

TOWN OF ANDOVER  
PLANNING AND ZONING COMMISSION  
Monday, January 25, 2021  
LOCATION: VIRTUAL MEETING VIA ZOOM, 7:00 P.M  
PUBLIC HEARING /REGULAR MEETING TO FOLLOW

**PUBLIC HEARING MINUTES**

**Members Present:** Chair Jed Larson, Vice Chair Anne Peterson Crème, Scott Person, Susan England, Leigh Ann Hutchinson, Anne E. Blanchard (alternate), Kevin Arnesen (alternate)

**Member Absent:** None.

**Others Present:** Zoning Agent – Jim Hallisey, Board Clerk – Mindy Gosselin

- 1) Call to Order - Public Hearing: J. Larson called the Public Hearing to order at 7:01 p.m.
- 2) Open Public Hearing: Application of the Planning & Zoning Commission to add Section(s) 2.1 and 2.2 and add Section(s) 7.6, 7.7 and 7.8 to the Andover zoning regulations to establish criteria for the mitigation of potentially detrimental effects of construction in the Andover Lake Area and to adopt an overlap map of same.

J. Larson explained the Lake Overlay Zone map. The red outline depicts the Andover Lake Watershed area and the blue outline depicts the Lake district. The yellow color is Zone A, where the most restrictive regulations would take effect. The light blue color is Zone B and the purple is Zone C. The tan/orange color is Zone D, it is in the Lake district but outside the watershed area. This is the same map that was reviewed previously.

J. Larson reviewed the draft lake regulations. Sections 2.1 and 2.2 added the Andover Lake watershed protection overlay zones (A, B, C, and D) and described the map.

J. Hallisey suggested the adoptive date for these regulations be tonight (January 25, 2021) and the adoptive date would be a month from now (February 25, 2021).

J. Larson reviewed Section 7.6, he explained that the intent of these regulations is to make the lake cleaner and reduce runoff. There were no comments for Section 7.6.2. For the requirements section, the nutrient allocation worksheet should only be used for zones A-C, not D. Additionally, it refers to an increase of the amount of phosphorus/nitrogen leaving the site – it should be corrected to reduction and nitrogen should be removed from the language.

J. Larson explained that the definitions are still located at the end due to the renumbering/formatting issues that moving it to the front of the document would create.

J. Larson explained that for undeveloped properties on the water, at a minimum, the property owner will mitigate storm water runoff by capturing all roof and driveway runoff in storm water storage capacity.

Properties are encouraged to add additional storm water mitigation. Actions taken by property owners may be considered in future measures required by future development.

J. Larson received feedback from the town sanitarian regarding septic regulations. It was discovered that the regulations can make requirements that are more significant than the public health code. J. Larson read the email from Thad King and discussed septic repairs/compliance in the different zones.

J. Larson received an email from ALMA stating that the ALMA and the ALPOA boards are supportive of the regulations.

S. England asked if CRCOG had feedback. J. Larson stated that J. Hallisey did not hear back from CRCOG and the time requirement was met. The towns of Columbia and Hebron were notified and they did not have comments.

S. Person MOVED to close the public hearing at 7:46 p.m. S England SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

### **REGULAR MEETING MINUTES**

**Members Present:** Chair Jed Larson, Vice Chair Anne Peterson Crème, Scott Person, Susan England, Leigh Ann Hutchinson, Anne E. Blanchard (alternate), Kevin Arnesen (alternate)

**Member Absent:** None.

**Others Present:** Zoning Agent – Jim Hallisey, Board Clerk – Mindy Gosselin

- 1) Call to Order: J. Larson called the meeting to order at 7:47 p.m.
- 2) Seating of Alternates: The board is full; alternates were not seated.
- 3) Public participation (Pertaining to items not covered under the public hearing): None.
- 4) Additions and/or Changes to the Agenda: None.
- 5) Old Business
  - a) Zoning Regulation Amendment – Discussion/Possible Action

S. Person MOVED that the application from the Town of Andover, acting through its Planning & Zoning Commission, proposing amendments to the Andover Zoning Regulations be adopted. More specifically, the changes to Section 2.1 and 2.2, 7.6, 7.7, 7.8 of the Andover Zoning Regulations and adoption of the map entitled Andover Lake Watershed Protection Map which is hereby dated January 25<sup>th</sup>, 2021. A copy of the amendment is hereby attached to this motion. The effective date of the change shall be February 25<sup>th</sup>, 2021.

Basis for Approval:

The proposed amendment will provide the town an additional tool to preserve of the water quality of Andover Lake which is a goal of the Town's Plan of Conservation and Development.

L. Hutchinson SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

b) Use of Town-owned Rights of Way - Discussion/Possible Action

J. Hallisey explained that this issue arose when Wheeling road was supposed to be realigned because of the proposed route 6 bypass – however, the bypass project did not happen and Wheeling road was not realigned. This land acquired for the project was then deeded back to the town by DOT.

There is now a 1.5-acre, triangle piece, of town property between the parcel in question and Wheeling road. This raises the question: does the parcel have the right to cross this town land? J. Hallisey added that there is a caveat on the map where it's to be used as open space.

J. Larson stated that the commission will have to seek the advice of town counsel.

J. Hallisey stated that he did talk to Mark Branse, however, J. Hallisey does not know if M. Branse had all the information. J. Hallisey was looking for a declaration or conservation easement of sort and did not find anything in the records.

J. Larson stated that whoever wants the answer to the question needs to pay for the attorney fees.

c) Filing of Vacancies – Discussion (update)

Town elections are in May and there will be 2 regular commission vacancies. S. England will not be re-running, she wants to become an alternate. There is also a third alternate position on the ballot.

6) New Business: None

7) Approval of Minutes – December 21, 2020 Meeting

S. Person MOVED to approve the December 21, 2021 Regular Meeting Minutes. A. Crème SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

8) Correspondence: None

9) Administrative Report – Zoning Agent

a) Outstanding Violation(s):

J. Hallisey stated that someone is living in a camper on 44 Wales Road. A cease and desist order was sent 35 days ago and time to respond has expired. J. Hallisey is working with Mark

Branse on the next steps and has also contacted the health department, building department, and fire marshal.

J. Hallisey stated that him and the building official sent a cease and desist letter to a property on Shoddy Mill road. There is an unpermitted steel building on property line (meant for an RV). The residents have responded and they are taking it down. J. Hallisey gave them 30 days.

There is an upcoming workshop by the CT Bar association Land Use Division on March 6<sup>th</sup> at 9am. Contact J. Hallisey for more information.

There should be an application for an open space subdivision coming up on Old Farms Road and Pine Ridge Drive.

J. Hallisey stated that he is still waiting on an application from 129 Hebron Road, it was approved by the Wetlands Commission in November.

10) Miscellaneous:

J. Larson stated that the town's sign regulations will be revised next. The basis for the change is having the same restrictions/constraints for all signs. Current regulations put political signs in a special category.

S. Person asked J. Larson about addressing the issue of frontage. J. Larson said he is going to wait until a specific example requires that discussion.

11) Adjournment

L. Hutchinson MOVED to adjourn the meeting at 8:26 p.m. S. Person SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

Respectfully submitted by Mindy Gosselin,

*Mindy Gosselin*

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.