

ZONING COMMISSION
NOANK FIRE DISTRICT 1
10 WARD AVENUE
NOANK, CT 06340

Approved Minutes of the Regular Meeting

Date: Tuesday, May 25, 2021

Consistent with Governor Ned Lamont's directives on the use of remote meeting technology during the coronavirus pandemic, this meeting was held remotely via the "Zoom App." The recording is available at the following link:

<https://www.youtube.com/playlist?list=PLp4s6RQGCh5T9I68DGPVVGpN4hWxQqRqQ>

All meeting documents are available at the following link, and can be accessed from a laptop or desktop computer without a Microsoft user account or password. Use of a mobile phone may require establishing an account.

https://1drv.ms/u/s!ApV_BVCbHuQwkULbg0hF5ZkGHjjd?e=rMY3uA

Commission Members present: Rick Smith (Chair), Beth Steele (Vice-Chair), Art Tanner, Dana Oviatt, Blake Powell, Alternate Larry Dunn, Alternate Lynne Marshall
New Alternates: Maryellen Furlong, Hansina Wright

The Chairman read the rules for holding remote meetings into the record.

A. Call to Order: The meeting was called to order at 7:00 pm

B. General Comments: Issues not on the agenda: None

C. Applications for Design Review:

1. Consideration of an Application for a Certificate of Design Appropriateness of Tea House LLC, C.. Ronald & Rebecca Bizick, to construct a 5'x12' dormer on the second floor of the home at 25 Palmer Court.

Application Presentation by: Ronald Bizick

Chairman Smith: Questions on the application? None noted

Action: Motion (Commissioner Beth Steele/Commissioner Art Tanner)

to approve based on the potential impact on neighborhood architectural harmony and character, property values, historical integrity and/or public health and safety, the level of review deemed appropriate for this application is a site plan review under Section 2.26.6.5, and to both waive all specific

submittal requirements that are not included in this application because they would not aid the Commission in its determination of the application's compliance with Section 2.26 and to accept the application submitted as complete, and to approve the application of Ronald & Rebecca Bizick for a Certificate of Design Appropriateness to construct a 5' x 12' dormer on the second floor of the home at 25 Palmer Court because it meets the criteria set forth in Section 2.26 of the zoning ordinance for the Noank Fire District.

Discussion/Comments on the motion: Commissioner Tanner complimented Mr. Bizick on a complete application.

Approved: 5:0

2. Consideration of an Application for a Certificate of Design Appropriateness of John Lockwood to renovate and expand the existing home at 93 Pearl Street.

Action: Commissioners Blake Powell and Beth Steele and Alternate Lynne Marshall recused themselves based upon the proximity of their property to the subject property.

Application Presentation by: John Lockwood

Action: Commissioner Blake Powell and Commissioner Beth Steel recused themselves based on the proximity of their properties to the subject property.

Alternate Larry Dunn was seated for Beth Steele allowing for 4 voting members

Chairman Smith: Questions on the application?

Commissioner Oviatt asked for clarification concerning height limitations, the material that will be used for the chimney, front and rear deck materials, what will be done with the shed that is on the property and the windows not being divided lights windows.

Alternate Larry Dunn asked if the size of the deck was being reduced and if all of the siding was going to be removed from the home.

Commissioner Art Tanner complimented Mr. Lockwood on a very thorough presentation.

Mr. Lockwood provided clarification and discussion ensued concerning the windows not being divided lights windows.

Action: Motion (Commissioner Art Tanner/Commissioner Larry Dunn seated for Commissioner Steele) to approve based on the potential impact on neighborhood architectural harmony and character, property values, historical integrity and/or public health and safety, the level of review deemed appropriate for this application is a site plan review under Section 2.26.6.5, and to both waive all specific submittal requirements that are not included in this application because they would not aid the Commission in its determination of the application's compliance with Section 2.26 and to accept the application submitted as complete, and to approve the application of Ronald & Rebecca Bizick for a Certificate of Design Appropriateness to renovate and expand the existing home at 93 Pearl Street because it meets the criteria set forth in Section 2.26 of the zoning ordinance for the Noank Fire District.

Chairman Smith: Discussion/Comments on the motion?

Commissioner Oviatt asked what the consensus was concerning the windows not being divided lights.

Discussion took place and Mr. Lockwood mentioned several houses in the vicinity that did not have divided lights windows.

Chairman Smith: Is there a motion to amend the motion and add a condition requiring divided lights windows? None of the Commissioners moved.

Roll Call Vote:

Commissioner Tanner: Aye

Commissioner Oviatt: Aye

Commissioner Dunn seated for Commissioner Steele: Aye

Commissioner Smith: Aye

Approved 4:0

Commissioners Blake Powell and Beth Steele and Alternate Lynne Marshall brought back to the table.
Alternate Larry Dunn

D: Review of Minutes: Regular Meeting of April 20, 2021 – **Approved without objection**
Special Meeting of May 11, 2021 – Not submitted for approval

E. Zoning Enforcement Officer Report: April, 2021 - **Approved without objection**

F. Old Business:

1. Chairman Smith recapped for the Commissioners the revisions he and ZEO Bill Mulholland had made to the Application Requirements for Architectural Design, Section 2.26 and noted that Commissioner Tanner had included instructions for applicants to access the Town of Groton GIS System to map property boundaries. He stated that Commissioner Tanner also suggested applicants provide a rough site plan with their application packet. Chairman Smith asked if anyone had any comments on the revisions and if the Commissioners were agreeable to he and Mr. Mulholland continuing on with the addition of the rough site plan requirement.
None objected.
2. Chairman Smith stated that a decision needed to be made about when to begin the text amendment process for revising the FEMA 10-year look-back rule and asked for scheduling suggestions.
Commissioner Steele suggested whatever time frame worked for Chairman Smith would be fine with her. None of the other Commissioners had any objection.
3. Chairman Smith stated that the workshop with the Town of Groton and interested parties regarding a potential revised application for sand nourishment at the Esker point Beach Volleyball courts would take place prior to the Town's application submission. He asked Commissioners for comments on the scheduling of the workshop.
Discussion took place among the Commissioners including the format of the workshop. Chairman Smith explained that it would be a workshop noticed as a Special Meeting of the Commission in order to get a better sense of what the Town is proposing in a non-regulatory environment. Discussion went on concerning what the Commission's involvement would be. Chairman Smith will reach out to Counsel Casey and ZEO Bill Mulholland to discuss the role of the Commission in this matter.

At this point, for the record, Chairman Smith announced that once Commissioners Steele and Powell came back to the table, Alternate Larry Dunn seated for Commissioner Steele, stepped back into Alternate position so when requesting comments on this subject, it's Commissioner Tanner, Commissioner Oviatt, Commissioner Steele, Commissioner Powell and Commissioner Smith who can comment.

Chairman Smith asked if the Commissioner were agreeable to him reaching out to the Town to ask if a timeframe of late July/early August fits their need. All indicated they were agreeable.

4. Chairman Smith announced that he had secured the Noank Baptist Church for the Special Public Input Meeting on Short Term Rentals. He asked if the Commissioners were all agreeable to a date during the last week of June, 2021.

Discussion took place as to the Commissioner's availability and the intention of having the meeting take place over the course of 1 night, that the format of the meeting not include debate and that written comments are appropriate and encouraged.

Chairman Smith stated that he would get in touch with the church to inquire what the time limit will be for use of the church for the meeting.

Discussion then began with reference to the ground rules for commenter's representative speakers. Suggestions included allowing 3 minutes per person represented, 3 minutes regardless of how many residents are being represented. At this point, Chairman Smith stated that he would get in touch with Counsel Casey to ask how to deal with attorney/representative input. Next, the discussion went on to what the ground rules would be for limiting the time commenters will speak. Propositions included allowing 3 minutes per person for commenting 3 minutes per property owned, defining property owner and residents with respect to placing limits on their input. Chairman Smith explained that the goal is to try to allow 1 commenter per property with emphasis being placed on allowing those who have an interest to speak on their own behalf for 3 minutes.

Smith explained that the expectation is that 1 person will speak per property and each person who speaks will have 3 minutes to speak, including attorneys or representatives speaking on behalf of other residents or property owners. It was decided that the order of speakers would be on a first come, first served basis beginning with those commenters who register through email and ending with those who sign up at the church on the night of the meeting, if time permits.

All Commissioners agreed with goals and expectations expressed by Chairman Smith.

Next Chairman Smith described the packet that will go out to the public as the Meeting Announcement, Statement of Expectation, re-drafted Rules of Engagement and the document itself. He asked if the Commissioners had any objection to the packet description. None were noted.

G. New Business:

1. Discussion took place concerning the role of alternates going forward. Chairman Smith noted, for the record, that it has been the long-standing practice of the Commission to allow alternates to participate in the debate but not to vote, unless they're seated for an absent or recused Commissioner; alternates serve and participate at the will of the Chairman and the Commission. Commissioner Tanner said that he favors the historical role of alternates being spectators unless seated for an absent or recused Commissioner.

Discussion continued stating that the input alternates have provided throughout the process of drafting the Short Term Rental Regulations has been invaluable but at this point in the process, decisions need to be made and voting needs to take place by the five elected Commissioners.

Chairman Smith noted that Counsel Casey had given similar advice earlier in the process.

Action: Motion: (Commissioner Tanner/Commissioner Steele)

to postpone this decision until the next NZC meeting and vote at that meeting,

Approved: 5:0

Chairman Smith: Discussion on the motion? None noted

Roll Call:

Commissioner Oviatt: Aye

Commissioner Steele: Aye

Commissioner Tanner: Aye

Commissioner Smith: Aye

Commissioner Powell: Aye

Action: Motion (Commissioner Steele/Commissioner Powell)

Approved 5:0

Adjournment: Meeting adjourned at 9:12 p.m.

Recorded by: Susan Weber, Clerk