

MIDDLEFIELD PLANNING & ZONING COMMISSION
405 Main Street
Middlefield, Connecticut 06455

Minutes of the April 26, 2023

Jan Wojas, called the meeting to order at 6:31 PM.

Attendance:

Members

Alternates

X	Brown, Jay arrived	X	Warner, Bill
X	Ekblade, Eric @6:54 pm	X	Wheeler, Scott
X	Hinsch, Ken	A	Ruffino, Taryn
A	Wojas, Jan	Others	
		X	Newton, Robin, Town Planner
		A	Curtis, Brian, Engineer
		X	Russ, Jerry, ZEO
		X	Yamartino, Bob, <i>ex officio member</i>

A=Absent

X=Present

Seating of Alternates

Bill Warner was seated for Ken Hinsch.

Public Comment

There was no public comment.

Receipt of Applications:

None

Public Hearing-

a. Update to Section 4.12 Accessory Dwelling Units

Public hearing was opened. The Town Planner gave a brief overview of the changes proposed to the Accessory Dwelling Units.

Chairman Wojas asked if any members of the public would like to speak. There were no public comments.

Jay Brown made a motion, seconded by Bill Warner, to close the public hearing. Hearing was closed unanimously.

b. Update to Section 4.3, Residential Permitted Uses to allow Two-Family Dwellings in the AG2 and MD Zones

Public hearing was opened. Town Planner Newton gave a brief overview of the proposal.

Commissioner Wheeler read into the record a Legal Opinion from Attorney Matt Willis regarding the changes to the Zoning Enabling Statute which have been updated to reflect that communities must allow for multifamily development.

The public hearing was opened to the public. **Concerns expressed included:**

1. The number of school aged children that two family dwellings would bring in;
2. If the Town could cap the number of units;
3. Open Space being affected by two-family dwellings;
4. Concern for two family being proposed in the AG2 and Md zoning districts;
5. Concern that a developer is going to come in and build a significant number of two family;
6. Percentage of parcels available for development of two family;
7. Concern with affordable housing;
8. Rental versus owner occupied;
9. Public Safety concerns;

Those in favor of the proposal stated the following:

1. The Town is in need of multifamily and affordable housing;
2. The Town needs diversity in housing and there already is a large number of two-family dwellings in Middlefield;
3. Appreciated the town taking steps to be compliant with State Laws;
4. Appreciates the Town being proactive with different housing types.

Town Planner Newton addressed some of the concerns expressed specifically the number of school age children generally associated with multifamily and how it is less than that of a traditional single-family home in addition to the decline in numbers of school aged children. She also clarified that this proposal was not an affordable housing proposal.

Additionally, Town Planner Newton indicated that State Law now prohibits capping the number of multifamily units within a municipality and that when you look at the actual developable parcels in the AG2 and MD that are otherwise unbuilt or not permanently protected there are not actual a large number of vacant parcels available. Building Official Jerry Russ also concurred with that statement regarding the lack of large numbers of parcels available for development.

First Selectman Bob Yamartino spoke regarding the Towns Affordable Housing Plan and the need for diversity regarding the types of housing in Middlefield. He also gave a brief overview of some work the EDC has been looking at for potential growth within Middlefield.

Jay Brown made a motion to close the public hearing. Scott Wheeler seconded the motion. Motion was carried. Bill Warner abstained.

c. Addition of Section 11.3 Temporary Events, Agricultural Regulations.

Public Hearing was opened. The Town Planner gave a brief overview of the proposal and the reason why this was being proposed. The feedback from the Regional Agricultural Commission was read for the record.

Public Comments:

1. Lori Hamilton stated she didn't feel we needed to regulate this.
2. Attorney John Corona gave an overview of the work that has been ongoing with Lyman Orchards specifically to diversify events on the Lyman property and how the regulations do not currently allow for temporary uses of any kind except for on the commercial portion of the property that has a Special Permit.

With no further comments, Bill Warner made a motion to close the public hearing. Jay Brown seconded the motion. Motion was carried unanimously.

d. Update to Section 5.6.2, Outdoor Recreational Facilities, Accessory Uses, Recreational Campgrounds

Public Hearing was opened.

Town Planner Newton gave an overview of the text amendment.

Comment was open to the Public. There was no public comment on this amendment.

Bill Warner made a motion to close the public hearing. Jay Brown seconded the motion. Motion was carried unanimously.

Old Business-

None

New Business

a. Update to Section 4.12 Accessory Dwelling Units

Jay Brown made a motion to approve the text amendment to Section 4.12 Accessory Dwelling Units with an effective date of May 26, 2023. Bill Warner seconded the motion. Motion was carried unanimously.

b. Update to Section 4.3, Residential Permitted Uses to allow Two-Family Dwellings in the AG2 and MD Zones

The Commission discussed the text amendment and comments made by the public. Commissioner Warner stated that the Commission should look into how many lots are available for potential development in those areas, possibly requiring a special permit, neighbor notification.

Bill Warner made a motion to withdraw the text amendment for two family dwellings. Jay Brown seconded the motion. Motion was carried unanimously.

c. Addition of Section 11.3 Temporary Events, Agricultural Regulations.

Bill Warner made a motion to approve the text amendment for Temporary Agricultural Events as written with an effective date of May 26, 2023. Jay Brown seconded the motion. Motion carried unanimously.

d. Update to Section 5.6.2, Outdoor Recreational Facilities, Accessory Uses, Recreational Campgrounds

Scott Wheeler made a motion to update Section 5.6.2 to include Recreational Campgrounds with an effective date of May 26, 2023. Jay Brown seconded the motion. Motion carried unanimously.

Report of the ZEO

Jerry Russ gave a brief overview of ongoing construction activities and violations.

Report of the Town Planner:

No report.

Chairman's Report

Chairman Wojas informed the Commission that this meeting was his last meeting as he submitted his letter of resignation. First Selectman Bob Yamartino addressed the Commission and thanked Chairman Wojas for his service to the Town.

Approval of Minutes- February 22, 2023 & March 22, 2023

Scott Wheeler made a motion to approve the minutes from February 22, 2023. Bill Warner seconded the motion. Motion carried. Jay Brown abstained.

Jay Brown made a motion to approve the minutes from March 22, 2023. Eric Ekblade seconded the motion. Motion was carried unanimously.

Scheduling of Hearings

None

Adjournment

Scott Wheeler made a motion to adjourn the meeting. Jay Brown seconded the motion. The motion carried unanimously. The meeting was adjourned at 8:27 PM.

Respectfully submitted,

Robin Newton
Robin Newton, AICP, CZEO
Town Planner