

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

Minutes of the December 21, 2020 Special Meeting

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

**Attendance:**

Members		Alternates	
X	Brown, Jay	X	Warner, Bill
X	Ekblade, Eric		
X	Hinsch, Ken		
X	Pizzo, Paul	Others	
X	Wojas, Jan	X	Newton, Robin
		A	Curtis, Brian
		X	Russ, Jerry
		X	Bailey, Ed, <i>ex officio member</i>

A=Absent

X=Present

Bill Warner was seated for Jay Brown.

**Public Comment**

NONE

Jay Brown joined the meeting at 6:35 p.m.

**Public Hearing**

1. For the reorganization of the Middlefield Planning and Zoning Regulations.

Chairman Wojas opened the public hearing. Town Planner Newton read the Legal Notice into the record. Ms. Newton explained that this request was simply a reorganization of the Zoning Regulations to be more user-friendly. It includes a searchable and linked Table of Contents. There are no changes in content.

Chairman Wojas opened up the hearing for public comment.

Mary Johnson- Way Road- opposed to the Board taken any actions on the agenda items until such time as a “real” meeting can be made in person. Ms. Johnson stated was only informed and saw the legal notice on the 16<sup>th</sup> and she has not had a chance to compare the proposed regulations to the current regulations. She stated it seems that it is being rushed and vehemently objects to making any changes to the regulations in the middle of a pandemic. She thinks the Town has bigger fish to fry at the moment.

Commissioner Brown asked what are these other fish we have to fry?

Ms. Johnson stated the roof on the firehouse is leaking. Commissioner Brown asked how that effects Zoning? Ms. Johnson stated No but she thinks we should be concentrating on other things in Town and not revamping, revising and changing up all of our Zoning Regulations in the middle of a pandemic. The fact that there is only two people on this meeting goes to show that how unaware the Townspeople are. Normally when the Town is talking about making changes to the Zoning Regulations the room is packed. At least people want to come and hear what is going on. But the fact that it was only her and some other unknown member of the public goes to show that people don't know this is happening. It's four days to Christmas in the middle of a pandemic. People are worried about other things besides Planning and Zoning and they are not able to give due attention to what is before the Board and make comments. She thinks it is a bad idea and she thinks all these should be tabled and plan an article for the Town Times to let people know that things are happening and that you want to make these changes, it is just crazy.

Chairman Wojas asked if she had a chance to review the documents? Ms. Johnson stated she started reading about the non-conforming lots because she felt this might have the biggest impact on Town. How we treat interior lots and non-conforming lots. Although it seems the Town is already given out permits for non-conforming lots down the street as it is on the corner of Baileyville Road and Lakeview Place. There is a house going up that is probably finished by now that doesn't have 60-foot setbacks on the two road sides or 10 feet on the other sides. It also looks to her to be far bigger for lot coverage than normally would be allowed and I think you are going to say they are on the sewer and that it is ok. West if 147 gets their own set of rules versus the rest of the Town.

Chairman Wojas asked what she based her opinion on? Ms. Johnson responded that it is not a 2-acre lot and they are building a house. Chairman Wojas asked the Building/Zoning Official Jerry Russ to comment.

Ms. Russ indicated this was an approved lot with a designed septic system even though it is on the sewer. This lot is also in a HD1 zone which only requires 30' setbacks. Mr. Russ indicated there was due diligence involved in approving this lot.

This lot does meet all the engineering requirement and setbacks for the zone.

Mr. Russ asked the Town Planner when the meeting was posted and when the information was placed on the website.

Ms. Newton stated that the regulations have been being worked on throughout the entire year. Ms. Newton indicated the regulation reorganization currently being discussed started in January and continued to discuss all the rest of the item on here at all the other meetings we have held. The statement that this is the first notice of these changes is not a correct statement. These regulation changes have been up on the website since November, they were posted in the paper with what is in line for Connecticut General Statutes. The legal notice could not have been done any earlier or it would not have been in line with the statutory requirements. The Commission approved these changes and set the public hearing at the October meeting. Additionally, as indicated the regulation being currently discussed has no changes it is a reorganization and a link to the table of contents. The other regulation changes are changes to the text of the regulations and shown on the attachments.

Chairman Wojas verified that these proposed changes have been on the website for awhile now. Ms. Newton responded yes.

Chairman Wojas stated that the Commission has reviewed all these documents throughout the year with the latest meeting being in October. Chairman Wojas acknowledged that Ms. Johnson might have just become aware, but the information has been available on the website.

Ms. Johnson indicated that the website was difficult to find the changes because the Town homepage which stated what is happening and blah blah does not state and by the way PZC is making changes so maybe go check out their page and see what the links are. She did not know the documents were out there and she didn't know until December 16<sup>th</sup>. She doesn't spend her life stalking the website of the Town to find out what is going on.

Chairman Wojas indicated that the meeting minutes have been posted on the website and well described. The Commission has followed all the procedures for this process.

Ms. Johnson stated the Commission is following their procedures but no one in town is paying attention because of everything else that is going on which she feels is highlighted by the fact there is only two people present on this meeting when normally the room would be packed.

Commissioner Pizzo asked if we are at the point of ending public comment and

closing the public hearing.

Chairman Wojas stated he felt we were. Commissioner Pizzo asked if we could close the public hearing and discuss the merits of the comments as a Board.

Town Planner Newton stated that of the Board members had any questions or comments they wanted to make as part of the public hearing process they needed to do that before closing the public hearing. After that when the public hearing is closed the Commission may go into deliberations.

Commissioner Pizzo indicated that he had spoke with Maryann Corona and Marybeth about their concern and he understands their concerns. He did not feel it was wise to put this off until after Covid is over and we can meet in public because that could be the summer or longer. Commissioner Pizzo didn't feel tabling this until January would be the end of the world even though he stated it has been available on the website in other forms. It is know known to the public and one month would allow people to review it and maybe more people will attend at the next meeting. Commissioner Pizzo stated he welcomes other opinions on these matters and acknowledged that this particular regulation update has no content changes and is a better format for the residents and does not have any issues with the first one. Commissioner Pizzo continued that the other regulation updates do not contain any major changes. Commissioner Pizzo stated given people a month to review and weigh in on the changes is not a bad idea.

Commissioner Warner added that he agreed with Commissioner Pizzo and Ms. Johnson. The people can only be aware when they see the public notice. Commissioner Warner did not think continuing the hearing for a month would hurt anything and would give people time to review. Commissioner Warner it is substantial but did not have much substance to the changes, but it is a lot of pages.

Commissioner Eckblade acknowledged what everyone was saying but indicated he would like to hear specific questions on specific concerns but does not object to continuing for one month. He does not see any reason to keep it open any longer than that without specific concerns.

Commissioner Brown agreed with Commissioner Eckblade that we are only reorganizing regulations that have already been established, if we need another month to make Maryanne happy than why not.

Commissioner Warner asked if the regulation changes were advertised individually or as one group. Town Planner Newton indicated they were all advertised on the same legal notice but as separate numerical items.

Commissioner Warner made a motion to continue all the public hearings items to

the next meeting. Commissioner Brown seconded the motion. Motion carried unanimously.

Commissioner Hinsch asked if the information would now be posted on the website to end this discussion. Town Planner Newton indicated that the information has been posted as is required on the Planning and Zoning Department Page linked to the meeting which is required by the Executive Orders for these meetings.

Ms. Johnson then asked if something could be posted on the homepage with a blurb which then links them to the Planning and Zoning Commission page. She thought it might be helpful.

Commissioner Warner stated that the reality of that is no one is looking at the webpage and he felt that the Commission owes it to the public to get the word out. Commissioner Warner suggested Mary could write a letter to the editor or the Town Planner could that these things are happening in a month with a summary of what these are along with Facebook pages.

Ms. Johnson stated there was some truth to that and thanked the Commission for postponing the hearing.

Chairman Wojas recapped that the hearings for all four items have been tabled until the January 27, 2021 meeting. Commissioner Brown added at which time we would vote and move on with other items to be discussed.

Chairman Wojas asked if the Town Planner would check and see if we can get something placed on the homepage of the website. Ms. Newton indicated she would see what can be done.

2. For the adoption of a draft regulation for Non-Conforming Uses and Structures. - Tabled to January 27, 2021
3. For the adoption of a draft regulations for Interior Lots. - Tabled to January 27, 2021
4. For the adoption of a draft regulation for Flood Regulations. - Tabled to January 27, 2021

### **Old Business**

NONE

### **New Business**

- a. Reorganization of Zoning Regulations- TABLED
- b. Adoption of DEEP Model Flood Regulations- TABLED
- c. Amendments to Non-Conforming Section of Regulations-TABLED
- d. Amendments to Interior Lots-TABLED
- e. Adoption of 2021 Meeting Dates:

Chairman Wojas read aloud the proposed meeting dates. Chairman Wojas suggested we change the December meeting to an earlier day. After discussion, the date of December 8<sup>th</sup> was proposed. Paul Pizzo made a motion to accept the 2021 meeting dates as amended. Jay Brown seconded the motion. Motion was carried unanimously.

### **Report of the ZEO**

Mr. Russ there was great progress with the CT Storage Facility on Route 66.

There has not been a lot of enforcement and will be addressing some ongoing issues.

### **Report of the Town Planner**

The consultant hired for the Affordable Housing Plan sent out a survey to get a general feel of the community regarding Affordable Housing. Town Planner Newton thanked Commissioner Warner for placing the survey on Facebook to help spread the word. She indicated Nancy Davidson sent out an email to all Boards and Commissions with the survey link.

Ms. Newton indicated she was going to discuss with the Commission next steps on regulation updates but since the public hearings did not go forward there was no reason to discuss as part of her report.

Chairman Wojas asked if we knew how many people have currently participated in the survey. Ms. Newton indicated she did not have a current update but after the first week the Town was around 120. Ms. Newton stated she could get an update from the consultant and send it out to the Board members.

Commissioner Pizzo asked if Ms. Newton has heard anything from the developer who had come before the Commission for the Route 66 property. Commissioner Pizzo indicated her heard that the gas station is no longer interested and wondered if the Town Planner had heard anything.

Ms. Newton stated she did not know of any specifics but did indicate she had received an email asking if another property down the road could be potentially used as a gas station and the answer was yes. The proposed gas station was looking for confirmation that a gas station would not be allowed in the future on this particular property, but it is allowed in the zone. Ms. Newton added the was purely a guess as to why if the gas station backed out might be the reason, but she had no specifics.

### **Chairman's Report**

Chairman Wojas had nothing to report.

Commissioner Warner asked about the Pogmore Grant. Ms. Newton stated she did not have any update on the grant. Commissioner Warner indicated the property was for sale and asked if the Town had the property under contract. Ms. Newton stated the Town did not have the property under contract.

Ed Bailey, First Selectman, indicated he has been in contact with the property owners and their attorneys and we will see what transpires from those discussions.

Selectman Bailey wanted to take a moment to thank the Commission members over the last year as it has been a difficult one learning how to do zoom meetings. Selectman Bailey indicated he felt the Commission has benefited with having the Town Planner, Robin Newton, on board. Ms. Newton has been with the Town a little over a year ago and has been a big help with the Commission and the land use office along with the First Selectman's office as well. He wished the Commission and Staff a Happy Holiday and safe New Year.

### **Approval of Minutes - October 28, 2020**

Ken Hinsch made a motion to approve the minutes of the October 28, 2020 meeting, as presented. Paul Pizzo seconded the motion. The motion carried unanimously.

### **Scheduling of Hearings**

NONE

### **Adjournment**

Ken Hinsch made a motion to adjourn the meeting. Paul Pizzo seconded the motion. The motion carried unanimously. The meeting was adjourned at 7:09 PM.

Respectfully submitted,

*Robin Newton*

Robin Newton, AICP, CZEO  
Town Planner