

**MINUTES OF THE CHESHIRE PLANNING AND ZONING COMMISSION PLAN OF DEVELOPMENT MEETING, HELD ON WEDNESDAY, NOVEMBER 12, 2014 AT 7:30 P.M. IN ROOM 207-209 TOWN HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

Present

Earl J. Kurtz, PZC Chairman; Martin Cobern, Gil Linder, John Kardaras, Louis Todisco and Alternate Member Diane Visconti.

Absent: Sean Strollo, S. Woody Dawson, Edward Gaudio, Vincent Lentini

Alternates Jon Fischer, Leslie Marinaro.

Staff Present: William Voelker, Town Planner

**I. CALL TO ORDER**

The meeting was called to order at 7:32 p.m. by Chairman Kurtz.

**II. ROLL CALL**

The roll was called.

**III. DETERMINATION OF QUORUM**

Following roll call it was determined that a quorum of the committee was present to conduct business.

**IV. PLEDGE OF ALLEGIANCE**

The group Pledged Allegiance to the Flag.

**V. APPROVAL OF MINUTES – July 9, 2014 and October 8, 2014**

MOTION by Ms. Visconti; seconded by Mr. Cobern

MOVED that the minutes of the meetings of July 9, 2014 and October 8, 2014 be approved subject to corrections, additions, deletions.

With regard to corrections to minutes, Mr. Voelker stated that the minutes reflect what took place at the meeting, and interpretations cannot be later stated to change the minutes.

VOTE           The motion passed unanimously by those present.

**VI. REVIEW AND DISCUSSION**

- 1. Naugatuck Valley Regional Profile 2014**
- 2. Housing Related Issues.**

Mr. Voelker had submitted copies of the profile to the committee members. The profile has much information about “ages and who we are, and on page 28 it shows Cheshire

with the largest group 45-64 at 9,137 people out of a population of 29,261. This is as of the 2010 census. Page 30, population 65 years and older in 2000, was 3,592, and in 2010 it was 4,102. Page 32, median age in 1990 was 35.5; in 2010 it was 42.2; and this is a percentage change of 18.9%. The trend is much the same throughout the region. The older median age shows individuals getting older, and speaks to the effects of migration of people leaving the State, as children do not stay here for many reasons, and smaller family size.

Section 8-23 of the CGS – Housing issues. Mr. Voelker said the municipality is required to show consideration for housing diversity and opportunities for people. About 3% of Cheshire's housing stock is affordable housing, and the town will never achieve 10%. Under the affordable housing appeals regulations this was never intended to happen. Mr. Voelker considers the age issue a significant one.

Harvard University Housing Studies – the information was given to the committee. It came out in 2014 and shows statewide the median age statistics, 1990 to 2010, the percentage of population 50 years and over.

Housing America's Older Adults – the information shows families are congregating together, living together longer in communities.

Accessory Apartment Regulation – some people take advantage of this regulation written a number of years ago. It has a maximum square footage allowance of 750 sq. ft. per dwelling unit which must be renewed every 5 years. This is the only regulation in Cheshire that speaks to any type of congregated living, and some people have taken advantage of it. The PZC sees these applications periodically.

Mr. Voelker stated his impression, in speaking with people in the community, is that 750 sq. ft. is small. When these regulations were first written there was fear of neighborhoods being converted into two-family houses. These regulations go back 20+ years, and people's perception of what was best at that time. As a commission, there may be feelings this regulation satisfies what is out there, and there are some challenges ahead as the community continues to age. It will be up to the commission to decide what, if anything, should be looked at by the Planning Department. But, it is a commission decision. Mr. Voelker stated his opinion that the place where the commission will be challenged the most is on any changes in housing policy. It is the easiest place to attack, as it suggests changing an aging community. The lead regarding housing regulations must come from the commission.

A question was raised by Mr. Kardaras about apartments being un-recorded.

Mr. Voelker said he is sure there are some apartments never regulated as such, but does not believe it is a problem. The issue comes up and is found when houses are sold with an appraisal done. There are questions from the appraiser about approval of a two family and continuing to rent it as such. This is how unregulated apartments are caught. He noted some of these units have gone on for decades.

Mr. Kardaras talked about a policy for flexibility, strictly following the regulations rather than public safety or health problems. He asked about the magic of single family houses in terms of health, safety, etc., and commented on the trend of more immigrant families coming to town which tend to have more extended families living together. He asked about being adaptable or having the white picket fence, 2 acres, and building flexibility with reasonable regulations.

As he sees it right now, Mr. Cobern said if there for senior citizens there are special provisions available. One is the age restricted housing or in-law apartment, and senior housing (Southwick). We should realize that this shift in demographics will not continue as baby boomers pass through, and the next generation is smaller. The pressure for senior housing will ease off in the next 10+ years which is why the commission wrote the age restricted housing regulations. There was insistence on a longer term projection of the need marketing study for now and into the near future. We don't want to over-build, and Mr. Cobern cited Southbury CT having trouble in 10 years because there will not be the demand for that volume of senior housing. In the plan he said this must be taken into account, more options offered, but not tip the balance too much, opening the flood gates too wide for changes. There could be a 1000 sq. ft. apartment versus a 750 sq. ft. Mr. Cobern said this is not for the POCD, but the regulations, and there could be insertion of flexibility for in-law apartments to accommodate the aging generation of Cheshire. This would be a reasonable step.

Mr. Kurtz commented on this recommendation and the fact that it should have been done a long time ago.

It is a problem, and Mr. Cobern said something like in-law apartments is a way of dealing with it. The other way would be to allow congregate housing...several unrelated people living together. This could end up with college students living together, as in the Quinnipiac situation.

With regard to the college situation, Mr. Voelker said there are 10 such locations in Cheshire, with only 2 police calls in the past year. One was because a car was stolen; the other was a party, without complaint; but an officer stopped by and the party broke up a short time later. Some of these apartments are legal under our regulations. With regard to what the committee is discussing about housing issues, Mr. Voelker said it would be unfair to base thoughts on flexible strategies on the Quinnipiac issue.

Mr. Cobern cited another aspect of senior housing policy and procedures is transportation. People get to the age where they cannot drive and there is nothing within walking distance, and people are stranded. He suggested looking at the regulations on multi-use housing, the Town Center area, where transportation is available.

It was suggested by Mr. Kardaras to have duplex style housing, two equal houses, not in violation of the regulations, with a common driveway. He mentioned some urban type living where every ethnic family had two kitchens, and four generations in a house.

Mr. Voelker suggested reading the "Full House" information, which is an urban solution for multi-generational housing.

With multi-generational housing, Mr. Kardaras said it is usually someone in his age bracket with elderly parents. He noted there are such situations, more 50-50 rather than big and small.

In the regulations it says for family member, and Mr. Voelker asked what would be wrong with a single older adult creating a small apartment and renting it to college students. This would be in exchange for a modest rent and helping take care of the property, and Mr. Voelker questioned what would be wrong with that arrangement. The regulations say it must be someone related to the people in the house.

Mr. Todisco talked about someone having a big house, and being able to rent a few rooms to unrelated kids.

In that regard, Mr. Voelker noted the regulations read that it cannot be more than 3 unrelated people. To rent out to two students, it could be done. He questioned why it should be government's business for someone to do this.

Mr. Linder has lived in the same house for 33 years, and someone has built a legal in-law apartment on his cul de sac. Now there are four cars in the driveway, lots of activity, and he asked what stops someone across the street from doing this. He said it is more of a neighborhood property value issue. With in-law apartments going rampant, an entire neighborhood can change value.

It was noted by Mr. Voelker that there are houses with many teen age family children, all with cars, and he questioned how this changes the real estate values.

According to Mr. Linder the word gets out that it is an in-law apartment, and it opens up the door to other activities which are not, necessarily, single family.

This can be perceived by the general public as a negative point, and Mr. Voelker said the place the commission will be hit first and the hardest is on housing recommendations.

Ms. Visconti commented on wanting to keep our youth in town and give older citizens consideration.

There are group homes in town, and Mr. Voelker said they are protected by state statute. These group homes are, usually, for people with challenges; they have special status of up to 6 people; and municipalities cannot treat them differently than any other single family home.

Mr. Kardaras said Cheshire has these types of homes in the community now, and they are not an issue.

In his former home location, Mr. Todisco stated there was a group home two houses away. It had a ramp, shift employees coming in and out, but to him it was not a concern.

There are some multi-family houses in Town along West Main Street, Maple Avenue, Route 10. The regulations enable two family houses in the R-20 with double lot size, and Cheshire has seen more of 2 houses on one property if the lot is large enough.

The issue of attracting younger adults to the community was raised by Ms. Visconti, and she asked if there are suggestions for consideration of this issue.

According to Mr. Voelker there is not much to be done, and there is a linkage between housing policy and jobs...and younger people go where there is gainful employment and career advancement. This may not be in the northeast. It is possible to adopt policies that are more doable to keep younger people, and it may help, but the pattern is their moving out of the northeast. Keeping the commercial and industrial area businesses happier promotes flexibility.

R-80 districts will not have public sewers (perimeter) per WPCA right now, and the opportunity for higher density there is zero. R-40 land is picked over; there is not much left; and current subdivisions have difficult topography/wetlands and challenges. There may be some affordable housing applications coming forward, and this should be recognized in the plan, and should be looked at by the commission. Mr. Voelker pointed out that developers do not make money on affordable housing, there is not enough density, even under 8-30G of the CGS. He said the new Beachport housing units came out very nice.

Mr. Cobern commented on the affordable houses north of Jarvis Street, which are more simple styled homes, and it is hard to point out these houses as you drive through town. Resale of these houses is tied to the reasonable CPI, and they cannot be sold for gain.

Mr. Kardaras reported the Town of Greenwich developed affordable housing for town employees so they could afford to live in the community.

Mr. Voelker noted one of the last pieces of undeveloped R-20 land is the 8 lot subdivision (on West Main Street) which just came before PZC. In the last few years the commission adopted the infill development regulation, which made sense and was logical, and is for a handful of R-20A district. It allows for higher density housing along the main transportation corridor with reasonable access to goods and services.

It was stated by Mr. Todisco that access to goods and services and transportation has nothing to do with this...it is less expansive than affordable housing. He said Cheshire

does not have a town center which people can walk through. And, he regrets voting for this application due to the density of housing units in one spot.

Mr. Kardaras commented on Cheshire not having a strip mall(s) and someone coming in with such a concept with apartments on the 2<sup>nd</sup> floor.

Some of this mixed use is being recommended by staff in some areas, and Mr. Voelker noted this was discussed in the commercial chapter of the POCD. There can be mixed use in the R-20A zone, residential and offices.

Mr. Todisco asked about putting high density housing units in the R-80 zone, and failure of the septic systems serving these units.

When these units fail, Mr. Voelker advised it is the municipality's responsibility to take over the system, and provide sewers. This happened in Simsbury CT. He noted that high density housing in the R-80 zone does not match anything.

A comment was made by Mr. Todisco that this may be better than having 21 housing units on a street, including in-law apartments. For 20 acres, R-80 zoned, instead of 10 houses, there could be affordable housing of 24 units. It is probable that citizens would not approve the commission taking this action.

Mr. Voelker said housing codes (State building code) have changed over the years, and it is more expensive to build a house today than 5 years ago.

There was a brief discussion about the 750 sq. ft. in-law apartment size. Mr. Voelker said other towns have regulations in this regard and he will provide the information to the committee at the next meeting.

Regarding the Quinnipiac College student housing situation, there are some people in support of petitioning to amend the regulations on this issue. Mr. Voelker explained there is a Supreme Court (Justice Burger) case which says a community can regulate the number of un-related individuals living in a house. In 1970 the number in Cheshire's regulations was "3". The way households have evolved there is a question if this is the right number.

Mr. Voelker will be asking the Town Attorney to look into this regulation for a change/amendment to this regulation.

Mr. Kardaras noted that the current regulation would affect housing units with foster kids, who are unrelated to the homeowners.

Other situations with unrelated individuals living in a house were discussed by the committee, particularly the Quinnipiac student housing situation. Some of these housing units are two-family houses and are legal under the regulations.

The committee discussed and made comments about there being lack of housing for “renters” in town, and it being difficult to find anything beyond single family houses and condo units. These tenants would include older people wanting to live independently, young people in their first job, people being relocated with family not arriving for a period of time, and young empty nesters. By not having this type of housing available the community is closed off from this diversity. These types of units are available in Meriden and other surrounding communities. In the discussions held by the committee, Mr. Voelker reiterated that housing is a hot button issue in the community. He also advised that there is legal provision for agricultural worker housing, and this is part of the policy because farming is a major portion of the economic base in Cheshire.

Mr. Voelker will give the commission choices and options on housing issues. There should be a look at the affordable housing regulations to insure they are functional. Section 8-23 requires recognition of affordable housing by the commission. There is language in the Cheshire regulations (adopted in 2002) which must be amended per the revisions made to CGS Section 8-23. This would include more specific language on consideration of diversity in the regulations, with provision of opportunities for the population as the community gets older. Because of the importance of affordable housing, Mr. Voelker said he and the commission will discuss the regulations, make sure they are useful, and engage community members in the discussion. Regarding the prisoners in the Cheshire DOC facility, Mr. Voelker said there is no requirement to provide affordable housing for this population. The prison population does affect other areas within the community.

Mr. Todisco stated the Town should focus more on increasing housing diversity, put this out to the community for feedback, and also consider how to preserve housing values in Town.

With more diversity enabled in the regulations, Mr. Voelker said values go up, and there is demand for alternative housing choices. The community can become a more desirable place for more people which supports the value of the real estate.

Mr. Kardaras envisions demographic changes demanding a wide diversity of housing, including...but not limited to affordable housing and different types of housing.

Baby boomers are pushing this issue, and Mr. Linder asked what happens when all this affordable housing, senior living units, etc. are built and the people are gone.

Mr. Cobern said that is why it is harder to get this housing here than in other places because of requiring the long term market study...do not over build. He cited the Town of Southbury with a high senior population, and the inability to get volunteer fireman because of the lack of younger residents. He thinks Cheshire has enough checks and balances in the age restricted housing regulations.

Even with the conversion of available stock, Mr. Voelker said the Town will not be building new affordable housing or new product, and developers do not want to build

age restricted housing because they cannot sell it to make a profit...and the demand is not there.

For the higher priced senior housing units (i.e. Castle Heights) there could be issues with these units being resold in the future, with depreciated value, and the Town being asked to convert them into regular housing units. This changes the character of the development, with families/children living there, school buses going in and out, etc.

In the information provided to the commission in the past, Mr. Voelker noted there is a build out analysis on the undeveloped land in Town and range of possible housing units.

The Economic Development Commission will be attending a future PZC/POCD meeting, and the West Main Street Community will be invited to attend a meeting.

**The next POCD meeting is scheduled for Wednesday, December 10<sup>th</sup>.**

## **VII. ADJOURNMENT**

MOTION by Mr. Todisco; seconded by Mr. Linder

MOVED to adjourn the meeting at 9:00 p.m.

VOTE The motion passed unanimously by those present.

Attest:

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Marilyn W. Milton, Clerk  
(transcribed from recorded tape)