

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

Minutes of the Regular Meeting

Date: Tuesday, August 17, 2021

Location: Noank Fire House, 10 Ward Avenue, Noank

Commission Members present: Rick Smith (Chairman), Beth Steele (Vice Chairman), Arthur Tanner, Dana Oviatt.

A. Call to Order: The meeting was called to order at 7:00 PM. Chairman Smith announced that Commission Clerk Sue Weber, regrettably, had to resign. Smith lauded her performance over the past six months. Commissioner Tanner suggested a letter of appreciation might be in order and he so moved, seconded by Commissioner Steele. The motion passed unanimously and Commissioner Smith will write the letter.

B. Public Hearing: None

C. Public Comment: Paul Bates, Church Street, recommended that the Commission direct the ZEO to remind permit holders that they are required to post a notice, street-side of their property, of permitted work being done.

D. Applications for Architectural Design Review - None

E. Approval of Meeting Minutes

1. Special Meeting of July 8, 2021 - Approved without objection
2. Regular Meeting of July 20, 2021 - Approved without objection
3. Special Meeting of August 3, 2021 - Approved without objection

F. Approval of ZEO Reports – July 2021. A question was asked concerning the requirements for issuing a permit when a door is changed from the old version to the new, as a “like-for-like.” (house 73 Pearl—corner Pearl/ Palmer CT, double door replaced w/ single door). ZEO Mulholland noted that language in code “gives ZEO discretion” and reminded commission that it meets monthly and tries to “facilitate the smaller stuff.” Another question was asked regarding a house on Church Street whose deck was being demolished. ZEO Mulholland noted that Town of Groton issues demolition permits; however, both a Noank Zoning permit as well as a Town of Groton building permit are required before building a new deck. There was a brief discussion about determining what kinds of proposals should come before the commission in the future. The July ZEO report was then approved without objection.

G. Old Business

1. Consideration/Approval of STR Issues and Schedules

Chairman Smith described the schedule of actions required by statute in order to adopt a text amendment. The timeline could span five to seven months, requiring referrals for comment to state and local agencies, notification in the local newspaper, etc.

Discussion: No decisions were made, no motions offered.

2. Public Act 21-29 (www.cga.ct.gov/2021/act/Pa/pdf/2021PA-00029-R00HB-06107-PA.PDF): The chairman briefly described some of the key elements of the new (June 2021) law. He noted that the goals of the legislation were highly supportable, namely, to find a way to diminish housing segregation that has occurred over the past 70 years in Connecticut whereby lower income and racial and ethnic minority populations are precluded from living in certain neighborhoods. Implications for zoning commissions need to be considered.

An overarching provision authorizes an accessory apartment meeting certain standards on the lot of each single family residence “as-of-right.” This means that no public hearing or special permit is required, only a site plan and compliance with standards in the municipality’s ordinance (lot size, dwelling unit size, setbacks, height, etc.).

Specific to Noank’s recent activities, requirements should be investigated in context of the Commission’s current draft proposed ordinance on short term renting (STR) dated 4/20/21. Provisions related to parking and use of accessory apartments for short-term renting need to be considered.

Discussion: Concerns were voiced regarding the intersection of the requirement for accessory apartments and the Commission’s proposal dealing with STRs in apartments. The Commission needs to devote time to other issues as well, e.g. a provision which appears to state that zoning regulations shall not impose conditions on manufactured homes.

The Chairman noted that he would be discussing these and related subjects with the Commission’s Counsel. He also noted that “opt out” provisions in the new law would have to be considered in the near and longer-term future (1/1/22 for parking and 1/1/23 for accessory apartments, respectively).

Action: Motion (Tanner/Steele) to adjourn. 7:45 PM

Approved: 5:0

Submitted by

Rick Smith, Acting Clerk, NZC