

MINUTES  
SPECIAL MEETING  
TOWN OF GROTON  
ZONING COMMISSION  
JANUARY 31, 2018 – 6:30 P.M.  
TOWN HALL ANNEX – 134 GROTON LONG POINT ROAD  
COMMUNITY ROOM 2

I. ROLL CALL

Regular members present: Hudecek, Sayer, Smith, Sutherland  
Alternate members present: Archer  
Absent: Edgerton, Marquardt  
Staff present: Glemboski, Jones, Gilot

Chairperson Sutherland called the meeting to order at 6:30 p.m.

Chair said oral comments from the public will not be received at this meeting but could be provided at the next regular meeting.

II. APPROVAL OF THE MINUTES

1. January 3, 2018

MOTION: To approve the January 3, 2018 meeting minutes as written.

Motion made by Sayer, seconded by Smith. Motion passed unanimously.

III. ITEMS OF BUSINESS

1. Commission Workshop – Zoning Regulations Rewrite Project

Jeff Davis, Horsley Witten, briefly updated the commission. He noted that Horsley Witten’s attorney and the Town’s attorney have reviewed the residential definitions which will be discussed tonight. Horsley Witten will not be at the February 7<sup>th</sup> meeting because the commission has other work, and the February 21<sup>st</sup> workshop will be a discussion of the mixed use zoning districts and start of the use conditions.

Residential Use Definitions

General Terms:

Household vs. family - “Family” has been changed to “household”. Number c) will be changed to a total of 6 (unrelated) persons plus dependent children. Discussion of accessory units, households and number of people allowed to live in an accessory unit. There would need to be some form of legal possession, lease or ownership of the premises. This follows Hartford’s definition (Scarborough 11). The current definition of “family” in the zoning regulations allows up to four unrelated persons as a family. The commission agreed to increase the number to six. Domestic employees are now included in the newly proposed definition because they are not part of a family. Only two definitions may be needed, if domestic employees are added to c). Davis will

change “family” to “household”, increase to six, and reflect household employees. Staff said b) is a traditional family and c) is for a mix of related and non-related.

Dwelling - Single family was changed to one-unit dwelling, two-family to two-unit dwelling, and multi-family dwelling to multi-unit dwelling.

#### Household Living:

Cottages – definitions added for cottage and cottage community: these will be defined according to standards. Conditionally allowed in R, RS, RMF, MVC.

Sayer suggested “one small single household in a cottage community” as a definition for cottage.

Cottage community – the word “community” is not used in other places, so there is no consistency. Community is best word, but not used anywhere else; cottage housing or development would be more consistent. Sayer suggested Housing development consisting of small household units that contains common outside spaces as identified in Section.....”

Mobile homes - The zoning regulations currently have two sets of definitions for mobile homes; one for residential and one for floodplain management. The consensus was to call everything mobile manufactured home - prefabricated and can be moved. “Trailer park” will now become “mobile manufactured home” park or community. Staff explained the history and definition of a mobile home subdivision. The mobile home definitions will be updated and staff will email them to the commission. There is no difference between manufactured (modular) home and stick built home.

#### Lodging:

Bed and Breakfast – Generally speaking, a bed and breakfast is the use of a primary or main house; usually used to preserve older homes; guests would be allowed to stay in the primary house with the homeowner. As proposed, only the homeowner could stay in an accessory building. This would avoid homeowners adding a secondary building just to use as a guest house. Bed and breakfasts would be allowed in all zones except WW, IG/IM and GR/GC. Some districts might have additional conditional uses. R and RS would require a special permit. RU and RMF would have conditions. The commission did not want to restrict the use of accessory buildings to owners, but may limit the number of accessory buildings on the property. Staff recommended one accessory building. The commission and staff discussed Airbnb’s or temporary rentals. Staff said that has not become an issue yet in this town. Davis said you could request anyone registered through Airbnb must apply for a bed and breakfast. Staff said parking, licensing requirements are considerations for a bed and breakfast. The Building Official has not had any complaints about Airbnb’s and sees no need yet to regulate at this time. Smith said tax revenue may become the issue. Bed and breakfast charges state tax and the business can be written off.

#### Health/Institutional:

##### Senior Housing

- Active senior housing – 55 plus, no medical support; currently must meet the density of the underlying zone.

- Residential life care facility – lower density but services are provided:
  - Assisted living
  - Congregate living facility
  - Nursing facility

Staff noted that these definitions have not changed much from current definitions and will align with the state definitions.

#### Health/Institutional Residential

The attorneys are still reviewing these for compliance with fair housing laws.

- Community group residence, limited
- Residential counseling facility
- Transitional housing

A rooming unit is a private space with shared living areas, no individual kitchen facility. The rooming and boarding house definition was removed.

The commission discussed zero lot line development (such as brownstones or row houses), currently allowed in the zoning regulations and staff wasn't sure if that will be used in the new regulations.

Staff and Davis will update the residential definitions as discussed. The institution definitions will be discussed after the attorneys determine what needs to be allowed and where it has to be allowed.

The commission reviewed the definitions for the green zones. They concurred to change "must have" to "typically has" in the last sentence "...all parcels in this district must have an ownership structure or deed restriction...". The zone description is only a description of what the zone is for, not a definition.

Davis said he just received the analysis data for R-12 and RS-12 and hoped to have the information to the commission for the February 7<sup>th</sup> meeting if they want to discuss it at that meeting.

A commissioner would like to revisit accessory setbacks, specifically the requirement for an accessory use to be set back further than the primary building. Also, if an accessory unit as a separate dwelling should be called an accessory dwelling unit. Staff said they will be reviewing these and will bring them to the commission.

The commission also asked about granny pods. Staff said the state has specific standards and the town can adopt those or opt out. Staff said they haven't pushed to opt out because of major revisions to the zoning regulations and they will be looking at this in the future. There is no deadline to the opt-out feature. The commission asked if the opt-out must be adopted by the Town Council. Staff said they would check.

The commission discussed the R-12 and RS-12 neighborhoods that were used for Horsley Witten's analysis. Staff said a lot of variance applications were applied for from the Fort Hill neighborhood, which indicates the setbacks and/or coverage may need to be adjusted so that residents would be allowed to improve their properties.

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XI. ADJOURNMENT

Motion to adjourn at 8:06 p.m. was made by Hudecek, seconded by Archer; so voted unanimously.

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Susan Marquardt, Secretary  
Zoning Commission

Prepared by Debra Gilot  
Executive Assistant