



# Lower Connecticut River Valley Council of Governments

145 Dennison Road Essex, CT 06426 | +1 860 581 8554 | [www.rivercog.org](http://www.rivercog.org)

## Regional Planning Committee

### LOWER CONNECTICUT RIVER VALLEY REGIONAL PLANNING COMMITTEE

#### MINUTES OF REGULAR MEETING

Monday, February 22, 2021 – 7:00 pm

Virtual Zoom Meeting

#### Members:

Chester	Mike Sanders *
	Cindy Lignar *
Clinton	Alan Kravitz *
	Martin Jaffe
Cromwell	Nick Demetriades *
	Anthony LaCava *
Deep River	Bruce Edgerton *
	Tony Bolduc
Durham	Frank DeFelice *
East Haddam	Crary Brownell
	Lou Salicrup *
East Hampton	Michael Kowalczyk *
Essex	Jane Siris *
	Sandra Childress *
Haddam	Raul deBrigard
	Maurice Adams
Killingworth	Alec Martin *
	Stephanie Warren *
Lyme	Mary Stone *
	Humphrey Tyler*
Middlefield	Paul Pizzo *
Middletown	Beth Emery *
	Kellin Atherton *
Old Lyme	Harold Thompson
Old Saybrook	Karen Jo Marcolini
Portland	Mary Dickerson *
Westbrook	Bill Neale *
	Marie Farrell

\*Members Present

#### Staff Present:

Sam Gold  
Torrance Downes  
Megan Jouflas  
Margot Burns  
Eliza LoPresti

# RiverRPC

Kevin Armstrong

**Guests:** None

**1. Call to Order**

Chairman DeFelice called the meeting to order at 7:01 pm. The meeting was conducted via Zoom.

**2. Roll Call**

Paul Pizzo of Middlefield was introduced as that town's new member.

**3. Seating of Alternates - None**

**4. Adoption of Agenda**

*Ms. Dickerson moved to adopt the agenda; second by Ms. Emery. Vote was unanimous in favor.*

**5. Public Comment – None**

**6. Approval of Minutes of Past Meetings**

*Mr. Neale moved to approve the January 25, 2021 meeting minutes; second by Mr. Edgerton. Vote was unanimous in favor with Mr. Pizzo abstaining.*

**7. Discussion of RPOCD**

Ms. Jouflas asked the members to take a look at the comments that we placed on the map during the public interactive map exercise and to let her know of any stand-out comments (either good or way off-base) by Thursday of this week. When asked if she found any patterns in the map Ms. Jouflas replied that once the map is cleaned up a bit she may be able to detect patterns.

Next steps include giving the Existing Conditions report to the RPC. This report was edited to include the 90 pages of comments received. Once the mapping exercise comments have been vetted by the RPC there will be a first draft of the future land use map coming before the group. A preliminary draft of the actual plan is coming shortly as well. Since this package of review items will be ready for early March it was decided to hold a special meeting on March 9.

Mr. DeFelice presented a graphic that he created of the four themes of the plan as intertwined circles with sub-themes included. The group was pleased with the graphic which will be sent to FHI for inclusion in the plan.

**8. Referrals**

**a. Summary of five issued referral recommendations:**

Mr. Downes included a brief summary of referral letters that he created. There were two for the towns of Salem. One for commissary/ghost kitchens, which had no intermunicipal impact and another for rewrite of a section of the regulations of the Eight Mile River watershed overlay district, which were positive changes that provided more protection for the area. There was one for Meriden regarding easing restrictions on approving places of worship which has no significant intermunicipal impact. Killingworth has a proposal for accessory apartments that does not have detrimental intermunicipal impact. Mr. Downes created a list

**RiverRPC**

of how they have eased to existing regulations which is included in the summary that was distributed to all members.

The referral for the town of Colchester was discussed at length. This one involves a private petitioner proposing a large-scale agricultural building for indoor crops using the floating zone tool. The building could be from 20,000 to 350,000 square feet on at least 15 acres in the suburban, rural or the growth district. The rural district abuts East Hampton and East Haddam. The petitioner is interested in a property that is in the suburban zone, but if this petition for the floating zone is approved there is nothing stopping another petitioner from proposing the same in the rural zone. Mr. Downes suggests that the RPC recommend that the petitioner agree to the removal of the language inclusive of the rural zone for a landing spot for the floating zone.

Mr. Salicrup asked if it would be considered spot zoning if it were conditioned to one zone; Mr. Downes didn't believe so if the floating zone was used because there could be many properties it could apply to. Floating zone usage was then discussed. There was general agreement among commenters that the rural zone should be removed from the language. Colchester does not currently have floating zones, Mr. Downes feels that they may be predisposed to allow the building use but are being cautious about using the floating zone tool.

Mr. Kravitz suggested specifying the area that the floating zone can be landed. He also noted that the impact of the building is very different for a 20,000 sq. ft. building vs. a 350,000 sq. ft. building. Ms. Dickerson spoke to some impacts such as daily trucks because of loss of seasonality due to indoor farming, lighting, odor, etc.. Mr. Kowalczyk suggested limiting the type of road the lot is fronted on.

There was discussion of use classification, whether indoor farming is agriculture or industrial use at this scale. Mr. Neale and Ms. Stone mentioned discharge of waste water and concerns of environmental impact. Mr. Kravitz mentioned that experiences with externalities will need to be learned.

Mr. DeFelice noted that with floating zone use (vs. special permit), once the zone is landed and the petitioner produces a site plan for approval, the neighbors then have no say at a public hearing about it. He also brought up possible future expansion of an operation of this size. Mr. Kravitz noted that the standards have to be specified in a detailed way, early on. Mr. Demetriades suggested that they use an appropriate zone for this rather than the floating zone tool as a special permit is more flexible.

The Regional Agriculture Council feels that the use is agriculture, though they are concerned with the possibility of this landing in a residential zone. The state definition of agriculture is very broad.

Mr. Atherton reiterated that the letter should focus on the zone and the size of the building rather than the use or the nature of the crop being grown. Mr. DeFelice mentioned the setback of the building. Mr. LaCava asked what the intermunicipal impacts of the proposal are. Discussed were traffic, water use/pollution, decreasing property value. Ms. Dickerson

noted that a large-scale water user like this may have hurdles to pass before getting DPH approval based on if the state water plan is approved. Mr. Downes noted that these potential intermunicipal impacts would be eliminated if they just take out the language about the ability to locate this property in a residential rural zone.

*Mr. Neale moved to have Mr. Downes revised his drafted letter to reflect the recommendations made here; second by Mr. Martin. Vote was unanimous in favor.*

## **9. Miscellaneous: State, Regional and/or Local Planning Issues**

Ms. Stone stated that Lyme is drafting an ordinance concerning short-term rentals (less than thirty days) including B&Bs. Mr. Tyler noted that the RPC directly improved the crafting of it as it was learned through the RPC that Portland had already done research and taken action on this and Ms. Dickerson was very helpful to them.

Ms. Dickerson noted that Portland had a proposal that would allow an increase in the number of residencies in a special flood hazard area. She noted that a number of towns are looking at these unused spaces, which is counter to our natural hazard mitigation. This could be because municipalities are hunting for revenue.

Mr. Gold discussed the bill tracker that was previously distributed and current legislation. Ms. Burns gave testimony recently advocating for a working group on the hydrilla issue. Mr. Sanders asked about HB 6107, which is regarding the affordable housing plan and how often that needs to be done. This was briefly discussed with

Ms. Emery asked for an update on the RFP for the Bike/Ped plan and whether there would be a committee and what the deadline is. Our RFP for the completion closed on Friday, there will be an interview process forthcoming. Mr. Gold noted that Ms. Emery would be on a committee as it forms.

Mr. Gold discussed the RFP for the Regional Affordable Housing plan and the timeline for that. Three consultants are currently being interviewed.

## **10. Adjournment**

*Mr. Kravitz moved to adjourn at 9:02 pm; Ms. Emery seconded. Vote was unanimous in favor.*

Respectfully submitted,  
Eliza LoPresti