

Planning and Zoning Commission ~ Town of Ashford
Special Meeting ~ November 19, 2018

The Ashford Planning & Zoning Commission held a Special Meeting on Monday November 19, 2018 at 7 p.m. in Room 104, Ashford Town Office Building, 5 Town Hall Road, Ashford, CT

Special Meeting Minutes

Present: Jeff Silver-Smith (Chair), Alex Hastillo (Secretary), Richard Williams (Vice Chair), Janet Bellamy, Douglas Jenne (Alt), Nord Yakovleff,

Guests: Art Talmadge, Mike Sibiga, Lisa-Marie Griffiths, Brian Griffiths, Catherine Silver-Smith, Jeffrey Lanteigne

1. **Call to Order:** The November 19th, 2018 special meeting of the Ashford Planning and Zoning Commission was called to order by Chairman Silver-Smith @ 7:00pm
2. **Seating of Alternates:**
Douglas Jenne for Catherine Sampson
3. **Recording Secretary announced** – Jeffrey Lanteigne.
4. **Review of the minutes of the October 9, 2018 Meeting**
Mr. Jenne noted a discrepancy in the minutes – as having been seated at the meeting at 7:47, but not being listed as present at the meeting. Mr. Jenne also requested that the goals and objectives (mission) of the Agricultural Commission that were shared by Art Talmadge be entered into the record and attached to the minutes of this meeting. Tom Hastings was seated as an alternate.
Motion to approve minutes delayed until next meeting – due to lack of full quorum to approve.
5. **Bills** None

Motion from the floor to re-order the discussion of unfinished business as listed on agenda; Voting for; Silver-smith, Williams, Hastillo; Against: None; Abstain: Yakovleff; Motion passed.

6. **Unfinished Business**

Discussion Item #1

Discussion and development of Article 6 E- Agricultural exemption language change

Based on last meeting - Having provided Mr. Talmadge with direction in changing the language, Art Talmadge took the issue to the Agricultural Commission to draft recommended language to provide criteria/standards to consider at when reviewing any agricultural exemptions.

Commission began discussion of proposed language changes to wording for Article 6E, Section 2, C, as provided (emailed) by Art Talmadge.

There was some concern and discussion regarding the need to define a threshold and time-frame(s) for the exemption. Chairman states that anything requiring input from the Ag commission doesn't require the commission to put a number threshold within the article, rather to gather the necessary information to make determination ('the why') is what is needed. Chair states the 'how' and the 'why' was well defined as written. The question/concern in creating a threshold is the potential to unnecessarily limit development.

As discussed by the commission, the intent of the exemption is to limit the amount of material added or removed from a site. Framework of the wording is intended to allow the commission to make an informed decision, and then allow for flexibility and uphold the requirements. Art suggests avoiding adding numerical limitations, rather to speak to the intent of the regulation to indicate small scale excavation and activities.

Mr. Yakoloff shared concerns that an agricultural plan isn't binding. He notes that there are ways to prove an actual agricultural operation exists through supporting required documentation (tax exemption, Town Clerk, State of CT).

Commission discusses the need for clarity on the intent of the wording and opening statement of the article while allowing for multiple checks and balances, one of which is time-frame(s). Draft changes to the verbiage were discussed and suggestions were made by the commission. Chairman states changes to the wording to Article 6E, Section 2, C will be made for presentation at the next meeting. The Vice Chair will amend the wording, which will be reviewed and motioned for approval with all other amendments at the next scheduled meeting on 12/10.

Guest, Mike Sibiga, makes a point that in enforcement of this article, will take the cooperation of commissions working together and doing right for the town, as well as what's right for agriculture in town. Art is invited to next meeting and meeting to provide updated wording

*Art & Mike exit after topic concludes.

Discussion Item #2

154 Westford Hill Rd- - Discussion on pending Motion from August 13, 2018- Legal counsel input from October 9, 2018 meeting discussion

Motion by Chair to go into executive session. All in favor; None opposed; No abstention. Motion approved

All non-board members asked to leave the room at approximately 8:25pm
Executive session ends at 8:47 and non-board member re-enter the room

MR. HASTILLO MOVED AND MR. WILLIAMS SECONDED A MOTION FOR THE ASHFORD PLANNING AND ZONING COMMISSION TO INFORM LEGAL COUNSEL TO INITIATE LEGAL ACTION AGAINST OWNER OF 154 WESTFORD HILL AND TO EXPEDITE SEEKING AN INJUNCTION TO STOP ALL EXCAVATION AND PROCESSING ACTIVITY. VOTING FOR SILVER-SMITH, HASTILLO, WILLIAMS, JENNE, BELLAMY, YAKALOFF: VOTING AGAINST= 0, ABSTENTIONS= 0. MOTIOIN PASSED.

Discussion Item #3

Discussion and development of General Standards of Residential Building Lots- ZEO input

Commission discusses the need to truncate this topic based on the late hour. Buildable Area Regulations were distributed in the room. Discussion began on this topic on 7/9/18 @ PZC meeting and content had been added to in subsequent meetings.

Feedback from Ed Pelletier (email), who could not attend, wanted to express that flat level areas are more restrictive for building than areas with slopes for multiple reasons as outlined in Section 4 of the Ashford Zoning Regulations Article. The commission begins discussion on the topic. Alex makes a point that there isn't much flat land in terms of development. Vice Chair states that site plans take all of these concerns consideration. Page 54 (A-2 site plan submission) was referenced. All of this documentation gets vetted through the ZBO. Based on this discussion, vice chair states these comments don't belong in the buildable area documentation.

Commission discusses a possible increase to the slope allowance to give the commission the ability to make exceptions as needed. Factors brought up in discussion - Many of the lots in Ashford aren't square, and have odd angles; there aren't many lots for sale in Ashford; there has to be a footprint big enough within that lot for the structure and septic system in order to meet requirements of set-backs.

Any regulation changes discussed to be shared with the group next time. Vice Chair asks commission to go over the red and black document (Discussion Points and Comments on Minimum Lot Size and Buildable Area Regulation) and make additional comments. The group will walk through these item by item in the next meeting. Commission will look to the attorneys for final regulation wording – especially in the Article 3 definitions –we don't want to repeat already existing state regulations, rather reference them.

7. **Correspondence** 2 documents: 1. Email from Ed Pelletier & 2. Building Lot Considerations and Related Topics - dated 9/28/18
8. **New Business**
None
9. **Zoning Officer Report**
See attachment

10. Public Comments

None

- 11. Adjournment:** Motion made by chair, seconded by Nord and to adjourn the November 19, 2018 meeting. Voting for: All ; Voting against: None; Abstaining: None; Motion Passed.

The November 19, 2018 special meeting of the Ashford Planning and Zoning Commission adjourned at 9:36pm

Respectfully submitted,
Jeffrey Lanteigne, Recorder

Town of Ashford
Land Use Department
5 Town Hall Road Ashford CT 06278

ZEO Report for November 19, 2018

Applications for Certificate of Zoning Compliance since 10/8/18

35 Howard Road – in-ground pool
615 Westford Road – 22' x 25' accessory utility building
163 Krapf Road – 24' x 24' residential garage
237 Bebbington Road – 30' x 30' garage addition

New construction

Nothing new to add since last report

Enforcement Actions

Nothing to report at this time.

Miscellaneous

Inquiries from the public, interpreting regulations, and reviewing site plans for potential applicants is a weekly activity.

Michael Gardner
Zoning Enforcement Officer