

Town of Goshen  
Planning and Zoning Commission  
**REGULAR MEETING AGENDA**  
Tuesday, July 28, 2026 at 7:30 P.M.  
This meeting will be held at Goshen Town Hall and via Zoom

ZOOM LINK: <https://us02web.zoom.us/j/82377737950>  
Meeting ID 823 7773 7950  
Or  
Dial in 1-929-205-6099

1. CALL TO ORDER
2. ATTENDANCE
3. APPROVAL OF THE MINUTES: Minutes from June 23, 2026 and July 7, 2026.
4. PUBLIC HEARING: None.
5. OLD BUSINESS:
  - A. POCD updates/status.
6. NEW BUSINESS: None.
7. ZEO REPORT
8. CORRESPONDENCE:
9. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:
10. PUBLIC COMMENT (*limited to 2 minutes per person only regarding matters pertaining to Planning and Zoning Commission*):
11. ADJOURNMENT:

Respectfully Submitted,



Lori Clinton  
Commission Clerk

Received July 23, 2026 9:52 AM.  
Attest Barbara L. Burr  
Goshen Town Clerk

**TOWN OF GOSHEN  
PLANNING & ZONING  
REGULAR MEETING MINUTES  
TUESDAY, JUNE 23, 2026 – 7:30PM  
Hybrid Meeting**

**1. CALL TO ORDER AND APPOINTMENTS OF ALTERNATES:**

Mr. Carroll called the meeting to order at 7:33pm at the Goshen Town Hall. Dustin Mosley was seated.

**2. ATTENDANCE:**

**Members Present:** Jon Carroll, Lu-Ann Zbinden, Shilo Garceau, Jared Denis (Z, joined at 7:36pm), Patrick Lucas (Z) and Jerry Abrahams (Z,A).

**Members Absent:** Chris Hurlburt.

**Others:** Spencer Musselman, Marissa Wright and Lori Clinton.

Z=Zoom A=Alternate

**3. PUBLIC HEARING:** None

**4. APPROVAL OF THE MINUTES:** May 26, 2026 approved as written; correction to June 4, 2026 minutes: Section 3 under issues BA-25-1 should be PA-25-1.

**IN A MOTION BY Ms. Garceau and seconded by Mr. Mosley, it was voted to accept the minutes from the May 26, 2026 regular meeting as written. Motion carried.**

**IN A MOTION BY Ms. Garceau and seconded by Mr. Mosley, it was voted to accept the minutes from the June 4, 2026 special meeting with correction. Motion carried.**

**5. OLD BUSINESS:**

**A. Jared Denis, West Goshen Properties, 660 and 664 Sharon Turnpike, rezone both properties to the Center Business Zone (CB):** Staff was notified that Mr. Denis is withdrawing his application, Mr. Denis verbally confirmed during the meeting he was withdrawing and was asked by Mr. Musselman to also send in writing that he was withdrawing his application.

**B. POCD:** Discussion was had on the Population and Demographics section and the following changes were noted: Add Kent, Sharon and Washington to the Median Home Value chart on page 1 of that section. The board was told that the American Community Survey (ACS) numbers were every 5 years and done through the same agency as the U.S. Census. Mr. Carroll questioned the ACS estimates and wanted the other Commissioners input. All seated Commissions were ok with the data. Mr. Musselman will work on finding the ACS numbers for 2014 so that the columns are every 5 years. Mr. Musselman will send out the rest of the housing section tonight and will finish tonight's changes by Friday evening and send out. Mr. Carroll would like the Housing Commission to have a copy and be invited to the next meeting. Survey results will be provided to everyone in a couple of weeks for the next regular meeting. Mr. Musselman said 248 surveys were received and the main issue seemed to be housing. Mr. Lucas rejoined the meeting (he appeared to be frozen in Zoom) at 8pm. Special meeting set for July 7, 2026 at 7:30pm.

**6. NEW BUSINESS:** None.

**7. ZEO REPORT:** Ms. Wright did a review of the attached ZEO report for the Commissioners.

**IN A MOTION BY Ms. Garceau and seconded by Mr. Mosley, it was voted to accept the ZEO report dated June 23, 2026. Motion carried.**

**8. CORRESPONDENCE:** Buzzie White email.

**9. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:** Mr. Carroll reminded the Commissioners of the training on July 6, 2026 and encouraged them to attend.

TOWN OF GOSHEN  
PLANNING & ZONING  
REGULAR MEETING MINUTES  
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10. PUBLIC COMMENT (limited to 2 minutes per person only regarding matters pertaining to Planning and Zoning Commission): Silene White, 192 Kubish Road: gave a brief history of their property and on the different preservations and conservation trust that they have done or are working on for the property as well as the problems with the runoff and other issues. State Officials have been made aware and they are hoping it can be resolved at a local level.  
Buzzienna White, 192 Kubish Road: read from the attached document outlining the chain of physical impacts causing ongoing damage to their property and public road infrastructure due to unpermitted land manipulation.

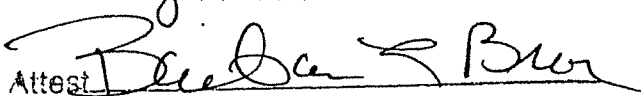
11. ADJOURNMENT:

IN A MOTION BY Ms. Garceau and seconded by Ms. Zbinden, to adjourn the meeting at 8:19pm. Motion carried.

Respectfully Submitted,

  
Lori Clinton, Commission Clerk

Received June 25, 2026 @ 11:13 AM

Attest   
Goshen Town Clerk

**TOWN OF GOSHEN  
PLANNING & ZONING  
SPECIAL MEETING MINUTES  
TUESDAY JULY 7, 2026 – 7:30PM  
Hybrid Meeting**

**1. CALL TO ORDER AND APPOINTMENTS OF ALTERNATES:**

Mr. Carroll called the meeting to order at 7:30pm at the Goshen Town Hall. No alternates appointed.

**2. ATTENDANCE:**

**Members Present:** Jon Carroll, Lu-Ann Zbinden, Shilo Garceau, Jared Denis(Z), Patrick Lucas(Z), Chris Hurlburt(A) and Jerry Abrahams(AZ) signed on at 745pm. Z=Zoom and A=Alternate

**Members Excused:** Dustin Mosley.

**Others:** Spencer Musselman and Lori Clinton.

**3. OLD BUSINESS:** POCD updates.

**BACKGROUND:** Take out small in the first sentence and change waterfront to "residential".

**ISSUES:** It was confirmed that the 2026 CT Department of Housing (DOH) Affordable Housing Appeals List was not complete yet; indent ALL 1st paragraphs in document; in 2nd paragraph put (HP-8002) after PA 25-1.

**HOUSING DIVERSIFICATION GOALS:** Indent the 5th sentence to create a new paragraph.

**PA 25-1 AND HOUSING GROWTH PLAN:** Change title to PA 25-1(HB-8002) Housing Growth Plan (HGP); the last sentence of 1st paragraph change to "Goshen is required to adopt a Housing Growth Plan with one of the following options."; Change 1st sentence of Option 2 to "Goshen can choose to develop its own Municipal Housing Growth Plan (MHGP) to meet the specific housing needs of our community."; remove the underline from the last sentence of the section.

Bottom of page 3 add to footnote the definition of occupied units.

**AFFORDABLE HOUSING MECHANICS UNDER 8-30G:** Last sentence of 3rd paragraph: "Developers are only required to restrict 30% of their units to utilize the Land Use Appeal Procedures afforded to them under 8-30g. Developers can rent or sell up to 70% of the units at full market rate."; 4th paragraph in the last sentence change professional to "career".

**CURRENT HOUSING PROGRAMS AND INVENTORY:** Toward the end of the 1st sentence change to "and or the United States Department of Agriculture (USDA)"; spell out ADU Accessory Dwelling Units; remove last sentence.

**POPULATION AND DEMOGRAPHICS:** The 1st chart switch order with the 2nd chart; change Metric (ACS 5-year) to "Goshen Metric (ACS 5-year)"; change Median household income to "Goshen Median Household"; put a title with the bottom graph "Regional Home Values 2024"; adjust the bottom of graph so the bottom dollar figures line up accordingly; bottom page 6 footnote, move last sentence to page 7 under the Regional Demographic Comparison 2020-2024 footnote to be the 2nd sentence; page 7 first chart put a title "Regional Demographic Comparison 2020-2024"; 2nd chart change Median Home Value to "Goshen Median Home Value"; bottom chart change Median Sale Price to "Goshen Median Sale Price"; will need to ask Housing Committee if they can get the number of houses sold to go with the bottom chart;

**RECOMMENDATIONS:** 3rd bullet change 501(c)3 to "501c(3)"; 6th bullet take out in the Center Business zone; 9th bullet change 30 to 90 to "30 to 180 days".

Mr. Carroll requested that changes need to go as soon as possible and Mr. Musselman should be able to get them emailed out on Saturday. He will also email the Housing Committee inviting them to the next regular meeting and cc Mr. Carroll. There was a short discussion on total occupied dwelling units.

**4. ADJOURNMENT:**

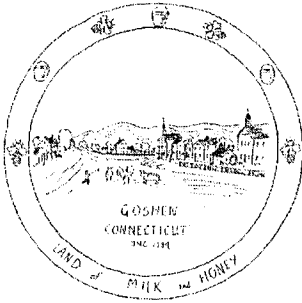
**IN A MOTION BY Ms. Garceau and seconded by Ms. Zbinden, to adjourn the meeting at 8:52pm. Motion carried.**

Respectfully Submitted,  
Lori Clinton, Commission Clerk



Received July 9, 2026 @ 11:17 A.M.

Att: Pro. Dr. Z Bro.



## TOWN OF GOSHEN

42A NORTH STREET GOSHEN, CT 06756-0187  
PHONE 860 491-2308 x 232 FAX 860 491-6028

**Marissa L. Wright, Zoning and Inland Wetlands Enforcement Officer**

**To:** Planning and Zoning Commission  
**From:** Marissa L. Wright  
**Subject:** Activity Report  
**Date:** JULY 28, 2026

**54 Bare Hill Road. No situations to report (NSTR, materials still being removed).** Letter sent to Gary Stengo Jr. requesting he notify the commission regarding date of when the commercial materials will be removed from the site and confirming that no further commercial activity will occur. Letter requested response within 10 days. Follow up email sent providing additional opportunity to respond by the next P&Z meeting, 26 MAY 2026. On 26 MAY 2026, received the following communication from Gary Stengo Jr.: "I can affirm what Alex of the forsaken lands said in his statement at the last meeting. We will NOT be hosting the haunt at this location moving forward."

**225 North Goshen Rd. Wetland Scientist, Martin Brogie, LEP, *Principal Scientist, MBI*** completed brief wetland report and flagging. Commission requested full assessment and flagging of wetlands on the property. **TBD/NSTR**

**70 Turkey Hollow Lane, Pine Valley Materials, Jared Denis. Letter dated 18 MAY regarding site visit to quarry property.** No zoning violations were apparent during site visit on April 24th, 2026. **Appeal of decision went to ZBA and application to overturn ZEO decision was denied at last meeting.**

**Multiple complaints from Buzziena White, 192 Kubish Road,** regarding reported wetland and zoning impacts on her property from 81 Kubish Road, dirt bike track area, equipment and disturbed soil. **Second site visit with ZEO and Chair will occur shortly.** No apparent violations were present on the site during the last visit.

**AJs Steak & Pizza,** Complaints from Kim Durham, loud noise, smell from restaurant continue.

**80 Holmes Road, Mike's Beehives.** Reports of operating an unapproved commercial retail business in RA5 Zone. Contacted owner and provided information on what is allowed and what is in violation of zoning regulations. Suggested property owner come to the meeting to talk with the commission.

### **Permits Issued:**

**Please see attached approved permit list.**

# TOWN OF GOSHEN, CT

42A North Street Goshen, CT 06756 PHONE: (860) 491-2308  
www.goshenct.gov

## Permit List for Any

Permit Type: ZONING

All Permit Years - 06-23-2026 - 07-28-2026

| Permit # | Parcel Id     | Issued     | Owner                           | #   | Location           | Est. Cost | Fee   | Work Description       | # of Permits:                                                                     |
|----------|---------------|------------|---------------------------------|-----|--------------------|-----------|-------|------------------------|-----------------------------------------------------------------------------------|
| 6-15ZP   | 05 004 124 00 | 06/29/2026 | SHADY LAWN FARM LLC             | 411 | BEACH STREET       | 0.00      | 85.00 | 30 inch temporary pool | Remove existing shed, new shed to be located across from walkway of existing shed |
| 6-16ZP   | 08 008 016 00 | 07/10/2026 | NOREIKA JUSTIN                  | 40  | TURKEY HOLLOW LANE | 0.00      | 85.00 |                        |                                                                                   |
| 6-17ZP   | 05 008 079 00 | 07/10/2026 | REGIONAL SCHOOL DISTRICT NO. 20 | 50  | NORTH STREET       | 0.00      | 85.00 |                        |                                                                                   |
| 6-18ZP   | 03 006 005 14 | 07/10/2026 | COPT FITNESS LLC                |     | MEADOWCREST NORTH  | 0.00      | 85.00 |                        |                                                                                   |
| 6-19ZP   | 08 012 011 02 | 07/11/2026 | MERRIAM DAVID J                 | 93  | GRAY LANE          | 0.00      | 85.00 |                        |                                                                                   |
| 6-20ZP   | 06 006 238 00 | 07/11/2026 | LUNAN NORVAL R &                | 112 | WELLSFORD DRIVE    | 0.00      | 85.00 | New deck               | Accessory structure addition                                                      |
| 6-21ZP   | 07 10A 002 00 | 07/11/2026 | MASTROCOLA DANIELLE MARIE &     | 602 | SHARON TURNPIKE    | 0.00      | 85.00 |                        |                                                                                   |
| 6-22ZP   | 07 016 002 00 | 07/27/2026 | MONDA DEBORAH L                 | 21  | TAMARACK LANE      | 0.00      | 85.00 |                        |                                                                                   |

# CONNECTICUT FEDERATION OF PLANNING & ZONING AGENCIES QUARTERLY NEWSLETTER

Summer 2026

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## EXPERT OPINION NOT CONTROLLING ON COMMISSION

An application to convert a vacant bank into a school or nursery was denied by the commission, in part, for traffic concerns. The property was a corner lot located on the Boston Post Road. The area already dealt with heavy traffic and there were concerns from neighbors and commissioners that adding this use, with the many drop-offs and pickups, would further degrade traffic safety and congestion. The application was denied.

On appeal to Superior Court, the applicant claimed that the Commission ignored the only expert testimony on traffic which found no negative impact from the proposed use and thus the Commission's decision was not based upon substantial evidence as it relied on testimony from neighbors as well as the Commissioners' own knowledge as to traffic conditions at the site.

The court denied the appeal, stating that "Neither the Connecticut Supreme Court nor the Appellate Court has ever held that traffic congestion and safety concerns are so complicated and complex, as to require expert testimony." Testimony of nonexperts can form the basis of support for a commission decision even when contradicted by expert opinion. *Apple Montessori Schools LLC v. Planning & Zoning Commission*, FBT-CV-25-6150043 (5.29.26)

## EXPERT'S OPINION FOUND NOT TO BE EVIDENCE

An expert's opinion, unsupported by reference to recognized treatises, manuals or anecdotal evidence from the expert's experience, does not qualify as substantial evidence and cannot be relied upon to support an agency's decision.

In this case, a municipal water pollution and control agency relied upon the town engineer's opinion that the application to connect to the public sewer system be denied as the additional sewage flow from the proposed development would result in the sewer line reaching 90% capacity, precluding additional connections. This opinion was unsupported by reference to any existing town policy, regulation or practice nor was any reference made to a manual or other professional treatise. Such an unsupported expert opinion did not qualify as substantial evidence in the opinion of the court and could thus not provide evidentiary support for the WPCA's denial of the application. *Baywing LLC v. Water Pollution Control Authority*, 239 Conn. App. 153 (2026).

## REGULATION THAT PROHIBITS HOTELS DOES NOT PROHIBIT SHORT-TERM RENTALS

A zoning regulation that prohibits hotels and motels and limits non-transient roomers or borders to 3 persons per dwelling unit does not

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prohibit the short-term rental of a single-family home to a family. The court based this ruling on the strict interpretation of the zoning regulations which did not define non-transient roomers, rooming house or tourist home.

Since these terms, as commonly defined, applied to the rental of a single room in a house, it was ambiguous whether they applied to the short-term rental of an entire house to a family.

It is a fundamental principle of zoning that when more than one interpretation of a regulation is possible, restrictions on the use of land are not to be extended by implication and doubtful language will be construed against rather than in favor of the restriction.

Since the zoning regulations were unclear and could be interpreted in more than one way, the court ruled in favor of the land owner and against applying a restriction to the use of his property, allowing the short-term rental use to continue. *Instant Property Solutions LLC v. Zoning Board of Appeals*, HHD-CV-24-6184621 (10.31.25).

## ZBA DECISION DOES NOT HAVE CONTROLLING EFFECT ON PZC

A special permit application to permit 7 first floor apartments in a building with existing apartments on higher floors was approved. The application concerned a section of the zoning regulations which allowed for the conversion of first floor retail space to

apartments in mixed use buildings. A prior application to the zoning board of appeals for a variance to allow for the conversion had been denied.

The appeal of the approval was based in part on the issue of whether the prior zoning board of appeals denial precluded the planning commission from approving the application. The zoning regulations included a requirement that the special permit, if approved, would not be detrimental to the comprehensive plan. In denying the variance application, the zoning board of appeals had found that the proposed project would not be in compliance with the comprehensive plan.

The court found that under Connecticut's zoning scheme, zoning boards of appeal and planning and zoning commissions occupy distinct and separate realms and the decisions of one commission do not have a precluding effect on the other. *Delvecchio v. City Plan Commission*, CV-25-6157147 (6.15.26)

## FINDING OF ADVERSE IMPACT NEEDED TO SUPPORT DENIAL

A denial of an application to conduct a regulated activity was reversed in court because there was no evidence in the record that the proposed activity would have a significant adverse impact on a wetlands or watercourse. The proposed activity would take place entirely within upland review areas. Concerns were raised because these

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activities were located upslope from a high functioning wetland.

The evidence in the record consisted of the applicant's expert testimony that the proposed development, a multi-family building, would not have an adverse impact on wetlands. Lay testimony from neighbors focused on possible harm from stormwater runoff and the loss of trees. The court found this evidence to be speculation. Evidence of a potential impact to a wetland is insufficient to constitute substantial evidence. *Mountain Development Corp. v. Inland Wetlands and Watercourses Commission*, FBT-CV-22-6118364 (6.18.25).

## ENHANCED ENFORCEMENT POWERS FOR ZEO

Public Act 25-53 provides that a zoning enforcement officer can commence an enforcement action pursuant to Connecticut General Statutes Sec. 8-12 where an applicant fails to complete any improvement required by a site plan, subdivision or inland wetlands approval or fails to construct an improvement in conformance with these approvals. The Public Act also authorizes municipalities to adopt an ordinance that establishes penalties for these violations. Thus, noncompliance issues associated with approvals of site plan, subdivision and inland wetlands applications are now treated the same as other violations of the applicable regulations. What remains unanswered

is if the enforcement action is commenced by the issuance of a cease and desist order, is an appeal to the zoning board of appeals available.

## ANNOUNCEMENTS

### **Membership Dues**

Notices for this year's annual membership dues were mailed March 1, 2026. The Federation operates solely on the funds provided by its members. So that we can continue to offer the services you enjoy, please pay promptly.

### **Workshops**

**Four hours of Commissioner training must be completed once every four years or once each term of a commissioner.** At the price of \$200.00 per session for each agency attending, our workshops are an affordable way for your board to 'stay legal'. **Email us at [contact.cfpza@gmail.com](mailto:contact.cfpza@gmail.com) to schedule a workshop.**

## ABOUT THE EDITOR

*Steven Byrne is an attorney with an office in Farmington, Connecticut. A principal in the law firm of Byrne & Byrne LLC, he maintains a strong focus in the area of land use law and is available for consultation and representation in all land use matters both at the administrative and court levels.*

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