

Zoning Commission Hybrid Meeting

November 16, 2022 7:00 P.M.

Putnam Municipal Complex

Room 201 2nd Floor

200 School Street

Putnam, CT 06260

Join Zoom Meeting

<https://us06web.zoom.us/j/81217981671?pwd=c1MyVW50UzNhV2o3cDBtd1RsTE9ZZz09>

Meeting ID: 812 1798 1671

Passcode: rLaPK5

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 812 1798 1671

Passcode: 067223

Zoning Commission Hybrid Meeting
November 16, 2022 7:00 P.M.
Putnam Municipal Complex
Room 201 Second Floor
200 School Street
Putnam, CT 06260

Roll Call:

Public hearing on Docket # 2202-06 Town of Putnam Zoning Commission will hold a public hearing in order to decide whether or not to opt out of the provision of Public Act 21-29 that allows as-of-right detached accessory dwelling units on lots with single family homes. VOTE REQUIRED

Agenda:

Regular Meeting:

Review the minutes of the October 19, 2022 meeting. VOTE REQUIRED

Correspondence:

New Business: VOTE REQUIRED

Docket # 2022-06 Town of Putnam Zoning Commission – Public Act 21-29 - Option

Other Business: VOTE REQUIRED

Accepting of New Applications for public hearing on December 21, 2022 if applicable.

Adjournment.

Zoning Commission/Aquifer Protection Agency Hybrid Meeting Minutes
October 19, 2022 7:00 P.M.
Putnam Municipal Complex
Room 201 Second Floor
200 School Street
Putnam, CT 06260

Present: Patricia Hedenberg-Chairman, Elizabeth Thompson, Douglas Taylor, Peter McMorris,
Nick Huston

Opened public hearing on Docket # 2022-05 WD Investments, LLC request for a Special Permit in accordance with Section 304, Table III-1 Schedule of Uses and Districts for general warehousing and storage. Property located at 2 Furnace Street, Town Assessors Map 18, Lot 133, Zoned Industrial. Shawn Dery reviewed the proposal with the Commission. Motion by Nick Huston to close the public hearing, second by Elizabeth Thompson. ALL WERE IN FAVOR.

Agenda:

Regular Meeting:

Review the minutes of the September 21, 2022 meeting.

Motion by Elizabeth Thompson to accept the minutes, second by Nick Huston. ALL WERE IN FAVOR

Correspondence:

New Business: VOTE REQUIRED

Docket # 2022-05 WD Investments LLC – Special Permit – Warehousing and Storage – 2 Furnace Street

Motion by Nick Huston to approve, second by Douglas Taylor. ALL WERE IN FAVOR.

Other Business: VOTE REQUIRED

Strategic Commercial Realty, Inc. DBA Rawson Materials – 79A Town Farm Road – Gravel Permit Renewal

Motion by Douglas Taylor to approve for 3 years, second by Nick Huston. ALL WERE IN FAVOR

Renewal of Aquifer Registrations for the following locations:

1. Putnam Financial Associates, LLC – 2022-01
33 Industrial Park Road

Motion by Nick Huston to renew for 5 years, second By Liz Thompson. ALL WERE IN FAVOR

2. KARS of Putnam LLC. – 2022-02
181 Killingly Avenue

Motion by Nick Huston to renew for 5 years, second By Liz Thompson. ALL WERE IN FAVOR

3. Michael J. Glover – 2022-03
54 Nancy Drive

Motion by Nick Huston to renew for 5 years, second By Liz Thompson. ALL WERE IN FAVOR

4. Vista Holdings, LLC – 2022-04 - 3 Park Road

Motion by Nick Huston to renew for 5 years, second By Liz Thompson. ALL WERE IN FAVOR

Accepting of New Applications for public hearing on November 16, 2022 if applicable. None

Motion by Elizabeth Thompson to adjourn at 7:25, second Nick Huston. 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 their next meeting agenda



TOWN OF PUTNAM
ZONING COMMISSION

Check One:

- ☐ Application for Special Permit of Exception
☐ Application for Amendment to Regulations
☐ Application for Zone Change
☒ Other

Docket No. 2022-06
Date 10-20-2022
Fee: N/A
Amount _____ Check No. _____

- 1.) Name of Applicant: TOWN of Putnam Zoning Commission
Address & Telephone No. 200 School Street, Putnam, CT 06260
- 2.) Owner of Land N/A
Address N/A
- 3.) Location of Property N/A Zone N/A
Street or Road _____
Assessor's Map No. N/A Lot No. N/A
- 4.) State nature of your request in detail including the section of the regulations that affect you. Also please attach a sketch of your proposal with this application. If this application is for a Zone Change attach a list of the abutters that are within 500 feet of the property.

Review and decide whether or not to opt out of
Provisions of Public Act 21-29 that allow as
of right detached accessory apartments on
lots with Single Family dwellings.

SUBMIT THIS APPLICATION NO LESS THAN 21 WORKING DAYS PRIOR TO MEETING DATE

I hereby certify that all the information provided is accurate and complete.

Date Accepted _____

Date Rejected _____

Signature of Applicant _____

Date _____

Signature of Chairman _____

Research Brief

Accessory Dwelling Units

February 2022

Introduction

In the 2021 Legislative Session, the Connecticut General Assembly passed, and Governor Lamont signed, HB 6107 (Public Act 21-29), *An Act Concerning the Zoning Enabling Act, Accessory Apartments, Training for Certain Land Use Officials, Municipal Affordable Housing Plans and a Commission on Connecticut's Development and Future*. Under §§ 1, 6, 7 & 10 - As Of Right Accessory Apartments - the act make changes for municipalities that zone under CGS § 8-2:

- requires that they adopt or amend regulations to allow accessory dwelling units (ADUs) as of right on the same lot as single-family homes unless they follow the act's opt-out process;
- specifies that these units will not count toward a municipality's base housing stock calculation for purposes of the Affordable Housing Land Use Appeals Procedure (CGS § 8-30g); and
- modifies the definition of ADU for purposes of the appeals procedure; specifies that the addition of an ADU on a lot does not make the sewerage system a "community sewerage system."

This act is effective January 1, 2022, for the main ADU provisions (§ 6) and October 1, 2021, for the definitions and conforming changes (§§ 1, 7 & 10).

Bill Summary and Analysis

Under the act, an "accessory apartment" (also referred to as an accessory dwelling unit or "ADU") means a separate dwelling unit that:

- is located on the same lot as a principal dwelling unit of greater square footage;
- has cooking facilities; and
- complies with or is otherwise exempt from any applicable building code, fire code, and health and safety regulations.

The act specifies that "as of right" means able to be approved without requiring:

- a public hearing;
- a variance, special permit, or special exception; or
- other discretionary zoning action, other than a determination that a site plan conforms with applicable zoning regulations.

The act requires regulations to establish an as of right permit application and review process for ADUs. The process must require the zoning or planning and zoning commission to decide within 65 days after an application unless an applicant approves an extension or extensions of up to 65 days total or withdraws the application.

Under the act, municipalities cannot condition ADU approval on the correction of a nonconforming use, structure, or lot or require fire sprinklers unless they are also required in the principal dwelling or by the fire code.

The act requires municipalities that exercise powers under CGS § 8-2 to adopt regulations:

- allowing one ADU as of right on each lot that contains a single-family dwelling; and
- designating other areas where ADUs are allowed.

However, the act allows municipalities to opt-out until January 1, 2023. To opt-out, the municipality's zoning or combined planning and zoning commission must:

- first hold a public hearing on the proposed opt-out, subject to the standard notice and timeframes for such hearings;
- affirmatively decide by a two-thirds vote to opt out within the statutory time limit (generally within 65 days of the hearing's completion);
- state in the record the reasons for its decision; and
- publish notice of the decision within 15 days in a newspaper that has substantial circulation in the municipality.

The act requires the opt-out to be confirmed by a two-thirds vote of the municipal legislative body (or if it is a town meeting, the board of selectmen).

Regulations

Under the act, the ADU zoning regulations must:

1. allow attached and detached ADUs and ADUs contained within the principal dwelling unit;
2. set a maximum net floor area for ADUs that is the lesser of (a) at least 30% of the principal dwelling's net floor area or (b) 1,000 square feet (but regulations may allow a larger net floor area for ADUs);
3. require setbacks, lot size, and building frontage less than or equal to that which is required for the principal dwelling;

4. require lot coverage greater than or equal to that which is required for the principal dwelling; and
5. provide for height, landscaping, and architectural design standards that do not exceed standards applied to single-family dwellings in the municipality.

Regulations cannot require:

- a passageway between the ADU and principal dwelling;
- an exterior door for an ADU, except as required by the applicable building or fire code;
- more than one parking space for the ADU or fees in lieu of parking;
- a familial, marital, or employment relationship between the principal dwelling unit's occupants and the ADU's occupants;
- a minimum age for ADU occupants;
- separate billing of utilities otherwise connected to, or used by, the principal dwelling unit; or
- periodic ADU permit renewal.

Additionally, the act prohibits municipalities, special districts, and sewer or water authorities from:

- considering an ADU to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless the ADU was constructed with a new single-family dwelling on the same lot; or
- requiring the installation of a new or separate utility connection directly to an ADU or imposing a related connection fee or capacity charge.

Under existing law, a community sewer system is a sewer system service for at least two residences in separate structures that is:

- (1) not connected to a municipal sewer system or
- (2) connected to it as a distinct and separately managed segment of the system. The act specifies that a "community sewerage system" does not include a system serving only a principal dwelling and ADU located on the same lot.

Housing Stock Calculation Under CGS § 8-30g

The act specifies that ADUs built or permitted after January 1, 2022, but that are not subject to deed restrictions that qualify them as affordable housing will not increase a municipality's base (market-rate) housing stock calculation. Therefore, as of right ADUs will not increase the amount of affordable housing that a municipality must have to obtain or maintain an exemption or moratorium from the procedure.

Resources

[Connecticut General Assembly on HB 6107](#)