

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

Approved Minutes of the Regular Meeting

Date: Tuesday, June 15, 2021

Location: Noank Fire House, 10 Ward Avenue, Noank

Commission Members present: Rick Smith, Beth Steele, Arthur Tanner, Dana Oviatt, Alternate Larry Dunn, New Alternate Hansina Wright, New Alternate Mary Ellen Furlong, Clerk Sue Weber

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

B. Public Hearing: None

C. Public Comment: A citizen commented that he thought the Commission should use terms that are more supportive of the community. He also felt they should “think long and hard” before going into Executive Session.

D. Applications for Architectural Design Review

1. Application of Advanced Improvement, Inc. for a Certificate of Design Appropriateness to construct a second story dormer for a bathroom at 23 Prospect Hill Road

Bill O’Donnell of Advanced Improvement, Inc. gave his presentation.

**Action: Motion (Steele/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 Bill O’Donnell for a certificate of design appropriateness to install a second story dormer for a bathroom at 23 Prospect Hill Road because it meets the criteria set forth in Section 2.26 of the zoning ordinance for the Noank Fire District.

**Approved: 5:0**

E. Approval of Meeting Minutes

1. \*Special Meeting of May 11, 2021 – Approved without objection
2. Regular Meeting of May 25, 2021 – Not complete – move to July agenda  
\*Commissioner Tanner commented that he felt the minutes were too long and read like a transcript. He prefers relatively brief minutes with no dialogue.

F. Approval of ZEO Report – May 2021

Chairman Smith informed the Commission that there were items on the ZEO report that Bill Mullholland needed to check on and he felt it best to postpone the approval of the May ZEO Report and put it on the July agenda.

Seeing no objection, the Approval of the May ZEO Report is postponed until the July, 2021 NZC Regular Meeting.

## G. Old Business

### 1. Public Input Process for Special Meeting to Obtain Informal Public Comment – July 8, 2021

#### Discussion:

Chairman Smith informed Commissioners that he would be meeting with the church administrators to discuss logistics for the meeting. It was agreed that the Commissioners would all be positioned at a table at the front of the sanctuary so they can see and acknowledge commenters.

### 2. Potential Discussion of STR Issues No comments from Commissioners

### 3. Status of Workshop for Esker Point Beach Volleyball Court Maintenance

#### Discussion:

Chairman Smith commented concerning potential dates for the Workshop as well as the possibility of holding the workshop as a hybrid meeting, Zoom/In-Person, mentioning that Kristen Negaard lives abroad and is unable to attend and inquired as to whether there will be a way for her to participate. He stated that Counsel Casey informed him that there is a privilege under the FOIA law that allows for that type of interaction; however, the opportunity to participate has to be announced to the public and available for all. Comments included the importance of a consistent approach, picking a policy and applying it to all projects without making exceptions.

Discussion also included what the Noank Zoning Commission's involvement should be at the Workshop and the importance of the Town being aware of what the Commission's feelings are without showing prejudice. Chairman Smith said the 2 questions on the table were:

1. How can the Zoning Commission be more involved in the Workshop?
2. Can the Zoning Commission restate their views at the end of the process?

It was suggested that Bill Mulholland, under Chairman Smith's direction, be reminded of what the Commission's concerns were with the initial application in order to maximize the Zoning Commission's involvement.

### 4. 200' Boundary Issue and Information that would be Provided by Applicants

#### Discussion:

Chairman Smith stated that he felt the way the ordinance is written provides considerable latitude for the Zoning Commission to get the information needed and shows the intent of the Commission. Commissioners agreed that it was important for applications that were requesting expanding the footprint or adding structures to the property include a map or sketch, made to scale, indicating where the proposed structure will be relative to the boundary lines. All felt it would be useful to have an in-scale sketch so they understand what they're approving. Chairman Smith indicated that he would draft something for the Commissioners to review.

### 5. Status of Alternates

Chairman Smith asked Commissioners their thoughts on the role of the Alternate Commissioners following the July 8, 2021, Public Input Meeting.

#### Discussion:

Commissioner Oviatt urged the Commission to continue to allow Alternate Commissioners to be allowed to speak but not vote, stating the invaluable contributions made by Alternates

Dunn and Marshall. He added that the process could continue on and the Alternate's input would be important.

Commissioner Tanner stated that he agreed with Commissioner Oviatt's statements concerning the contributions made by Alternates Dunn and Marshall; but felt it was time for the five elected Commissioners to process and reach decisions without the input of the Alternates.

Commissioner Powell stated that he felt it was unfair to not include the new Alternates in the discussion; however, having the Alternates involved during the Short Term Rental discussions over the past two years was unusual and that his understanding was that at this point in the development, it would be "business as usual".

Commissioner Steele commented that she felt it was time for the five elected Commissioners to start working together as a cohesive group to get this to the finish line.

Commissioner Smith stated that the newly appointed Alternates have not had the benefit of being involved since the beginning in discussions so they would be having to play catch up and he feels this may be worrisome. His other thought was that it may be best to decide this matter following the July 8<sup>th</sup> meeting, when they will better be able to assess whether the time for development is actually nearing the end or if much more discussion is required.

It was decided that the motion stand.

**Action: Motion** (Tanner/Steele) that following the Special Meeting to Obtain Informal Public Comment scheduled for July 8, 2021, those subsequent discussions and decisions will be limited to the five elected Commissioners and any Alternates seated for absent Commissioners.

Comments on the motion: None

**Roll Call Vote:**

Commissioner Tanner:	Aye
Commissioner Steele:	Aye
Commissioner Oviatt:	No
Commissioner Powell:	Aye
Commissioner Smith:	No

**Approved: 3:2**

Commissioner Tanner encouraged the Alternate Commissioners to attend the July 8<sup>th</sup> meeting and all subsequent meetings so they stay up to speed, taking on the classic role and purpose of an Alternate Commissioner.

H. New Business: None

**Action: Motion** to adjourn (Steele/Powell) 7:49 PM

**Approved 5:0**

Respectfully submitted by:

Susan Weber, Clerk NZC