

**PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
SEPTEMBER 24, 2024 – 7:30PM  
HELD AT GOSHEN TOWN HALL**

**PRESENT:** Lu-Ann Zbinden, Patrick Lucas (Z), Cindy Barrett, Jerrold Abrahams(AZ), Shilo Garceau, and Jon Carroll

**EXCUSED:**

**OTHERS:** Janell Mullen Town Planner, Spencer Musselman Land Use Official.

1. **CALL TO ORDER AND DESIGNATION OF ALTERNATES:** The meeting was called to order at 7:32pm by Jon Carroll and no alternates were seated.

2. **ATTENDANCE:** Taken by Cindy Barrett, Secretary.

3. **PUBLIC HEARING:**

A. Public hearing for the consideration of a Commission petitioned text amendment that would: 1. Add language that specified that principal buildings shall be used for agricultural/residential purposes within Section 3. 2. Provides for pre-existing buildings to be used for a non-residential/agricultural use by Special Permit only in Residential-Agricultural Zones. 3. Defines accessory structure and accessory use in Section 2.: Mr. Carroll asked if there were any questions from the Commissioners. Mr. Carroll said he had been approached by several residents if this regulation would mean they would not be allowed to build a barn or garage bigger than the home and how he would answer that question. Ms. Mullen, no, established residential use on the property would only likely need a zoning permit. Public hearing was opened, public hearing notice not read. Public Hearing notice not posted on correct dates. No questions or comments from Commissioners. No comments from the public.

**IN A MOTION BY Ms. Zbinden and seconded by Ms. Garceau, it was voted to continue the Public Hearing to October 22, 2024 with location to be determined. Motion carried.**

4. **READING OF THE MINUTES:** The Commission reviewed minutes for August 27, 2024 and made the following correction: Section 7 the 2nd motion was made by Ms. Barrett.

**IN A MOTION BY Ms. Garceau and seconded by Ms. Barrett, it was voted to approve August 27, 2024 minutes as amended. Motion carried.**

The Commission reviewed minutes for September 9, 2024 and made the following corrections: section 40-45 selectman should be selectmen; suggested changes: #14 Should be Affordable Housing Plan Committee, #15 should also add the Affordable Housing Plan Committee and contact Lynette Miller.

**IN A MOTION BY Ms. Zbinden and seconded by Ms. Barrett, it was voted to approve September 9, 2024 minutes as amended. Motion carried.**

5. **OLD BUSINESS:**

A. Public hearing for the consideration of a Commission petitioned text amendment that would: 1. Add language that specified that principal buildings shall be used for agricultural/residential purposes within Section

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3. 2. Provides for pre-existing buildings to be used for a non-residential/agricultural use by Special Permit only in Residential-Agricultural Zones. 3. Defines accessory structure and accessory use in Section 2. Tabled

B. **POCD updates/status:** Ms. Mullen went over her updates and the working spreadsheet that she has started to keep track of what she has been doing; will be starting to meet with other Boards/Commissions in the next month; shared census data for Goshen that was included with agenda; Mr. Carroll asked that the spreadsheet be shared with all Commissioners and a budget be put together for the cost of the POCD; Ms. Zbinden read her notes on 2016 POCD (attached with minutes); Ms. Barrett provided copies of P&Z minutes from 2016 POCD meetings; lost Mr. Lucas at 8:16pm and returned 8:18pm; Ms. Mullen will share working spreadsheet with Commissioners early October and asked Commissioner to revisit spreadsheet before each meeting

6. **NEW BUSINESS:** None

7. **ZEO REPORT:** Mr. Musselman gave a brief summary of the ZEO report dated September 23, 2024.

**IN A MOTION BY Ms. Zbinden and seconded by Ms. Garceau, to approve the ZEO report dated September 23, 2024. Motion carried.**

8. **CORRESPONDENCE:** None.

9. **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:** Clerk requested that Commissioners state name when making a motion.

10. **PUBLIC COMMENT:** 1. Paul Collins, 12 Dresden Ct. East: Thanked Ms. Mullen for her work; noted that minutes from prior POCD meetings showed they got bogged down then the POCD's just appeared; an inventory of the town's assets would be good for POCD and Board of Finance.

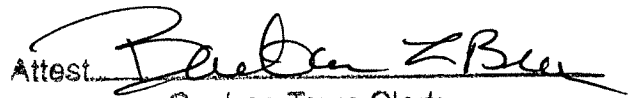
11. **ADJOURNMENT:**

**IN A MOTION BY Ms. Garceau and seconded by Ms. Barrett, to adjourn the meeting at 8:27pm. Motion carried.**

Respectfully submitted,

  
Lori Clinton  
Commission Clerk

Received Sept. 26, 2024 @ 11:23 AM

Attest.   
Goshen Town Clerk

## **2016 POCD NOTES:**

Let me say first that I like the people of Goshen and I like our Town Leaders. My comments or observations are not intended to oppose any person or persons.

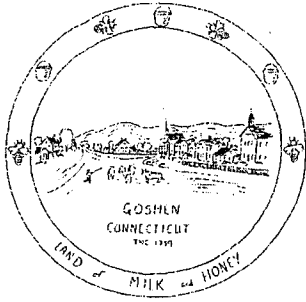
Going forward I hope that P&Z will have a greater role in shaping the 2026 POCD. One of my concerns from my experiences as a commissioner over the last 10 years is that the POCD has been used at times selectively to promote the interests of a few town officials or board members without much input from townspeople.

- One case in particular stands out. That is the waiver of the 4-acre minimum requirement on accessory apartments. This change to the Regulations was politically motivated and did not stem from the Planning & Zoning Commission in reviewing the POCD for measures to increase accessory apartments. The head of a Town Board proposed the idea to help a friend who wanted to use an accessory building but did not have the 4-acre minimum. There was some public opposition, but pressure was put on the P&Z Commission to pass the change. I held out as long as possible before approving. I first advocated for requiring accessory apartments to be counted as affordable housing units. In my opinion the applicants most likely did not want the apartments to be counted as affordable units anyway in favor of promoting multi-unit housing development. I was told that it was difficult to deed an accessory apartment as affordable when the main home is not deeded. I understood and accepted this situation. However, the Town got nothing from waiving the 4-acre minimum. Had the proposal been made by P&Z it may have been possible to require a fee to be deposited into a town fund in return for this generous allowance like the fee in lieu of the open space set aside on subdivisions. We may want to consider adding conditions to accessory apartments in the 2026 POCD.
- This segways into a vote on a 1-home subdivision where the applicant's representative wrote his own memo to waive the open space requirement. I asked if the Goshen Land Trust or the Conservation Commission were consulted. The applicant responded that he did not have to consult them. The subdivision was approved at that meeting with no open space or fee in lieu of open space. I was remiss in not asking to hold the vote and for not requesting the applicant to check with the Goshen Land Trust and Conservation Commission and come back with his findings at the next meeting. The outcome may not have made a difference, but due diligence should have been done.
- Another observation is that some Town Leaders do not appear to value historical preservation very much. It does not seem to carry any weight in their decision making. Many townspeople appreciate historical sites, trails, houses, cemeteries, etc. although they may not serve on any boards or commissions. A section of an old road was discontinued in 2018 that possibly could have been saved as a heritage trail by the Town as it was once an old stagecoach route. A Town Leader headed up the effort to discontinue the road. There was little interest in keeping it open for hiking. It's possible it just did not occur to the Town Leader that this old road had some historical significance, or the Town Leader just wanted to discontinue it in favor of purchasing another property in Goshen for hiking. I would propose adding "*Historical enjoyment*" to the title of Item 10. *Abandoned Roads for Recreational Use* under RECOMMENDATIONS for Section 6, ROADS AND CIRCULATION. I

would also like to propose adding the following recommendation to Section 4, HISTORIC PRESERVATION:

- Explore funding opportunities for restoring historic homes, schoolhouses, sites, trails, cemeteries, memorial monuments, etc. from sources other than Town monies such as Federal or State monies, the DAR, SAR, Mayflower Society, The 1772 Foundation, etc. if funding is available through these organizations. I do not know if any persons living in Goshen, or any persons buried in Goshen cemeteries are descendants of the American Revolution or of a Mayflower passenger. Could the town be eligible possibly for financial assistance based on the heritage or lineage of past Goshen residents for example for restoring old burial markers that have deteriorated over time to their original state? Also, I would like to propose adding to the POCD that 501(c)(3) organizations encourage donors to use employers' "Matching Gift" programs if they are available.
- There were also some cases where it was apparent that the applicant before the public hearing and prior to coming before P&Z had been encouraged to get his application approved with the least amount of effort. One application was submitted for using a property as a parking lot for buses. The public and local business community requested that trees be planted to screen the buses from view of a neighbor's residence and B&B business and one non-profit organization requested a vegetative border along a river corridor in the back of the property to prevent oil and other fluids from leaking into the water. The applicant was inflexible about planting the trees in front due to concerns that it may lead to vandalism but in the end allowed the non-profit to plant vegetation in the back along the river at the non-profit's expense. It is very difficult for P&Z Commissioners to require changes at a public hearing when the applicant has been told to forgo certain requirements beforehand. I do not know whether the non-profit ever planted the vegetation along the river or not. However, I think not requiring the vegetative screening in the front of the buses was a disservice to the resident across the road whose customers come to Goshen for the country vistas and to people just driving by. I would recommend requiring screening for all new businesses where needed and where possible in the 2026 POCD. Also, are there incentives that the Town could offer existing businesses for screening?
- Another issue that may affect even some people at this meeting is the paving of dirt/gravel roads in town. Perhaps a family purchased their home in Goshen because it was on a quiet less traveled road. Who currently makes the decision on what roads get paved? Does a schedule exist? Some Goshen residents were surprised recently to suddenly find the road in front of their home had been paved. I understand a balance between road maintenance, safety and personal preferences are necessary. Would it be possible to incorporate input from town residents in deciding whether dirt/gravel roads get paved into the 2026 POCD?

These are just a few examples that may help us as a Commission grow, challenge ourselves, and make better decisions in the future. Can we somehow mitigate the potential for some of these situations from arising again in the 2026 POCD? I do not have all the answers or solutions. However, we have a good Planning and Zoning Commission, and we have a new opportunity now to revise the Plan to better serve and protect our town.



## **TOWN OF GOSHEN**

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**Spencer A. Musselman,**  
**Land Use Official**

**To:** Planning & Zoning Commission  
**From:** Spencer Musselman  
**Subject:** Activity Report  
**Date:** September 23, 2024

### **Zoning Permits:**

Issued ZP # 24-27 to Michael Leitman, 12 Wynwood Court, for a pool

Issued ZP # 24-28 to Edmond Meto, Bueford Court MBL# 06-006-120-00, for a new dwelling.

Issued ZP # 24-29 to Deborah Weiss, 101 West Hyerdale drive, for additions to an existing home.