

**Planning and Zoning Commission**  
**Regular Meeting**  
**Tuesday March 23, 2021 at 7:00 P.M.**  
**Teleconference Meeting**

**1. Call to Order**

Chairman Art Moran, Jr. called the meeting to order at 7:01 P.M.

**2. Roll Call**

***Members***

Art Moran, Jr. – Chairman  
Richard Chalifoux – Vice Chairman  
Anne Sabrowski -Secretary  
Denise Beale  
Charles Raymond  
Doreen Rankin  
Mike Sinko

***Alternates***

Robert Berube – excused  
Nate Koniecko – absent  
Phillip LaPierre – absent  
  
Kathy Warzecha – Town Planner  
Kimberly Lang – Recorder

Also, in attendance: 9 members of the public

**3. Determination of Quorum**

**4. Approval of Minutes.**

- a. February 23, 2021 Regular Meeting Minutes.

Kathy Warzecha noted the following corrections:

- Page 3 – 9c. 5<sup>th</sup> word should read schedule not plan
- Page 4 – fourth paragraph instead of “to say” it should read “the wording to”
- Page 4 – 9e. fourth paragraph instead of “be adjusted as” it should read “be adjusted to be”
- Page 4 – 9e. seventh paragraph instead of “if the person is supposed to live there” it should read “are to be owner occupied”
- Page 4 – last paragraph after ZEO the words “for Zoning” should be added

Anne Sabrowski noted the following:

- Page 1 – when listing the people in attendance she requested that rather than having a list of names and then 6 other members of the public to just say the number of the public
- Page 3 and 5 she asked that when someone from the public speaks to the Commission or a property is being discussed that the address be added to the record for clarification and a source of reference at future meetings – on page 3 – 9b. line one – “92 Norwich-Westerly Road” is to be added after

Jerry Grabarek and line 3 the same address added after Grabarek Farm on page 5 “412 Old Jewett City Road” is to be added after John Thibeault.

- Rather than using AirBnB which is a brand, use Short Term Rental consistently throughout

Richard Chalifoux pointed out that on page 4 in Stonington Brough, Brough was misspelled.

**Mike Sinko motioned to approve the amended February 23, 2021 Minutes. Denise Beale seconded the motion. The motion carried unanimously.**

## **5. Communications**

- a. Zoning Bulletin, February 10, 2021
- b. Zoning Bulletin, February 25, 2021
- c. March 1, 2021 – letter: CT Federation of Planning and Zoning Agencies, Steve Bryne to Preston Planning and Zoning Commission regarding membership dues
- d. March 3, 2021 – **Subdivision Application #2021-01**, Maro P. Flagg, Jr. and James E. Simpson, Owners of property located at 583 Route 164; Create a 6-lot subdivision.
- e. March 16, 2021 – email: Deborah Grabarek to Kathy Warzecha citing regulations

## **6. Public Hearing – No Hearing**

## **7. Old Business - None**

## **8. New Business –**

**Subdivision Application #2021-01**, Maro P. Flagg, Jr. and James E. Simpson, Owners of property located at 583 Route 164; Create a 6-lot subdivision.

**Richard Chalifoux motioned to schedule the application for a Hearing at the April 27<sup>th</sup> Meeting. Mike Sinko seconded the motion. The motion carried unanimously.**

## **9. Other Business**

Kathy Warzecha asked that the Commission discuss Letter d – Jerry Grabarek’s and Ken Zachem’s request to address the Commission regarding Section 9.1.17 and Section 10.3.8 of the Zoning Regulations.

**Richard Chalifoux motioned to add Gary Piszczek request to the agenda. Doreen Rankin seconded the motion. The motion carried unanimously.**

Kathy Warzecha shared a letter from Gary Piszczek regarding an apartment to be built in an accessory building on his farm to house a farm worker.

Art Moran suggested that they submit an application that can then be taken to a Hearing.

The second request from Gary Piszczek that Avalonia has received two Grants to purchase two parcels of land in Preston. Avalonia would like to the town to partner with them in the purchase. The town would not be responsible for the maintenance of the property. Kathy Warzecha displayed a map showing the parcels

of land in question. She also shared that she's not sure what kind of commitment they are asking from the town.

Art Moran asked that Kathy Warzecha place this on April's agenda and hopefully obtain more information. Mike Sinko reminded the Commission with Grants that decisions may be time sensitive. Art Moran acknowledged that and stated a Special Meeting could be called if that's the case.

**Richard Chalifoux motioned to move to discuss 9d. on the agenda next. Mike Sinko seconded the motion. The motion carried unanimously.**

**d. Jerry Grabarek and Ken Zachem requested to address the Commission regarding Section 9.1.17 and Section 10.3.8 of the Zoning Regulations.**

Jerry Grabarek, 17 Hewett Road, stated that he and Ken Zachem basically want to build homes on their respective properties that lie in different zones (one in Industrial and the other in Resort Commercial). He further explained the importance of living on the farm closer to the work and for security reasons. Ken Zachem's request is to build a home in an area zoned Resort Commercial, but would like the home to be built on a town road versus Route 2; with a setback of 250 feet from Route 2. The home would follow all residential regulation. Jerry Grabarek concluded by asking the Commission if it was worth the time and effort to take it to a hearing.

Richard Chalifoux pointed out that in his presentation of Zoning Regulation 9.1.17 he stated that the home would be for the owner, operator, or employee. He suggested that Jerry make sure "employee" is listed in his application.

Anne Sabrowski asked for clarification and rationale for changing 10.3.8

Ken Zachem, 39 Matthewson Mill Road, stated that Resort Commercial was designed to keep out certain business such as strip parlor and was not designed to exclude housing.

After further discussion the majority of the Commission felt they needed more clarity on 10.3.8. Richard Chalifoux did state that any changes need to be for the good of the town and Mike Sinko added that you'd be hard pressed to find a farm without a house. He also stated that he didn't have a problem with a home being built on a town road.

**a. Transient Vacation Rentals**

Art Moran stated that he hasn't received copies of his Florida Rental regulations yet, but would forward them to Kathy as soon as he received them.

Kathy Warzecha explained that this is an issue that is not going away. There are neighbor complaints, unfair taxes, and other issues with Short Term Rentals. There are 2 ways to address this issue, one is through the adoption of an ordinance or through the adoption of Zoning Regulations. She shared the goals for regulating STR's and allowing single family homes to be used for STR as follows: town would collect additional taxes, create tax equity, regulate rentals for minimum impact of the neighborhood, require renewal of permits or license to ensure compliance with regulations, and could assist with renovation of historical homes. Kathy then outlined the benefits of addressing the matter by ordinance and zoning regulations, pointing out the major differences.

With an ordinance there is the ability to require a license and a renewal; however, there would be no non-conformities; enforcement of regulations becomes an issue, there would be a lack of a review by PZC,

licenses do not need to be transferable, applicants and enforcement have the potential to become political, as well as how violators would be addressed.

With Zoning Regulations there would be the ability to allow the use by special exception. There are set procedures for public hearings in place and special exception requirements are already listed, permits would be transferable; ZEO works limited hours but an inspection fee could cover that, a special exception cannot be rescinded, and any application that appears before the Commission is less likely to be political.

Issues that should be included either in an ordinance or a zoning regulation are: length of stay, parking, location of STR in the neighborhood, property size, traffic, on-site oversight, number of guests, renewal permits to ensure compliance just to name a few.

Art Moran agreed that with a Zoning Regulation there would be more control of the number of bedrooms, guests, or noise that should end at a certain time.

Mike Sinko shared that B & B have a 3-weeks in 3 months policy.  
Art Moran suggested a minimum stay.

Anne Sabrowski brought up safety issues due to the number of guests per room.  
Kathy Warzecha stated that you could limit the number of people that can stay in a particular STR.

Art Moran asked members of the Commission to read over the information from Kathy Warzecha and to email her any concerns comments and suggestions so it can be further discussed in April.

#### **b. Subdivision Regulations**

Everyone was reminded to read over the regulations and email Kathy Warzecha with any corrections, comments, or suggestions.

#### **c. Plan of Conservation & Development 2024**

Art Moran asked if the Board of Selectmen appropriated the \$5,000 requested for the Plan of Conservation and Development?

Kathy Warzecha stated that she was asked to attend the Thursday evening meeting to provide more information about how the funds will be spent.

Mike Sinko suggested that she explain how the \$5,000 will be spent not the whole plan. He thought the best approach would be to explain all the research and data collection that needs to be done this year by December on this mandatory plan.

#### **10. Public Comment - None**

#### **11. Adjournment**

**Mike Sinko motioned to adjourn at 8:38 P.M. Richard Chalifoux seconded the motion. The motion carried unanimously.**

**Respectfully Submitted,**

*Kimberly Lang*

**Kimberly Lang**

**Mike Sinko motioned to approve the amended February 23, 2021 Minutes. Denise Beale seconded the motion. The motion carried unanimously.**

**Richard Chalifoux motioned to schedule the application for a Hearing at the April 27<sup>th</sup> Meeting. Mike Sinko seconded the motion. The motion carried unanimously.**

**Richard Chalifoux motioned to add Gary Piszczek request to the agenda. Doreen Rankin seconded the motion. The motion carried unanimously.**

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