

# Town of Marlborough



## Planning Commission Special Meeting Minutes Town Hall January 30, 2024 7:00 P.M.

### 1. Roll Call

Mark Stankiewicz called the meeting to order at 7:05 pm.

Present were Mark Stankiewicz, Subby Magro, Joan O'Connell, Beth Lander Morris, Mark Paul-seated as full member, Zina Planeta-Alt, Diane Dunn-Alt, and Peter Hughes-Director of Planning & Development

### 2. Additions to the Agenda - None

### 3. Public Hearing - None

### 4. Approval of Minutes & Action Taken

**Mr. Paul motioned to accept the minutes from November 28, 2023 and December 19, 2023. Ms. Lander Morris seconded. All in favor and motion carried.**

### 5. Other Business

#### a. James West, 8 Ruby Road – Request to Install Structure in Drainage Easement

Mr. Hughes provided background information along with documentation. Mr. Fritz's letter presented at the last meeting does not represent other homeowners. Mr. Hughes further remarked that the West's had not previously supplied a drawing for the fence.

Atty Jose Rojas introduced himself and reviewed the background of the West's application and the plan for the fence. Letters have been submitted to the Planning & Development department from neighbors. Mr. Hughes to send copies of the letters to Mr. Fritz.

James West asked Mr. Hughes for more detail on the fence requirements. Mr. Hughes explained where the fence must be placed. Mr.

Stankiewicz asked if the fence is a requirement? Mr. Hughes confirmed it is a town requirement. Mr. West will install an 80' fence along Ruby Road extending 5' past the solar panels. It must also cover the view from South Road. There is a 60' wide town easement for potential drainage on the West's property. If the easement needs to be accessed the homeowner will be responsible for removing and replacing the solar panels and fence.

All minutes are considered 'DRAFT MINUTES' until approved at the next meeting.

Mr. Fritz asked what the recommended height of the fence is. The height could be mutually agreed upon.

**Mark Stankiewicz motioned to allow the placement of a solar array within the Town Drainage Easement at 8 Ruby Road with following conditions:**

- 1. The property owner shall not erect any additional structures within the drainage easement beyond what exists as of January 30, 2024.**
- 2. The property owner shall remove the solar array structure when the system is no longer generating power or in the 20 years whichever occurs first. The property may ask for an extension for an additional period if power generation will continue past twenty (20) years.**
- 3. The property owner shall erect a fence to shield the rear of the array and side parallel to Ruby Road five (5) feet beyond the southern array. The fence installation shall occur prior to the Certificate of Completion and the activation of the solar array system, or the property owner shall post a cash bond in the amount determined by Town Staff for the installation of the fence. The property owner will have sixty (60) days to install the fence from the date of the bond posting.**
- 4. The property owner shall maintain the fence in perpetuity until such time as the solar array is removal occurs.**
- 5. The property owner within forty-five (45) days written notice from the Town shall remove the structure from the drainage easement area if the Town deems the area necessary for stormwater management.**

**Final height of fence will be agreed upon between Mr. West and Mr. Hughes. Ms. O'Connell seconded. All in favor and motion carried.**

b. Affordable Housing

1. Formation of Committee

Mr. Stankiewicz presented the affordable housing plan formation of a committee. Mr. Hughes spoke with David Porter-Town Manager. A formal committee has not been set up. Mr. Hughes explained the difference between an ad hoc and a permanent committee. It could look at housing on a global sense, not just affordable housing. Mr. Paul would like to have some time to digest the information and discuss at the next meeting. February 27, 2024 is a scheduled public forum. This

All minutes are considered 'DRAFT MINUTES' until approved at the next meeting.

can be held in the Senior Center. The committee could be an ad hoc until ordinance is passed. See attachment A.

2. Public Forum

February 27, 2024 there will be an affordable housing public forum. The forum can be held in the Senior Center. An announcement will be listed in the Rivereast. Mr. Hughes will supply a PDF for placement on social media.

c. Commissioner Training

Mr. Hughes will send links to training videos to the commission members. BOS will be informed of committee members' progress with their training.

6. Public Comments

Jane Boston 64 Pettengill – Ms. Boston asked if the 'affordable housing committee' would be a permanent committee. Mr. Hughes said it will be ad hoc to begin with an ordinance would need to be passed to make it a permanent committee. She also asked if Greylock has submitted an application. Mr. Hughes responded they have not. He believes it will be some time in the spring.

7. Adjournment

There being no further business, Mr. Stankiewicz motioned to adjourn at 7:39 pm. Ms. O'Connell seconded. All in favor and motion carried.

Respectfully submitted,

Tracy Monterville  
Board Clerk

All minutes are considered 'DRAFT MINUTES' until approved at the next meeting.

## ATTACHMENT A

### HOUSING OPPORTUNITIES COMMISSION

#### Marlborough Housing Opportunities Commission Ordinance

WHEREAS, planning to ensure a full range of housing choices for households of all incomes, ages and abilities, is foundational to maintaining a vibrant and prosperous community; and

WHEREAS, the Town of Marlborough recognizes the need for a coordinated, collaborative approach to address the complex issue of housing affordability; and

WHEREAS, the Town should be a leader in developing innovative strategies and approaches to addressing housing need, NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE LEGAL VOTERS OF THE TOWN OF MARLBOROUGH IN LAWFUL TOWN MEETING DULY ASSEMBLED THAT:

Section 1. That the Code of Ordinances of the Town of Marlborough be amended by adding a new ordinance to read as follows:

- A. Establishment. The Town hereby establishes a Housing Opportunities Commission.
- B. Purpose. The Housing Opportunities Commission will serve as a planning and advisory body, and as a center of expertise and communication, with the objective to ensure Marlborough offers a full range of housing choices for all households. The Commission will work through the Board of Selectmen, in coordination with other boards, commissions, and departments, while also engaging businesses, organizations and residents on matters pertaining to housing affordability.
- C. Terms of office. The Commission shall be composed of five regular members and two alternate members who will serve staggered three-year terms, appointed by the Board of Selectman. The initial appointments by the Board of Selectmen shall be for one-, two- and three-year terms, and thereafter all terms shall be for three years.
- D. Membership. All Commission members and alternate members shall be electors of the Town of Marlborough. The Commission should have diverse representation and views, along with relevant areas of expertise. When possible, preference should be given to ensure membership includes: one member with experience in real estate/housing; one from the social services field, and one with planning and land use experience. The additional seats should be given to those who will help ensure the balanced and diverse views needed to build collaboration on these complex issues.
- E. Powers and duties. The Commission shall, among other things:

All minutes are considered 'DRAFT MINUTES' until approved at the next meeting.

- i. Work in a collaborative manner to evaluate, define, and monitor the need for affordable housing, and identify approaches to meet those needs. The term “Affordable Housing” shall be as defined by Connecticut General Statute Section 8-39a, as may be amended.
- ii. Prepare an updated Affordable Housing Plan for Marlborough, and continue to perform periodic updates at least every five years, according to the provisions of Connecticut General Statute Section 830j, as may be amended.
- iii. Make recommendations on housing policies and practices designed to meet the need for affordable housing in Marlborough, related to both home ownership and rentals, including possible changes to zoning regulations and ordinances, as well as exploring the potential for a local Housing Trust Fund.

These recommendations should be developed in collaboration with relevant staff and Boards/Commissions. On no less than a semi-annual basis, an update should be shared with the Board of Selectman.

- iv. Work with Planning and Zoning, Economic Development, Human Services and other town functions as appropriate, on matters related to affordable housing. Similarly, ensure proactive engagement of relevant Boards/Commissions.
- v. Monitor legislation and regulations relevant to affordable housing. When applicable, work with the Board of Selectmen on outreach and advocacy related to relevant public policy.
- vi. Monitor the availability of grants, programs, partnerships and other resources to support affordable housing planning and development.
- vii. Develop and maintain a program of public engagement, communication, and education on the topic of affordable housing for the residents of Marlborough, and, when applicable, stakeholders from around the region or state.
- viii. Other responsibilities relevant to affordable housing as determined by the Board of Selectmen.

Section 2. A. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. B. This ordinance shall become effective fifteen (15) days after the date of publication of notice of its passage, per Connecticut General Statute § 7-157 (a).

Adopted: February 27, 2023

Effective: March 18, 2023

### **Housing Committee**

The Housing Committee's purpose is to evaluate, define, and monitor the need for diverse housing options and affordable housing in Wilton. The responsibilities of the Housing Committee include:

- Study and document the need within Wilton for each housing type, including affordable housing.

All minutes are considered ‘DRAFT MINUTES’ until approved at the next meeting.

- Seek input from various stakeholders, including residents, developers, and Town personnel.
- Create an inventory of existing housing types and affordable housing units in Wilton.
- Identify ways, including funding sources, to encourage diverse housing development.

The committee is comprised of seven members who serve in two year terms.

#### Housing Committee Objectives:

The Housing Committee is charged with exploring, initiating, and developing advice to the BOS about ways to create a more diverse and inclusive community with housing opportunities for people at all levels of income and stages of life. The work of the Committee includes guidance to the BOS for

- a) updating, revising and formulating its long-term Housing plan for compliance with Federal and State housing laws including Fair Housing Laws,
- b) promote a mix of housing opportunities for the Town consistent with applicable law, c) recommend amendments and or modifications to the Town's Affordable Housing Plan filed with the State of Connecticut on or about June 1, 2022. Housing Committee Tasks:

The Committee work should include:

- 1 -Efforts to begin a conversation about ways to create more diverse and affordable housing and bring together Community leaders in order to proactively plan for more affordable and diverse housing;
- 2 Assess housing needs and identify barriers, if any, to a broad range of housing opportunities;
- 3 Strive to ensure a commitment to State and Federal housing laws;
- 4 File an annual written report with the BOS about the Work, achievements, and recommendations of the Committee; 5- Initiate an inclusive planning process that provides meaningful opportunities for resident participation in the process, i.e., public meetings and workshops.

All minutes are considered 'DRAFT MINUTES' until approved at the next meeting.