

Town of Willington
Planning and Zoning Commission
November 21, 2023 7:30pm
Meeting Minutes

A. Call to Order

W. Parsell called the meeting to order at 7:30pm.

B. Roll Call/Seating of Alternates

Walter Parsell
Bob Shabot
Andy Marco
Doug Roberts
Michael Johansen (Alternate)

Also Present:

M. D'Amato- Zoning Agent
E.Delaney- Asst.Zoning Agent (via Zoom)

C. Applications for Receipt

None

D. Public Hearing

1. PZ-23-14: Regulation Amendments to Section 3 and Section 11.01 of the Zoning Regulations pertaining to Family Child Care Homes and Group Child Care Homes as Required by PA 23-142.

M. D'Amato re explained that under Public Act 23-142 you can't make a family childcare home or group childcare home go through approvals beyond what you would have to go through with a single-family home. He stated that he believed the Act was passed following a lack of access to childcare that happened during COVID. The way that our regulations are currently written, there are some modifications that needed to be made. Starting with the first page M. D'Amato proposed to add the word primary to the definition that already exists for daycare center (which is more than 12 children). M. D'Amato suggested to clarify because in-home daycares are accessory to the primary use which is still a home. M. D'Amato noted that on the next page he suggested to add accessory use to better create a distinction. Based on the organization of our regulations the easiest way to add this in was to create a carve out within section 11 that already regulates home occupations and states the existing criteria that a home occupation needs to meet. Essentially adding a caveat in here stating that if they comply with the standards of The Office of Early Childhood then they don't need to demonstrate compliance to the other criteria. This was the clearest way to address this. M. D'Amato mentioned that this act requires that towns certify they are in compliance, but it does not change functionally how these uses have been regulated. W. Parsell asked if we are changing our zoning to reflect the new statute. M. D'Amato agreed that we are and stated essentially if you are taking care of up to 12 children in your home, and are licensed by the state, and you get a zoning permit from the town like for a shed or a deck then as long as you maintain the state license then you do not need anything beyond that.

W. Parsell opened the public hearing for discussion to online attendees.

Kathy Demers asked if the definitions that we have currently could be changed. For example, instead of using Group Daycare home if we could reflect it to the state and say Group Childcare home, as well as changing Family Daycare Homes to Family Childcare homes. M. D'Amato said that there is no reason it can't be changed to reflect that. K. Demers asked if we had any definitions for Adult Day Centers, because under the definition for Daycare Center it allows for a program of supplementary care for compensation to more than 12 related or unrelated children or any number of adults outside their own homes on a regular basis for a part of 24 hours. Since the regulations are being changed K. Demers wondered if we could have specific definitions for Adult Day Center. K. Demers mentioned that in the Mansfield Regulations that were sent over for review, they do have a definition for Adult Daycare in there's.

M. D'Amato said it is not called out separately in the regulations anywhere except for "community residences for mentally ill adults and the associated requirements from that." M. D'Amato said that the Town could certainly adopt a definition for it, but it would have to be separate from this. It would be a new amendment, but we could prepare it separately and look into it further.

W. Parsell asked If there were anymore comments from the public.

W. Parsell Motioned to close the public hearing. B. Shabot seconded. All in favor.

E. New Business

1. PZ-23-14: Regulation Amendments to Section 3 and Section 11.01 of the Zoning Regulations pertaining to Family Child Care Homes and Group Child Care Homes as Required by PA 23-142.

M. Johansen motioned to accept the application with the modifications proposed during the public hearing. D. Roberts seconded. All in favor.

M. D'Amato noted that the effective date for the regulation would be 12/15/23. We have to certify that we are in compliance with the state by 12/1/23.

2. Commission Bylaws

M. D'Amato stated that this was started a while back and has been reviewed in multiple meetings. This was born to make a better understanding of the commission to the residents. The agenda was modified to help show each step that we take during meetings and clarify that everyone is aware of what happens and how things function. It helps explain how the officers are elected since we do not do an election every year. This memorializes the process of what's on the agenda and the order of business. It does not create any new processes, obligations, or responsibilities. It is a set of guidelines to set some foundation in place. Some existing bylaw language that was older was pulled and that helps clarify that an alternate cannot participate in deliberations unless seated. They can participate in everything for the public hearing and questioning the applicants, but when it comes to deliberating they cannot participate unless they are seated. M. D'Amato also included that time of adjournment of all regular and special meetings shall be no later than 10:30pm unless this rule is waved by unanimous vote.

A. Marco mentioned possibly considering language that allows the commission to vote members out if they do not show up to the meetings. Without language for this they continue to show up until they eventually vanish off the commission. There is no formality to it. A. Marco asked if it needed to be in the bylaws.

M. D'Amato stated that for it to be in the bylaws action would need to be taken when these situations happen. Generally speaking, you are appointed the terms start and end date. Most towns have language regarding attendance that if you miss more than three consecutive meetings etc.

A. Marco asked where the language would be if it is not in the bylaws. M. D'Amato said that in many cases it is part of the ordinance for the town and applies for everything. A. Marco said that if it's in place there is no need add a bylaw to it. As long as there is something to rely on to make a motion to longer recognize a person as a commissioner because they are never seen, don't show up, and do not respond.

W. Parsell agreed that if you are elected or appointed to the commission you should an effort or at least communicate.

3. Election of Officers

A. Marco asked if we want to consider having more participants in the election process. B. Shabot agreed to wanting to see more people in person.

A. Marco mentioned to reach out to the people that have not come in and ask them to come in person or be online, we want to elect an officer and we want it to be full.

4. 2024 Regular Meeting Dates

M. D'Amato explained that there will only be one meeting in July due to the first one falling on the 2nd which can be a tough date with people being on vacation.

W. Parsell motioned to approved. D. Roberts Seconded. All in favor.

F. Unfinished Business

None

G. Approval of Minutes

10/17/2023 – W. Parsell motioned to approve. M. Johansen seconded. All in favor.

H. Correspondence

1. CRCOG Regulation Comment Letters

M. D'Amato explained that this is just the comment letters that come from CRCOG. This is a correspondence for the regulation just approved. A. Marco asked how important our physical participation is in the CRCOG meetings. M. D'Amato mentioned that John Tehan was going to be participating on behalf of the commission, but CRCOG had not contacted him.

2. Commissioner Training Opportunity

M. D'Amato said that this was included incase anyone was interested in the training opportunity. It will be on December 1st. These were sent out due to the elections and people changing positions out.

3. Adjoining Towns Referral

M. D'Amato explained that like Willington, Mansfield is doing their referrals for PA 23-142. This is just letting the surrounding towns know that they are in compliance.

I. Public Participation (items not listed on the agenda)

None

J. Staff Report/Discussion

None

K. Adjournment

W. Parsell adjourned the meeting at 8:05pm.

Respectfully Submitted,
Evelyn Delaney - Assistant Land Use Agent