## Zoning Commission Meeting - Putnam, CT Via Zoom July 21, 2021 07:00 PM Eastern Time

Join Zoom Meeting https://zoom.us/j/93910710421?pwd=aTZXbTVLcUdJc3FpeFFSTCszYjJxZz09

Meeting ID: 939 1071 0421

Passcode: 31qdbq

Dial by your location +1 929 205 6099 US (New York)

Meeting ID: 939 1071 0421

Passcode: 896520

## **Zoning Commission Meeting Agenda**

#### Via Zoom

July 21, 2021 7:00 P.M.

Agenda:
Public hearing on Docket # 2021-04 Louis & Kristin Corsetti request for a Special Permit to operate a
Private Daycare in accordance with Section 304 "Schedule of Uses and Districts" Table III-1 of the Town
of Putnam Zoning Regulations. Property located at 225 Kennedy Drive, Town Assessor's Map 011, Lot

Public hearing on Docket # 2021-05 Camille Benjamin request for a Special Permit for a Home Occupation in accordance with Section 706 "Customary Home Occupation" of the Town of Putnam Zoning Regulations to conduct individual therapy sessions. Property located at 32 Letters Street, Town Assessors Map 12, Lot 171, Zoned R-10. VOTE REQUIRED

Public hearing on Docket # 2021-06 Robyn Paquette request for a Special Permit in accordance with Section 501.7 of the Town of Putnam Zoning Regulations to change from 1 non-conforming use to another. The proposed retail business will consist of clothing, gift items, jewelry, tobacco and vape products. Property noted by location Town Assessors Map 011, Lot 65, Zoned I/IHOD. (Formerly Lilium Florist) VOTE REQUIRED

Regular Meeting:

Roll Call:

Review the minutes of the May 19, 2021 meeting. VOTE REQUIRED

Correspondence:

New Business: VOTE REQUIRED

216, Zoned GC. VOTER REQUIRED

Docket # 2021-04 Louis & Kristin Corsetti - Special Permit to operate a Private Daycare

Docket # 2021-05 Camille Benjamin - Special Permit for a Home Occupation individual therapy sessions.

Docket # 2021-06 Robyn Paguette - Special Permit – Retail Business

Other Business: POSSIBLE VOTE REQUIRED

Attorney Roberts – Discussion on a proposed amendment to Section 304 for a temporary and limited moratorium on Cannabis establishments.

Possible discussion on the Significant Land Use Regulation Passed in the 2021 Session

Adjournment.

#### **Zoning Commission Meeting**

#### Via Zoom

May 19, 2021 7:00 P.M.

Present: Patricia Hedenberg-Chairman, Liz Thompson, Douglas Taylor, Nick Huston, Peter McMorris Tina Lajoie-Alternate

Agenda:

Opened public Hearing on Docket # 2021-02 Valerie Schrump request for a Special Permit for a customary home occupation for the sale of bake goods in accordance with Section 304 of the Town of Putnam Zoning Regulations. Pick up would be by appointment only and would be a part time business. The applicant is seeking a Cottage Food License from the Northeast District Department of Health. Property located at 190 Killingly Avenue, Town Assessor's Map 38, Lot 043, Zoned R-40.

Valerie Schrump reviewed her proposal with the Commission. Her hours would be mostly on weekends and has sufficient off-street parking.

Motion by Nick Huston to close the public hearing, second by Peter McMorris. ALL WERE IN FAVOR

Opened public Hearing on Docket # 2021-03 Kazantzis Real Estate request for Special Permit for the installation of a reverse projection sign on one of the store fronts windows in accordance with Section 602.H of the Town of Putnam Zoning Regulations. Property located at 112 Main Street, Unit 12, Town Assessors Map 15, Lot 59, Zoned DP.

Andrea Kazantzis reviewed her signage with the Commission members which would be promoting available real estate. The video sign would be 3' X 8' in the window and would advertise from 9 A.M. to 9 P.M. seven days a week.

Motion by Nick Huston to close the public hearing second by Peter McMorris. ALL WERE IN FAVOR.

Regular Meeting:

Review the minutes of the March 17, 2021 meeting.

Motion by Liz Thompson to accept the minutes as presented, second by Douglas Taylor. ALL WERE IN FAVOR.

Correspondence: None

**New Business:** 

Docket # 2021-02 Valerie Schrump – Special Permit - Customary Home Occupation - 190 Killingly Ave.

Motion by Liz Thompson to approve, second by Peter McMorris. ALL WERE IN FAVOR.

Docket # 2021-03 Kazantzis Real Estate – Special Permit - Rear projection sign - 112 Main St. Unit 12

Motion by Nick Huston to approve, second by Patricia Hedenberg. Discussion was held on the size of the sign. Nick Huston amended his motion to include no larger that 20 S.F., second by Patricia Hedenberg. Patricia Hedenberg, Nick Huston, Douglas Taylor, and Peter McMorris voted in favor of the motion in its entirety. Liz Thompson voted in opposition stating that it was not in the keeping of the atmosphere of downtown Putnam. Motion of approval carried.

Other Business: None

Motion by Liz Thompson to adjourn at 7:50 P.M., second by Peter McMorris. ALL WERE IN FAVOR.

Respectfully submitted by Brenda Roy.

Please note these minutes have not been accepted by the Commission and will be placed on the next meeting agenda.

# PUTTU A LE

## TOWN OF PUTNAM

## ZONING COMMISSION

Check One:	Docket#	2021-04
Application for Special Permit of Exception Application for Amendment to Regulations	Date: Fee:	7.12.2021
Application for Zone Change Other		Amount Check#
Name of Applicant: Kristin Corsetti		is Corsetti
Address & Telephone Number: 94 Carriag	re drive	Lincoln RI 0286
Owner of Land: Town of Putnam	7	7
Address & Telephone Number: 126 CHURC	MST K	tham CT
Location of Property: 225 Kennedy D	rive'	Zone: GC
Assessor's Map Number: 0//		Lot# 216
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a private daycare		
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	J) WEEKS IKTO	N TO THE MEETING DATE
hereby certify that all of the information provided is ascu	ırat <del>e ayd co</del> mplete	1.
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Signature of Applicant	NW	- I/Id/d/
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ate Accepted:		
ate Rejected:		



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#### Dear Abutting Property Owner

The Town of Putnam Zoning Commission will be holding a meeting via ZOOM on July 21, 2021 at 7:00 P.M. A public hearing will be held on the following:

Docket # 2021-04 Louis & Kristin Corsetti request for a Special Permit to operate a Private Daycare in accordance with Section 304 "Schedule of Uses and Districts" Table III-1 of the Town of Putnam Zoning Regulations. Property located at 225 Kennedy Drive, Town Assessor's Map 011, Lot 216, Zoned GC.

Zoom meeting information will be available on the Town of Putnam website prior to the meeting.

Sincerely, Leuk assella

Parcel 1D: 011-161-000
PUTNAM DOWNTOWN LLC
2 CORPORATE DR STE 441
SHELTON CT 06484

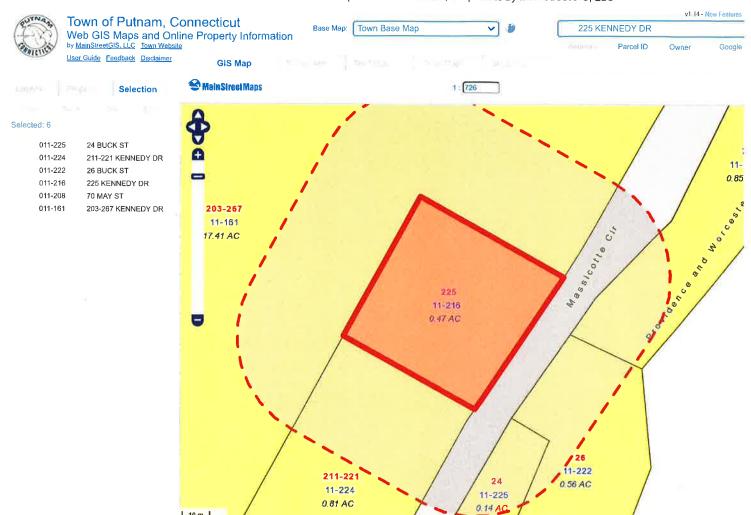
Parcel ID: 011-208-000
PROVIDENCE AND WORCESTER
RAILROAD
COMPANY
75 HAMMOND ST
WORCESTER MA 01610-

Parcel ID: 011-216-000 PUTNAM TOWN OF PUTNAM LIBRARY 225 KENNEDY DRIVE PUTNAM CT 06260

Parcel ID: 011-222-000 CORE HOLDINGS LLC 174 WEST QUASSET RD WOODSTOCK CT 06281 Parcel ID: 011-224-000
MASSICOTTE CIRCLE PROPERTIES
LLC
155 PROVIDENCE ST
PUTNAM CT 06260

Parcel ID: 011-225-000
CARGILL REALTY II LLC
23 LIVERY STREET
PUTNAM CT 06260

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225 KENNEDY DR 011-216



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## **TOWN OF PUTNAM**

## TOWN HALL 126 CHURCH STREET PUTNAM, CONNECTICUT 06260

Telephone: (860) 963-6800



June 30, 2021

Town of Putnam Zoning Commission 126 Church Street Putnam, CT 06260

Re: 225 Kennedy Drive (Putnam Library)

Putnam, CT 06260

Dear Commission Members,

As discussed at the previous joint meeting held on June 28, 2021 with the Planning Commission in regards to the sale of the Library, the Town of Putnam is authorizing Louis & Kristin Corsetti to apply for a Special Permit for a Day Care Facility.

Sincerely,

Elaine Sistare

**Town Administrator** 

CC: Mayor Seney

**Board of Selectmen** 

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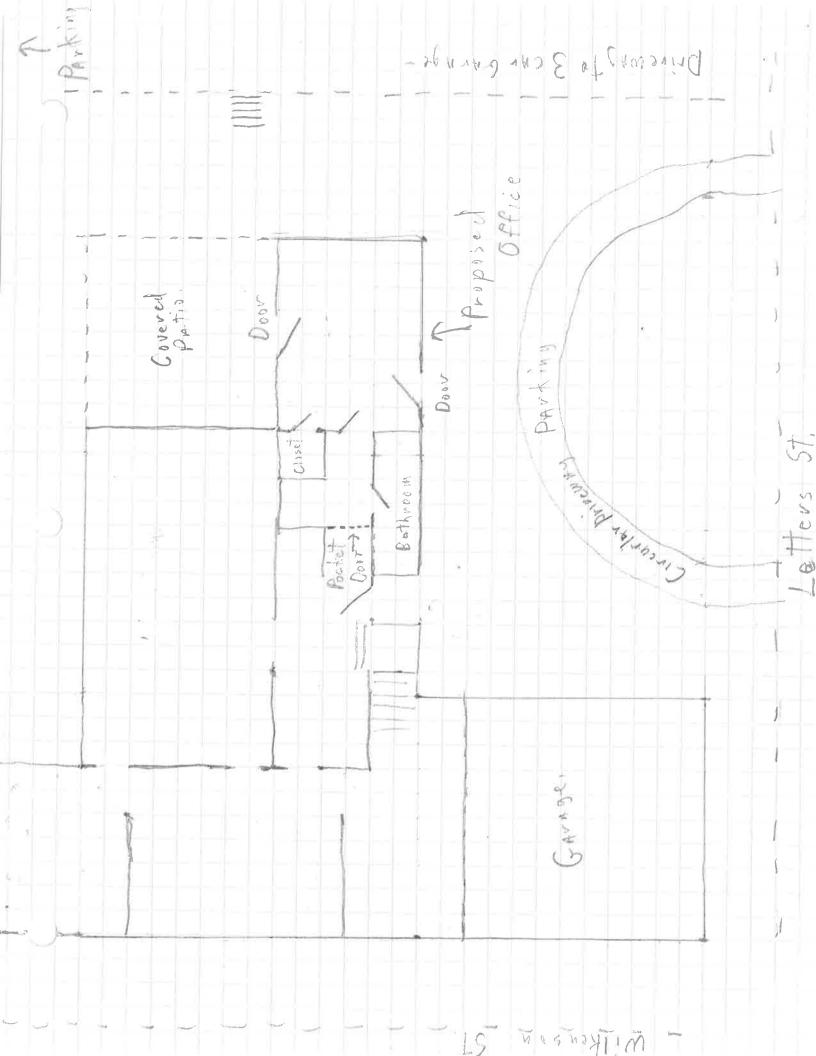
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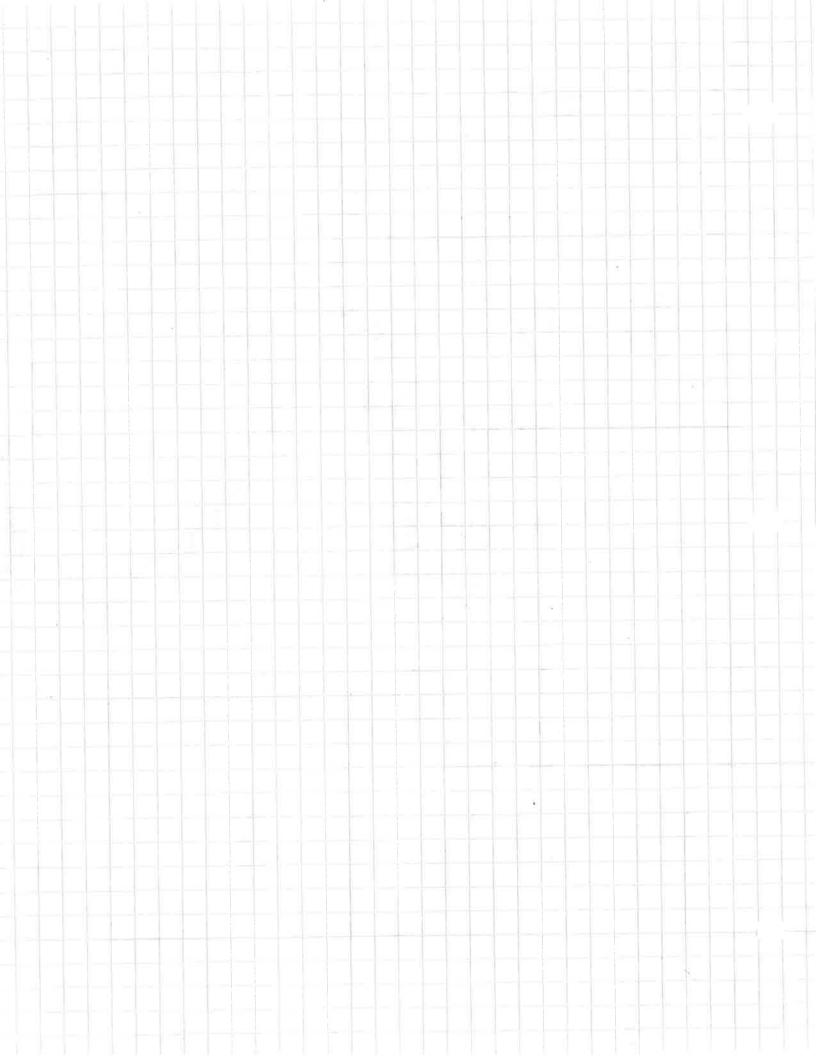
## TOWN OF PUTNAM ZONING COMMISSION

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	Application for Special Permit of Exception	Date 7-9	1505	
	Application for Amendment to Regulations			2
	Application for Zone Change	Fee: 160.00		35)
•	Other	Amount		Check No.
1.)	Name of Applicant: Camille Benjamin		1 81eu	-928-1303
	Address & Telephone No. 32 WHERS ST Putnam	T 86260 C	840-	942-1656
2.)	Owner of Land Ruby Benjamy, Cumille Benjami	1. Craya U	nger	man
28	Address 32 Letters St, Potnam, CT 06240			
3.)	Location of Property 32 Letters St, Putnam 9 Street or Road	062 60	Zon	e R-10
	Assessor's Map No. 0/2	Lot		
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### **Dear Abutting Property Owner**

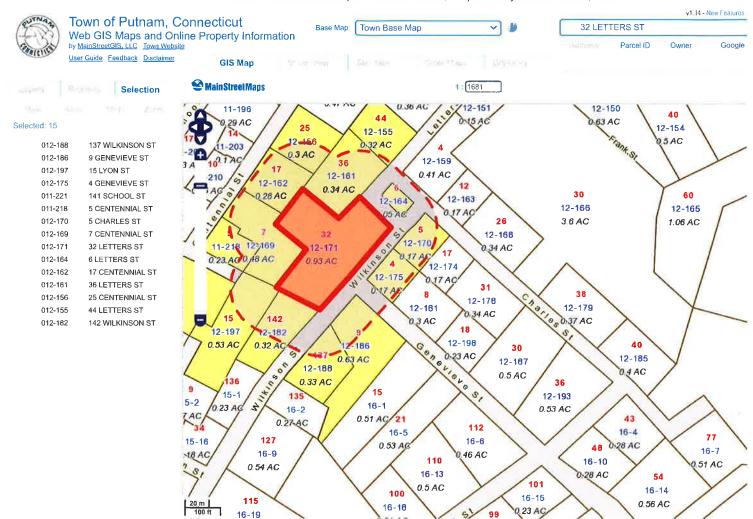
The Town of Putnam Zoning Commission will be holding a meeting via ZOOM on July 21, 2021 at 7:00 P.M. A public hearing will be held on the following:

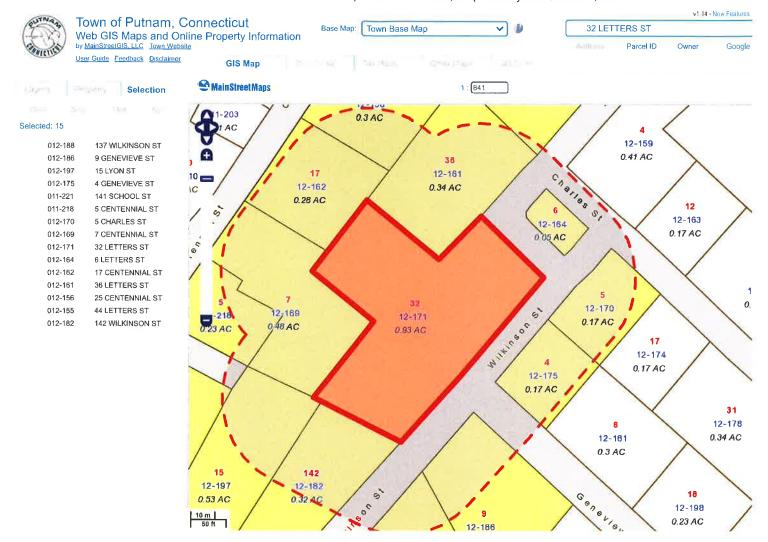
Docket # 2021-05 Camille Benjamin request for a Special Permit for a Home Occupation in accordance with Section 706 "Customary Home Occupation" of the Town of Putnam Zoning Regulations to conduct individual therapy sessions. Property located at 32 Letters Street, Town Assessors Map 12, Lot 171, Zoned R-10.

Zoom meeting information will be available on the Town of Putnam website prior to the meeting.

Sincerely, Caule Layenin

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Parcel ID: 011-218-000 OPB PROPERTY LLC 450 POMFRET RD HAMPTON CT 06247 Parcel ID: 011-221-000 SCHOOL ST RENTALS LLC 365 WOODSTOCK AVE PUTNAM CT 06260 Parcel ID: 012-155-000
ANDERSON DAVID L & DONATELLI
CHRISTINA
44 LETTERS ST
PUTNAM CT 06260

Parcel ID: 012-156-000 IGMAK LLC 991 THOMPSON RD THOMPSON CT 06277 Parcel ID: 012-161-000 BROWN ROGER E & DONNA L 36 LETTERS ST PUTNAM CT 06260 Parcel ID: 012-162-000 KOSTOVSKI ILIJA 991 THOMPSON RD THOMPSON CT 06277

Parcel ID: 012-164-000
PUTNAM TOWN OF
PARK
126 CHURCH ST
PUTNAM CT 06260

Parcel ID: 012-169-000
UCCELLO DIANE T+JAMES P
7 CENTENNIAL ST
PUTNAM CT 06260

Parcel ID: 012-170-000
BRIGGS COLLEEN E & DAVID M
5 CHARLES ST
PUTNAM CT 06260

Parcel ID: 012-171-000
BENJAMIN RUBY R & CAMILLE &
UNDERMAN CRAIG
205 WEST END AVE APT 24L
NEW YORK NY 10023

Parcel ID: 012-175-000
PERKINS JOHN H & BETTY A
4 GENEVIEVE ST
PUTNAM CT 06260

Parcel ID: 012-182-000 TESSIER BARBARA W 142 WILKINSON ST PUTNAM CT 06260

Parcel 1D: 012-186-000 GILBERT KEITH 9 GENEVIEVE STREET PUTNAM CT 06260

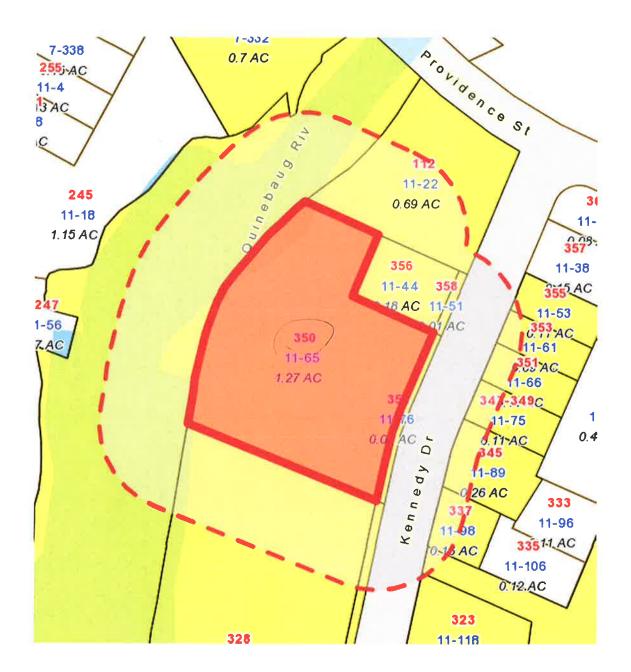
Parcel ID: 012-188-000 BRANDRIFF BARRY R 137 WILKINSON ST PUTNAM CT 06260 Parcel ID: 012-197-000 TESSIER SHAWN A 15 LYONS ST PUTNAM CT 06260

From: Brenda Roy brenda roy@pulnamet.us . Subject: Zoning Application Date: Jul 1, 2021 at 2:16:26 PM

To: Crp25@yahoo.com

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	Midress & Telephone No. 36 Jerrace	Dr Thompson CTOG277
-)	Owner of Land Dightingale Mill	Tope Putnam Tuc
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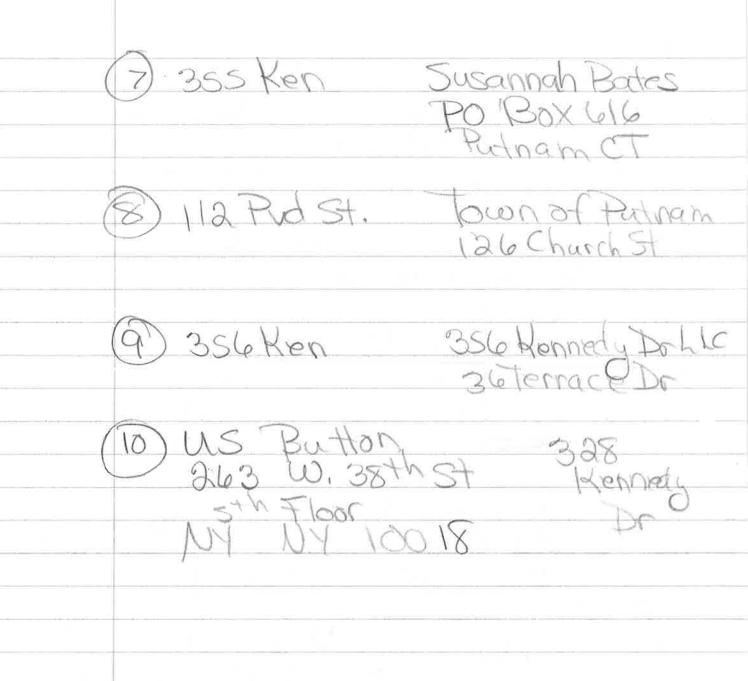


Nightingale Mill of Putnam/CRP

Helen Roy Rita Bednarz

337 Kennedy Dr P.O. Box 332

Putnam CTou 260 Quinnebaug CT Ole 262 Putnam Downtown LLC 2 Corporate Dr Suite 441 Shelton CT 06484 Donald - Julia Goodwin 345 Kennedy Dr P.O. Boxsy Sharrod Pipkin. 347-349 PO Box 449 Kennets Putnam Ct 06260 361 Kennedy Michael Kristi Craig
195 Country Rd 3 Woodstock 353 Kem. Robert Cottrell PO Box asn Chepachel RT 02814



Property Location: 350 KENNEDY DR Vision ID: 1085	Y DR	Account #002208	808	MAP ID: 01	: 011/ / 065/ 000/ Bldg	5/ 000/ Bldg #:	1 of 2	Bldg Name: Sec #: 1 of	1 Card	1 of 2	Sí Pri	State Use: 2-1 rint Date: 12/	State Use: 2-1 Print Date: 12/02/2019 11:56	99
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### **Notification of Special Permit Request**

to Property Owners and Associations within 100 feet

July 6, 2021

Robin Paquette 36 Terrace Drive Thompson, CT 06277

Dear Property Owner:

Please be advised that the sender has made a formal application to Putnam Zoning Commission for a special permit from the requirements of the zoning regulations as they apply to the following described property which has been deemed located in an industrial zone:

Nightingale Mill of Putnam, 340 Kennedy Drive, Putnam CT

It is my intent to ask the Putnam Planning and Zoning Commission to allow us to continue to use the formerly known as Lillium's Flower Shop for retail purposes on the aforementioned property. In any event, please be advised that we are interested in assuring you that our request should not adversely affect your property interest.

The public hearing will be held on July 21, 2021 at 7 PM via Zoom. Information will be available prior to the meeting on the town website @putnamct.us.

Sincerely,

Robin Paquette 36 Terrace Drive Thompson, CT 06277 860-377-9199

Roe Pages

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## Proposed Amendment to Section 304 of the Putnam Zoning Regulations

## Addition of the following immediately preceding the chart of permitted uses:

## A. Temporary and Limited Moratorium on Cannabis Establishments

1. Statement of Purpose. This section has been adopted to provide the Commission with the time necessary to consider adoption of potential changes to the Zoning Regulations pursuant to Section 8-2 of the Connecticut General Statutes.

The Connecticut General Assembly has passed, and the Governor has signed S.B. 1201, An Act Concerning Responsible and Equitable Regulation of Adult-Use Cannabis (the "Act"), portions of which are effective on July 1, 2021. Said Act contains provisions allowing municipalities to prohibit or place certain restrictions on cannabis establishments with the exception of existing dispensary facilities and producers for medical marijuana as defined in Chapter 420f, C.G.S., Palliative Use of Marijuana — legislation passed in 2012 authorizing the use of medical marijuana. This temporary and limited term moratorium has been adopted to provide the Town with the time necessary to develop regulations for cannabis establishments that meet statutory responsibilities and promote the public's general health, safety and welfare.

#### 2. Definitions.

- a. Cannabis. Marijuana as defined in Section 21a-240, C.G.S.
- b. Cannabis Establishment. Producer, dispensary facility, cultivator, microcultivator, retailer, hybrid retailer, food and beverage manufacturer, product manufacturer, product packager and or delivery service.
- c. Cultivator. A person that is licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment with not less than fifteen thousand square feet of grow space.
- d. Delivery Service. A person that is licensed to deliver cannabis from (A) micro-cultivators, retailers and hybrid retailers to consumers and research program subjects, and (B) hybrid retailers and dispensary facilities to qualifying patients, caregivers and research program subjects, as defined in Section 21a-408, C.G.S., or to hospices or other inpatient care facilities licensed by the Department of Public Health pursuant to Chapter 368v, C.G.S. that have a protocol for the handling and distribution of cannabis that has been approved by the department, or a combination thereof.
- e. Dispensary Facility. Means a place of business where cannabis may be dispensed, sold or distributed in accordance with Chapter 420f, C.G.S. and any regulations adopted thereunder, to qualifying patients and caregivers, and to which the department has issued a dispensary facility license under Chapter 420f, C.G.S. and any regulations adopted thereunder.

- f. Food and Beverage Manufacturer. A person that is licensed to own and operate a place of business that acquires cannabis and creates food and beverages.
- g. Hybrid Retailer. A person that is licensed to purchase cannabis and sell cannabis and medical marijuana products.
- h. Micro-cultivator. A person licensed to engage in the cultivation, growing and propagation of the cannabis plant at an establishment containing not less than two thousand square feet and not more than ten thousand square feet of grow space, prior to any expansion authorized by the commissioner.
- il Person. An individual, partnership, limited liability company, society, association, joint stock company, corporation, estate, receiver, trustee, assignee, referee or any other legal entity and any other person acting in a fiduciary or representative capacity, whether appointed by a court or otherwise, and any combination thereof.
- j. Product Manufacturer. A person, excluding a producer, that is licensed to obtain cannabis, extract and manufacture products exclusive to such license type and who may sell or transfer cannabis and cannabis products to laboratories, research programs and cannabis establishments.
- k. Product Packager. A person that is licensed to package and label cannabis and cannabis products.
- I. Retailer. A person, excluding a dispensary facility that is licensed to purchase cannabis and cannabis products from producers, cultivators, product manufacturers and food and beverage manufacturers and to sell cannabis and cannabis products to consumers and research programs.
- *m.* Transporter. Means a person licensed to transport cannabis between cannabis establishments, laboratories and research programs.
- **3. Applicability.** During this temporary and limited-term moratorium, cannabis establishments shall be prohibited in the Town of Putnam, and any and all applications submitted for the approval of any cannabis establishment shall be denied by the Zoning Commission or Zoning Enforcement Officer, as may be appropriate.

4.	Effective	Date/Term.	This	temporary	and	limited	moratorium	shall	become
	effective of	n, 20	)21 ar	nd shall rema	ain in	effect u	ıntil	, 2	022



lune 29, 2021

# Significant Land Use Legislation Passed in the 2021 Session

# Municipal Practice Group Update

The 2021 session of the Connecticut General Assembly generated more significant land use and zoning proposals, heated debate and public involvement than have been seen in decades. While the bills that ultimately passed through the House and Senate and received the Governor's signature often represent watered down or scaled back versions of those that received the most publicity and attention, there are some very important new laws that affect every Connecticut municipality.

# Public Act 21-29 – Revisions to Zoning Enabling Act; Accessory Apartments

#### and More

Many of the most significant provisions are contained in Public Act 21-29, which had been House Bill 6107. These provisions fall into several categories which are listed here:

#### I. Revisions to the Zoning Enabling Act

Effective October 1, 2021, the statute authorizing zoning, Conn. Gen. Stat. §8-2, has been substantially modified.

- New mandatory provisions that must be contained in zoning regulations:
  - To protect state's historic, tribal, cultural and environmental resources.
  - To consider the impact of permitted land uses on contiguous municipalities and on the planning region.
  - To address significant disparities in housing needs and access to educational, occupational and other opportunities.
  - To promote efficient review of land use applications.
  - To affirmatively further the purposes of the Federal Fair Housing Act which prohibits housing discrimination based on race, color,

- national origin, religion, sex, familial status, or disability.
- To eliminate provisions that allow consideration of the "character of the district" and to, instead, "be drafted with reasonable consideration as to the physical site characteristics of the district and its peculiar suitability for particular uses."
- Must state that the regulations "shall expressly allow the development of housing which will meet the housing needs identified" in the state housing plan.
- Be made in consideration of public and ground drinking water.

#### New optional items that can be contained in zoning regulations:

- Those promoting solar, wind or other renewable energy, combined heat and power.
- Those creating development incentives for developers who use solar, wind or other renewable energy, combined heat and power, or water or energy conservation techniques.
- · Provide for or require cluster housing.
- Provide for floating zones, overlay zones and planned development districts.
- Require use of vehicle miles or vehicle trips as a measure of traffic impact in lieu of or in addition to level of service traffic calculations.
- Provide potential traffic mitigation strategies.
- Certain restrictions such as quarrying and clear cutting can be adopted where a traprock or amphibolite ridges are located.

#### Municipal zoning regulations cannot:

- Prohibit operation of "cottage food operations" in residential zones.
- Establish a minimum floor area for dwellings greater than that contained in building, housing or other codes. (It is unclear what "other" codes would be permissible to use.)
- Place a numerical or percentage cap on the number of mixed use or multi-family dwellings in a town.
- Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of (A) a district's character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, or (B) the immutable characteristics, source of income or income level of any applicant or end user, other than age or disability whenever age-restricted or disability-restricted housing may be permitted.
- Require more than one parking space for a studio or 1 BR or more than two parking spaces for a dwelling unit with 2 or more BR unless a town opts out using the following procedure:
  - PZC or ZC, by 2/3 vote, votes to initiate the opt-out process.
  - Public hearing is held.
  - The commission decides to opt out within the ordinary statutory deadlines for considering an application (65 days after close of hearing) stating on the record the reasons for the decision (although the 2/3 vote is required to "initiate" the procedure, we believe a 2/3 vote is required to approve).
  - Publishes notice of decision.

• The opt out is ratified by a 2/3 vote of the town's legislative body or its board of selectman if the town meeting is the legislative body.

#### II. Municipal Land Use Fees

- Municipalities may, by regulation, require applicants to pay reasonable fees associated with necessary review by consultants with respect to technical aspects of an application, e.g., traffic or stormwater.
  - Such fees cannot be used to cover salaries of town employees.
  - Fees shall be accounted for separately and the balance, with interest, returned to the applicant not later than 45 days after completion of technical review. (It is unclear whether it is required to be placed into an interest-bearing account or what happens if a consultant's invoice is received more than 45 days after the completion of the review.)
  - No municipality may adopt a schedule of fees in its fee ordinance for land use applications that results in higher fees for (1) development projects built using the provisions of section 8-30g, as amended by this act, or (2) residential buildings containing four or more dwelling units that are higher than other residential including, but not limited to, higher fees per dwelling unit, per square footage or per unit of construction cost.

#### III. Accessory Apartment Provisions

- A new set of statutory requirements were adopted mandating authorization of certain accessory apartments using the following definitions:
  - "Accessory apartment" means a separate dwelling unit that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations."
  - "As of right" means able to be approved in accordance with the terms of a zoning regulation or regulations and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations."
- Effective January 1, 2022, all zoning regulations shall:
  - Designate locations or zoning districts within the municipality in which accessory apartments are allowed, provided at least one accessory apartment shall be allowed as of right on each lot that contains a single-family dwelling and no such accessory apartment shall be required to be an affordable accessory apartment.
  - Allow accessory apartments to be attached to or located within the proposed or existing principal dwelling, or detached from the proposed or existing principal dwelling and located on the same lot as such dwelling.
  - Set a maximum net floor area for an accessory apartment of not less than thirty percent of the net floor area of the principal

- dwelling, or one thousand square feet, whichever is less, except that such regulations may allow a larger net floor area for such apartments.
- Require setbacks, lot size and building frontage less than or equal to that which is required for the principal dwelling and require lot coverage greater than or equal to that which is required for the principal dwelling.
- Provide for height, landscaping and architectural design standards that do not exceed any such standards as they are applied to single-family dwellings in the municipality.
- Be prohibited from requiring (A) a passageway between any such accessory apartment and any such principal dwelling, (B) an exterior door for any such accessory apartment, except as required by the applicable building or fire code, (C) more than one parking space for any such accessory apartment, or fees in lieu of parking otherwise allowed by section 8-2c of the general statutes, (D) a familial, marital or employment relationship between occupants of the principal dwelling and accessory apartment, (E) a minimum age for occupants of the accessory apartment, (F) separate billing of utilities otherwise connected to, or used by, the principal dwelling unit, or (G) periodic renewals for permits for such accessory apartments.
- The accessory dwelling regulations do not override: (A)
   applicable building code requirements, (B) the ability of a
   municipality to prohibit or limit the use of accessory apartments
   for short-term rentals or vacation stays, or (C) other requirements
   where a well or private sewerage system is being used, provided
   approval for any such accessory apartment shall not be
   unreasonably withheld.
- A decision on an as of right <u>accessory apartment</u> application must be made <u>within sixty-five days after receipt of such</u> <u>application</u> by the applicable zoning commission unless the applicant consents to one or more extensions of not more than an additional sixty-five days.
- Municipal regulations cannot:
  - Condition the approval of an accessory apartment on the correction of a nonconforming use, structure or lot.
  - Require the installation of fire sprinklers in an accessory apartment if such sprinklers are not required for the principal dwelling located on the same lot or otherwise required by the fire code.
- A municipality, special district, sewer or water authority cannot:
  - Consider an accessory apartment to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless such accessory apartment was constructed with a new single-family dwelling on the same lot.
  - Require the installation of a new or separate utility connection directly to an accessory apartment or impose a related connection fee or capacity charge.
- Municipal opt-out process for accessory apartment requirements:

A municipality can opt-out of the statutory accessory apartment regulation requirements under the following procedures taken before January 1, 2023:

- PZC or ZC, by 2/3 vote, votes to initiate the opt-out process.
- Public hearing is held.
- The commission decides to opt out within the ordinary statutory deadlines for considering an application (65 days after close of hearing) stating on the record the reasons for the decision (although the 2/3 vote is required to "initiate" the procedure, we believe a 2/3 vote is required to approve).
- · Publishes notice of decision.
- The opt out is ratified by a 2/3 vote of the town's legislative body or its board of selectman if the town meeting is the legislative body.
- Failure to adopt or opt out of compliant accessory apartment regulations:

If a municipality fails to adopt new regulations or amend existing regulations or opt out by January 1, 2023, any noncompliant existing regulation that would apply to accessory apartments becomes null and void and such municipality shall approve or deny applications for accessory apartments in accordance with the requirements for regulations set forth in the provisions of subsections (a) to (d) of the new accessory dwelling statute.

#### IV. Training for Municipal Land Use Agencies

- On and after January 1, 2023, each member of a PZC, PC, ZC or ZBA shall complete at least four hours of training:
  - Those in office on 1/1/2023 must complete four hours by 1/1/2024, and every other year thereafter.
  - For those taking office after 1/1/2023, must complete four hours of training not later than one year after taking office and every other year thereafter.
- Training content:
  - Must contain at least one hour on affordable and fair housing policies.
  - May include process and procedure, including FOIA, interpretation of site plans and maps, impact of zoning on environment, agriculture and historic resources.
  - Training guidelines must be established by OPM prior to 1/1/2022
     Training may be provided by various entities such as CAZEO,
     CCM, CCAPA, Land Use Academy of UConn CLEAR, CBA, COGs, etc.
- Reporting:

- Commissions must report compliance annually to legislative body (or Board of Selectmen in town meeting towns).
- Certification of Municipal Zoning Enforcement Officers
  - Any zoning enforcement officer appointed after 1/1/2023 must be certified by CAZEO.
  - Beginning 1/1/2023 and annually thereafter, any ZEO shall obtain and maintain certification by CAZEO for the duration of their employment.

#### V. Municipal Affordable Housing Plans

- CGS 8-30j is amended to provide that not later than 6/1/2022, each town shall prepare or amend or adopt an affordable housing plan.
- Affordable housing plan shall be submitted to OPM and posted on the OPM website.
- Affordable housing plans may be coordinated with or included as part of POCD if timing is appropriate.
- Town shall post draft affordable housing plan on its website.

#### VI. Commission on Connecticut's Development and Future

- Commission formed to evaluate policies related to land use, conservation, housing affordability and infrastructure. Appointments to commission shall be made in a good faith effort to reflect gender and racial diversity of the state.
  - Commission shall submit reports no later than 1/1/2022 and 1/1/2023 regarding various issues including:
    - State POCD.
    - State consolidated plan for housing and development.
    - Guidelines and incentives for affordable housing plan compliance.
    - Alternative sewage systems.
    - Model design guidelines for buildings and streets.

#### Public Acts 21-163 and 21-34 – Extensions of Municipal Land Use Approvals

- Approvals granted prior to 7/1/2011 (Public Act 21-163)
  - Site Plan, Subdivision, Special Permit and Inland Wetlands approvals, if not already expired, shall expire not less than 14 years from date of approval, with potential additional extension(s) of a total of up to five years beyond that (total of not more than 19 years).
  - Special Permit and Special Exception approvals, if not already expired, and subject to a specific deadline to complete work, shall expire not less than 19 years from date of approval with potential additional extension(s) to allow completion of all or part of the required work.
- Approvals granted on or after 7/1/2011 (Public Act 21-34)
  - Site Plan, Subdivision and Inland Wetlands approvals granted prior to the effective date of the Act, not expired prior to

- 3/10/2020, shall expire not less than 14 years from date of approval, with potential additional extension(s) of a total of up to five years beyond that (total of not more than 19 years).
- Special Permit and Special Exception approvals prior to the
  effective date of the legislation, not expired prior to 3/10/2020,
  and subject to a specific deadline to complete work, shall expire
  not less than 19 years from date of approval with potential
  additional extension(s) to allow completion of all or part of the
  required work.
- Inland Wetlands permits required for a development approved under planning and zoning statutes, shall not take effect until each such required planning and/or zoning approval shall have taken effect and shall be valid for the same time period as such planning and/or zoning approval but not more than 10 years, whichever is earlier.

# Read more

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Municipal & State Government

**Environmental & Land Use** 

Land Use, Planning/Zoning & Wetlands



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