

MORRIS PLANNING & ZONING COMMISSION
COMMUNITY HALL • 3 EAST STREET • MORRIS, CONNECTICUT 06763

Regular Meeting Morris Town Hall and Live on Zoom

March 20th, 2024 at 7:00 pm

Call in # 1-929-205-6099

<https://us02web.zoom.us/j/87297013907?pwd=T09xSU9zUEdObldrazN5TU9rNC9kdz09Meeting>

ID: 872 9701 3907

Passcode: 098675

Barbara Bongolotti

Helen White

Veronica Florio (Zoom)

Douglas Barnes (Zoom) (Secretary)

David Wiig Chairman

Dylan Hovey

William Ayles Jr. (Vice-Chairman)

David Geremia Jr.

Kim Dore

Staff: ZEO Tony Adili

Planner: Janell Mullen

Alternates:

Marc Petzold

Geoff Paletsky

Erika Leone

Agenda

1. Call to Order

2. Agenda Review

3. New Business

4. Old Business

a. Solar Amendment to the Regulations for offsite use

b. Trailer Amendment to the Regulations

c. Addressing Housing Needs

d. Special Events Amendment to the Regulations

e. Short Term- Rentals

f. 7 Benton Rd

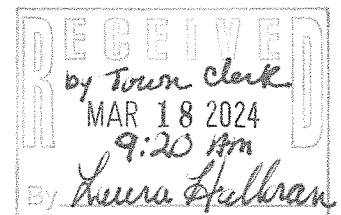
5. Other Business

a. Board Members Ship

b. CZPFA Conference

6. Communications and Bills

7. Adjourn



Solar Amendment

Prepared by Janell Mullen, Consultant Town Planner

Issued at workshop meeting on 1/17/2024, amended for 2/21/2024 and 3/20/2024

I. WHAT THE REGULATIONS CURRENTLY SAY:

Section 7 (pg 8) currently addresses solar:

Accessory Solar Energy Systems: Solar energy systems shall be permitted by right as an accessory use in all zoning districts subject to the requirements of this section.

1. Applicability. A system is considered an accessory solar energy system only if it supplies electrical or thermal power primarily for on-site use. This regulation applies to solar energy systems to be installed and constructed after the effective date of the regulation. Any upgrades, modifications or changes that materially alter the size or placement of an existing Solar Energy System shall comply with the provisions of this section.

2. Design and Installation.

- Accessory solar energy systems shall be designed and located in order to prevent reflective glare toward any inhabited structure on adjacent properties as well as adjacent street rights-of-way.

- No portion of an accessory solar energy system shall be located within or above any front yard, along any street frontage, nor within any required yard setback of any property.

3. Height Restrictions.

- Building or roof mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes for the height measurement, solar energy systems other than building-integrated systems shall be considered to be mechanical devices and are restricted consistent with other building-mounted mechanical devices

- Ground or pole mounted solar energy systems shall not exceed the minimum accessory structure height within the underlying district.

- Setback. Solar energy system structures must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.

- Roof-mounted Solar Energy Systems. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.

- Ground-mounted Solar Energy Systems. Ground-mounted solar energy systems may not extend into the side-yard or rear setback based upon minimum design tilt.

II. THE PLACEMENT OF THE SUGGESTED AMENDMENT:

Section 8- Additional Standards would be a better fit for the provisions of Accessory Solar Energy Systems than **Section 7 - Area, Location, and Bulk Standards**.

Accessory Solar Energy Systems should be inserted after Accessory Uses and Accessory Apartments and before Access Through Residence District (which should be amendment to "residential district").

III. THE PROPOSED LANGUAGE:

All changes to the current language are indicated in **bold** typeface. Language to be eliminated have been struckthrough.

~~Accessory Solar Energy Systems: Solar energy systems for on-site energy generation shall be permitted by right by zoning permit as an accessory use in all zoning districts subject to the requirements of this section following requirements:~~

~~1. Applicability-General Requirements~~

A. A system is considered an accessory solar energy system only ~~it supplies electrical or thermal power primarily for on-site use~~ a primary use exists or will exist on the subject-site and the solar energy system is clearly ancillary to the primary use of the property. ~~An accessory solar energy system is only permissible if the system is to generate on-site energy.~~

B. A solar energy system as a primary use is subject to Special Exception approval (see Section 52) ~~and must be installed and operated on Town-owned. A solar energy system is only permissible if it is to generate energy for use within the Town of Morris and/or be purchased for use off-site.~~

~~This regulation applies to solar energy systems to be installed and constructed after the effective date of the regulation.~~
C. Any upgrades or modifications or changes that materially alter the size or placement of an existing solar energy system shall comply with the provisions of this section.
D. A zoning permit for any solar energy system shall not be issued without a remediation plan in place. A remediation plan must specify the expected lifespan and must specify the construction sequence necessary for the removal of the system at the end of its use. The site must be restored, stabilized, and returned to its pre-existing state.

2. Design and Installation Specific Requirements.

A. Accessory solar energy systems shall be designed and located in order to prevent off-site reflective glare and/or minimize other adverse impacts. ~~toward any inhabited structure on adjacent properties as well as adjacent street rights-of-way.~~
B. No portion of an accessory solar energy system shall be located within the required setbacks. ~~This includes the extension of the panels of any pole/ground mounted solar array, or above any front yard, along any street frontage, nor within any required yard setback of any property.~~
C. The square footage of the panels of solar energy systems shall count towards the building coverage and impervious surface coverage.
D. Ground or pole mounted solar energy systems shall not be installed in areas where the soil is classified as wetlands and/or prime agricultural soils.

~~3. Height Restrictions.~~

D. Roof, ground or pole mounted solar energy systems shall not exceed the maximum height allowed in any zoning district, **which is thirty-five (35) feet.** ~~For purposes for the height measurement, solar energy systems other than building-integrated systems shall be considered to be mechanical~~

~~devices and are restricted consistent with other building-mounted mechanical devices~~

~~Ground or pole mounted solar energy systems shall not exceed the minimum accessory structure height within the underlying district.~~

~~Setback. Solar energy system structures must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.~~

~~Roof mounted Solar Energy Systems. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.~~

~~Ground-mounted Solar Energy Systems. Ground-mounted solar energy systems may not extend into the side yard or rear setback based upon minimum design tilt.~~

IV. OTHER AMENDMENTS:

- Remove the definition "BUILDING INTEGRATED SOLAR ENERGY SYSTEM" from **Section 9.**
- Update the definition "SOLAR ENERGY SYSTEM" to: A system that uses radiant light and heat from the sun to convert energy into power.

TOWN OF MORRIS

PLANNING & ZONING COMMISSION – PLANNING WORKSHOP

Discussion involving “Trailers”

Prepared for the workshop meeting on February 21, 2024 and updated for March 20, 2024

by Janell Mullen, Consultant Town Planner

I. CURRENT ZONING REGULATIONS - TRAILERS:

Section 6 – Permitted Uses (pg 7) states:

The following uses are specifically prohibited in all districts:

The use, occupancy, parking, or storage of a **trailer** on any lot except in accordance with the provisions of **Section 64**.

Section 9 – Definitions does not include trailers, recreational vehicles, or any other similar terms

Section 64 – Trailers (pg 93) this standalone section specifically addresses the use, occupancy, parking and storage of trailers.

This section contains several definitions for “trailers”: including Travel Trailer, Pick-up Coach, Motorized Camper, Tent Trailer, Utility Trailer, Commercial Trailer, Mobile Home

II. POSSIBLE ZONING TEXT AMENDMENTS:

1. The terms in **Section 64**, “travel trailer” “pick-up coach” “motorized camper” and “tent trailer” shall be reconciled to a single all-encompassing definition entitled “**Recreational Trailers**”. For zoning purposes, this use should all be treated as one singular use.
2. Add all terms associated with Trailers to **Section 9 – Definitions** and include the following defined terms:

Commercial Trailer – A trailer used for commercial-related purposes (eg transportation, supply or equipment storage) in association with a permissible commercial use.

Construction Trailers – Used for construction-related purposes such as equipment and supply storage and/or office as a temporary accessory structure to an approved construction project.

Mobile Home – (*aka factory built housing, modular housing*) a residential building which is either wholly or substantially manufactured at an off-site location and transported to a building site and placed on a permanent foundation. A recreational vehicle (which is presumably moveable) is not a mobile home.

Recreational Trailers (*aka travel trailers, camper trailers, pick-up coach, motorized camper, and/or tent trailer*) A moveable structure mounted on wheels with sufficient equipment to render it suitable for use as a temporary dwelling during the process of travel, recreation, and vacation uses.

Temporary Non-Residential Restaurant Trailer. (*aka food truck*) A wheeled trailer used for a permitted outdoor restaurant use. Temporary non-residential restaurant trailers will be used for storage, restaurant facilities and/or food preparation.

Utility Trailers – A small box, boat, horse, or flat trailer designed to be towed by a vehicle and considered “by right” in all zoning districts.

Section 64 may be updated as “Trailers – Specific Provisions” whereas each subsection may include and outline the specific provisions of each trailer type as mentioned in **Section 9**.

The section will take on the following organization and read:

Article VI TOWN-WIDE REQUIREMENTS

SECTION 64 – Trailers

General : The use, occupancy, parking, and storage of the following specific trailer types lot shall be in accordance with the following standards:

Commercial Trailers

Commercial trailers are permitted in conjunction with permitted commercial and industrial establishments, such as trucking terminals, building contractors’ businesses, storage yards, warehousing and wholesale businesses, manufacturing, processing and assembling of goods, construction projects and marine transportation, provided that all of the following standards are met: ~~provided that the commercial trailer is used for transportation, and that no such trailer is used as a storage building.~~

- A. ~~Commercial trailers shall occupy a pre-existing driveway and/or an area designated for off-street parking.~~ Commercial trailers shall not occupy the front or rear yard of the lot where they are parked.
- B. Immovable commercial trailers used for storage shall be subject to a **zoning permit** and permitted in the same manner as structures. Commercial trailers used for storage purposes shall be subject to setback requirements and their surface area(s) shall count towards the overall lot coverage and total impervious coverage.

Construction Trailers

Construction trailers may be allowable by **zoning permit**, provided the following standards are met:

- A. A construction trailer may be used on a temporary basis as storage and/or as a field office if parked on a lot which is the subject site of an approved construction project. ~~The duration of the permit shall be no more than six (6) months unless extended at the discretion of the Zoning Enforcement Officer to coincide with an additional period when the construction project is in process.~~
- B. All construction trailers are subject to the prevailing setback requirements and shall not be located within flood hazard overlays, wetlands soils, and/or steep slopes.
- C. Construction trailers may not be located on the project site until approvals have been secured, and they must not remain on site beyond the construction phase of the project. Prior to the issuance of a zoning certificate of compliance or ZEO sign off on a C of O, the construction trailer shall be removed from the job site.

Recreational Trailers -

A property owner may park or store a recreational trailer (See Section 9 Definitions) on private residential property, subject to the following conditions by right (without a zoning permit) in accordance with the following provisions:

- A. Parked or stored trailers shall not be occupied or used for living, sleeping, or housekeeping purposes, ~~There shall be no connections to any utility service, including electrical, heat, water, and sewage disposal service except in cases where a zoning permit has been issued by the ZEO for the temporary use of a trailer (See Trailers for Temporary Habitation).~~
- B. ~~If such a trailer is parked or storage outside a garage it shall be parked or stored to the rear of the principal building or other major building in a neat and orderly manner, and generally not visible from any street. It~~ If parked exteriorly (outside of a building such as a garage), a stored recreational vehicle shall occupy a pre-existing driveway and/or an area designated for off-street parking. A recreational trailer shall not be parked on a front or rear lawn and **shall not be visible from adjoining properties and/or the public right-of-way to the maximum extent possible.**
- C. **An inoperable, immovable, improperly parked, and/or unmaintained recreational trailer parked may be deemed a “junkyard”, which is a prohibited use in the Town of Morris.**
- D. ~~In Residential Districts, the parking or storage of any such trailer on any lot shall be limited to one (1) such trailer recreational trailer per dwelling unit on the lot, except that one (1) additional utility trailer may be parked or storage for each 10,000 square feet of the lot area. Said trailers shall be registered in the name of and be the legal property of an occupant of the principal building on the lot.~~
- ~~D. Notwithstanding the provisions of these Regulations, Any such trailers may be parked anywhere on the lot for servicing, cleaning, loading, or unloading purposes for a period not to exceed two (2) days.~~

Temporary Non-Residential Restaurant Trailer

As defined (See Section 9), temporary non-resident restaurant trailers are used for storage, restaurant facilities and/or food preparation, and are subject to the following provisions:

- A. **All temporary non-residential restaurant trailers are subject to zoning permit approval as a permissible use on non-residential property.**
- B. **The placement of restaurant trailers shall adhere to the underlying zones’ setback requirements.**
- C. **The site plan associated with the zoning permit shall indicate proper ingress/egress from the public right-of-way, parking areas, locations for ordering/seating, and the outdoor illumination (if any).**
- D. The applicant shall specify the hours of operation as well as the dates of its operation. If the temporary non-residential restaurant trailer is to operate on an intermittent and varied basis one zoning permit can authorize this use on an annual basis.

Trailers for Temporary Habitation

A trailer (of any kind) shall not occupy a residential lot as a primary use, except in the event that a temporary use of the trailer has been approved on the subject lot for a specific, limited, and temporary period of time so that a primary structure may be established. The approval for the temporary use of a trailer for habitation shall be approved by a zoning permit and shall include a specific term or duration of time. Torrington Area Health Department approval shall also be required for the temporary use of any trailer used for habitation in the Town of Morris.