

*Robert J. Bask*

**PUBLIC HEARING MINUTES  
PLANNING AND ZONING COMMISSION 2021 DEC 10 PM 12:34  
DECEMBER 8, 2021**

A Public Hearing of the **EAST HARTFORD PLANNING AND ZONING COMMISSION** was held at Town Hall, 740 Main Street, East Hartford, CT on December 8, 2021.

Chair Ryan opened the public hearing at 7:02 p.m. Secretary Noel then read the legal ad for this public hearing, which was published in the Journal Inquirer on Friday, November 26<sup>th</sup> & Thursday, December 2<sup>nd</sup>.

**Present:**

John Ryan, Chair  
Henry Pawlowski, Vice Chair  
Carol Noel, Secretary  
Valentine Povinelli  
Stephen Roczynski  
Sidney Soderholm  
Melissa-Sue John, Alternate – via Teams

**Absent:**

Wesaneit Tsegai, Alternate

**Also Present:**

Jeffrey Cormier, Town Planner

The Chair declared a quorum with 7 voting members, including Alternate John.

Jeffrey Cormier, Town Planner, presented the following agenda item to the Commission. He stated that the reason this item is being brought before the Commission is not to ban Accessory Dwelling Units, in fact the Commission had previously stated on the record its intent to amend the current regulations as part of the comprehensive zoning revision process to allow residents to improve, invest in, and increase their home's value through mechanisms such as this. The Commission stated that one of its primary objectives while undertaking the comprehensive zoning revision process is to allow more flexibility on residential lots because they recognized that about 30% of requested variances were related to accessory structures and uses, meaning certain regulations weren't allowing people to make property improvements that could add value to their home and keep them a resident of East Hartford. The reason this item is before P&Z is for a potential legal loophole that has been identified and to bring it to the Commission's attention as it may have implications for the zoning revision process.

Town Planner Cormier presented the new Public Act (PA) 21-29, Section 6, which establishes a provision that allows accessory dwelling units (ADU) by right on any property that contains a single family residence. An ADU is an independent residential dwelling unit located on the same lot as a single family home. They can be located entirely within the building, such as a basement or attic unit, attached to the principal structure, or detached as a separate building on the lot. They have many benefits including the potential to increase housing affordability, create housing options, enable seniors to age in place, and provide flexible solutions for changing needs or life stages.

PA 21-29 creates a framework that requires towns to approve ADU's by right, meaning permitted with no special review, based on certain criteria. The criteria does not allow the town to require standards any greater than what is set forth for single family residences pertaining to setbacks, lot size, lot frontage, lot coverage, building height, landscaping, design standards, and screening, and also sets a maximum floor area. There is a provision that allows the town to opt-out through P&Z and Town Council, which would allow P&Z to create its own regulations outside of the framework set in PA 21-29.

There has been some legal concern as to whether the effective date of the ADU provisions making local zoning regulations null and void begins on 1/1/22 and could provide for by right approvals. It may also impact other sections of the Zoning Regulations that don't comply with the provisions of PA 21-29.

**OPT-OUT OF SECTION 6 OF PUBLIC ACT NO. 21-29:** Opt-out of the provisions of Section 6 of PA 21-29 that allow as of right accessory dwelling units on single-family properties subject to certain criteria.  
Applicant: East Hartford Planning and Zoning Commission

No one came forward to speak.

Upon a motion by Carol Noel, seconded by Stephen Roczynski, the Commission **Voted (7-0)** to start the Regular Session @ 8:30 p.m.