

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

Approved Minutes of the Regular Meeting

Date: October 15, 2024

A link to the recording of the meeting: [Times correspond to the meeting recording]

[https://1drv.ms/u/c/30e41e9b50057f95/  
EQK7C25IIYtOtdeHY5I1aIMBldxUi3\\_C2zLuhfdcSZjPfg?e=Wl0x1v](https://1drv.ms/u/c/30e41e9b50057f95/EQK7C25IIYtOtdeHY5I1aIMBldxUi3_C2zLuhfdcSZjPfg?e=Wl0x1v)

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

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

A. Chairman's Remarks - None

B. Public Comment - Issues Not on the Agenda

Tom Olson, 188 Crosswinds Drive - appreciated the notice of Public Hearing.  
Recommended taking down the STR posting on Noank's website.

C. Public Hearing on Applications for Design Review - None

D. New Business -

1. **Architectural Design Review** - Application of Danielle Levasseur, Juliano's Pools on behalf of Tristan McDonald for a Certificate of Design Appropriateness to install a 16' x 28' rectangular inground pool with concrete patio and 4' safety fence at 33 Church Street.

Lauren of Juliano's Pools described the proposal and presented photos and plans. Commissioners asked about appearance from the street, lighting, fencing, decking, excavation, lot coverage and discussions with neighbors.

Smith asked for expressions of interest. None was expressed. The Commission determined the application was complete and a public hearing was not called for. The application was referred to the ZEO for final review and approval.

**MOTION (Oviatt/Drakos):** Mr. Oviatt moved and Mr. Drakos seconded that the Noank Zoning Commission find that the application of Danielle Levasseur, Juliano's Pools on behalf of Tristan McDonald for a Certificate of Design Appropriateness to install a 16' x 28' rectangular inground pool with concrete patio and 4' safety fence at 33 Church Street, Noank, is complete; and that based on Section 2.26.6.4 and the minor anticipated impact on neighborhood architectural harmony and character, property values, historical integrity,

and/or public health and safety, the Zoning Enforcement Officer, upon determination that the application satisfies all relevant design criteria, is authorized to issue a Certificate of Design Review Approval under Section 2.26.6.2; and that all specific submittal requirements that are not included in this application be waived because they would not aid the Commission in its determination of the application's compliance with Section 2.26.

There was no discussion on the motion. **Motion carried unanimously, 5:0:0.**

## **2. Discussion of Priorities for Consideration in 2025**

Smith passed out Attachment A. Chairman will ask ZEO Bill Mulholland about temporary structures. The short term rental amendment to be the highest priority followed by Accessory Dwelling Units.

E. Old Business - None

F. Approval of Minutes - Regular Meeting of September 17, 2024.

The Commission approved the deletion of two pages summarizing Counsel Casey's discussion and replaced it with the following three paragraphs:

"Commission Counsel John Casey explained the basis for and outcome of the recent Connecticut Supreme Court decision in Wihbey v. Pine Orchard Association ZBA. After commissioners' questions, Casey provided draft text indicating what a regulation amendment might look like to be consistent with the past decision of the Zoning Commission on short term renting, and to conform to the recent Supreme Court decision.

Commissioners asked questions on grandfathering (pre-existing uses), the possible need for a moratorium during development of a text amendment, features of the Wihbey case, and the definition of a family.

Proposed amendment language was distributed. Further questions were related to the issue of family and length of stay and whether this language would meet the requirements of the Supreme Court decision."

Commissioners decided that, in the future, the meeting minutes should only include the subject matter discussed, decisions, and public comments on matters not otherwise before the commission at that meeting. Interested parties can listen to the recording. Approval of the April minutes was reduced to the following:

Sutherland requested clarification of the record regarding the receipt and approval of the March minutes at the April meeting. All agreed no minutes were approved in April and the record would reflect that. The minutes of the April 16, 2024 meeting were approved with corrections.

**MOTION (Drakos / Steele): to approve the September 17, 2024 Minutes with amendments.** No discussion. **Motion carried unanimously, 5:0:0.**

G. The ZEO report for September 2024 was received.

H. Adjournment

**Motion (Powell / Drakos): to adjourn at 8:01 pm. Motion carried unanimously (5:0:0)**

Respectfully submitted,

Rick Smith, Chairman