casey's advice on the difficulty of regulating owner occupied units. All agreed to leave this requirement out.

Prevent on non-conforming lots - Commissioners previously discuss this and agreed it was too restrictive. All agreed to leave this requirement out of the spreadsheet.

Allow on non-conforming lot setback? - Smith noted this was not relevant as the focus is on attached ADUs.

Must have bath and kitchen - all agree yes. [1:15:33]

Code compliance - all agree yes.

Access / Entry doorway on rear or side - Smith referenced Stonington Regulations for extra stairs and doors for beautification. Steele commented yes this should be regulated - code compliance would require an egress unless all stairs are contained within the home. Steele asked whether the Fire Code required an exterior staircase, and how would that affect a property which has already exceeded its allowable footprint. [1:22:29] Drakos replied new stairs must comply with coverage requirements.

Curb cuts - Stonington Regulations state new parking spaces must be made in existing cutouts or from a side street. All agreed issue was minimal and should be left out.

[1:28:04] Smith concluded with the spreadsheet list, then added a public

meeting could be held during the October 17 Regular Meeting if revisions are completed.

2. Approval of Meeting Minutes - The minutes of the Regular Meeting of July 18, 2023 were approved without objection.
3. The ZEO Reports for July and August 2023 were received.

Motion to Adjourn carried unanimously at 8:32pm.

Respectfully submitted,
Janet Sutherland
Commission Clerk