



TOWN OF WINCHESTER
BOARD OF SELECTMEN MEETING
Regular Meeting Agenda
December 06, 2021-7:00PM
P. Francis Hicks Room
Streamed live on YouTube and Channel 194

1. **CALL TO ORDER** (Turn your cell phones off)
2. **PLEDGE OF ALLEGIANCE**
3. **AGENDA REVIEW**
4. **APPROVAL OF MINUTES**
 - A) Minutes of Regular Meeting on November 15, 2021
5. **CITIZENS' COMMENTS**

The Board of Selectmen welcomes public comments, speakers will be limited to three (3) minutes or less and may speak only once. Please give your name and address.
6. **EXECUTIVE SESSION**
 - A) Discussion regarding strategy and negotiation in the matter of CT3 Ventures LLC v. Town of Winchester
 - B) Discussion possible action in the matter of CT3 Ventures LLC v. Town of Winchester
7. **TOWN MANAGER'S REPORT**
8. **CORRESPONDENCE**
9. **BOARDS AND COMMISSIONS**
10. **UNFINISHED BUSINESS**
 - A) 21-80 Consider and possibly act on the purposed Phase I allocations of the American Rescue Plan Act grant funds (Town Manager Kelly)
11. **NEW BUSINESS**
 - A) 21-81 Consider and possibly act on the proposal for conservation easements on the Town parcels within the Crystal Lake and Rugg Brook Reservoir watersheds (Town Manager Kelly)
 - B) 21-82 Consider and possibly act on the submission of letters to the State legislators (Selectman Perez)

FILED
TOWN CLERK'S OFFICE

DEC -2 2021

SHEILA S. SEDLACK
TOWN OF WINCHESTER, CT

Winchester 250th Anniversary 1771-2021



TOWN OF WINCHESTER
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- C) 21-83 Consider and possible act on the Planning & Zoning Commission recommendation to opt out of Public Act 21-29, Sections 5 and 6(f) regarding parking limitation provisions and accessory dwelling unit provisions (town Manager Kelly)
- D) 21-84 Consider and possibly act on authorizing a letter to be sent to the Connecticut Department of Transportation regarding a local business vendor (Selectman Bourque)
- E) 21-85 Refunds as Recommended by Collector of Revenues (Town Manager Kelly)

12. **CITIZENS' COMMENTS**

The Board of Selectmen welcomes public comments, speakers will be limited to three (3) minutes or less and may speak only once. Please give your name and address.

13. **SELECTMEN'S COMMENTS AND REPORTS**

14. **ADJOURNMENT**

Winchester 250th Anniversary 1771-2021

Town of Winchester
Board of Selectmen
Regular Meeting
November 15, 2021

Item 1. Call to Order

The meeting was called to order by Mayor Arcelaschi at 7:00 p.m.

Attendance: Sel. Arcelaschi, Sel. Bouchard, Sel. Bourque, Sel. Groppo, Sel. Morhardt, Sel. Perez and Sel. Sedlack. Town Manager, Josh Kelly and Bruce Stratford, Financial Director.

Item 2. Pledge of Allegiance

The Pledge of Allegiance was recited by all.

Item 3. Agenda Review

Sel. Arcelaschi asked that item 10A be moved down on the agenda under New Business Update on the Cemetery at Danbury Quarter Road.

Item 4. Approval of Minutes

A). Minutes of Regular Meeting on November 1, 2021

Motion by Sel. Bouchard, seconded by Sel. Groppo

I move to accept the Minutes of the Regular Meeting on November 1, 2021, as amended.

UNANIMOUS

Sel. Bouchard, to include the word Unanimous after the nomination of Troy LaMere.

B). Minutes of the BOS First Meeting after Elections on November 3, 2021

Motion by Sel. Bouchard, seconded by Sel. Groppo.

I move to accept the Minutes of the Regular Meeting on November 3, 2021, as amended.

UNANIMOUS

Sel. Bourque noted no date on the minutes and to change Selectmen to Selectman where necessary.

Item 5. Citizens' Comments NONE

Item 6. Town Manager's Report

The Town Manager presented updates regarding the 508 Main Street Project, American Rescue Plan Act (ARPA), Communities Challenge Grant, Fire Department's funding for fire trucks that need replacements, meeting with the Litchfield County Dispatch, meeting with the Senior

Center holding Thanksgiving dinner on the 18th. of November, Union Negotiations, and references to the December 6th. and December 20th Board meetings.

Item 7. Finance Director's Report

The Finance Director, Bruce Stratford, presented to the Board an update on Fiscal Year 2021 budget through October 31, 2021, reviewing the revenues and expenditures in comparison to the previous year's budget.

Item 8. Correspondence NONE

Item 9. Boards and Commissions.

Sel. Sedlack placed into nomination William Hudock (D) as a permanent member of the Torrington Area Health District Board term to expire 4/2024

Sel. Sedlack placed into nomination Bryan Sundie (R) as a permanent member of the Recreation Board term to expire 4/2027

Motion by Sel. Sedlack, seconded by Sel. Bourque

To appoint Tim McGrane (U) as a permanent member of the Recreation term to expire 4/2027.

UNANIMOUS

Motion by Sel. Sedlack, seconded by Sel. Bouchard.

To re-appoint Maurice Gabelmann (R) as a permanent member of the Regional Refuse District Disposal District #1 term to expire 12/2027

UNANIMOUS

Item 10. Unfinished Business

A). Update on the Cemetery at Danbury Quarter Road (Mayor Arcelaschi).

Moved to the end of Item 11 "New Business."

Item 11. New Business

A). 21-77 Proposed Line-item Transfer (Town Manager Kelly).

Motion by Sel. Bouchard, seconded by Sel. Perez.

I move that the Board of Selectmen approve the line-item transfers from \$15,000 Assistant Town Clerk (120-191-0000) to \$15,000 Clerk, Part Time Floater (1-120-192-0000).

UNANIMOUS

B). 21-78 Board of Education Non-Lapsing Account (Town Manager Kelly).

Motion by Sel. Perez, seconded by Sel. Bourque

I move that the Board of Selectmen authorize the deposit of unexpended fiscal year 2021 education appropriation funds of \$107,026.68 into a non-lapsing account for future use by the Board of Education and move \$200,000 of the unexpended fiscal year 2021 Education appropriation fund into an assigned fund balance subject to the Board of Selectmen's approval.

UNANIMOUS

C). 21-79 Refunds as Recommended by Collector of Revenues (Town Manager Kelly).
Motion by Sel. Sedlack, seconded by Sel. Bouchard.

I move that the Board of Selectmen authorize the refunds recommended by the Collector of Revenue, Halaree Monnerat, in the amount of \$530.81.

UNANIMOUS

D). Presentation regarding funding proposals related to the American Rescue Plan grant Monies. (Town Manager Kelly).

The Town Manager and Finance Director addressed the board related to the American Rescue Plan Grant Monies with an extensive power point presentation along with a question-and-answer period. He will return at the next scheduled meeting with more information.

E). Boards & Commissions Liaison Assignments (Mayor Arcelaschi)

Jonathan Morhardt to be a liaison to the Recreation Board.

Steve Sedlack to be a liaison to the Board of Education.

All other appointments as a liaison stayed the same.

Power point presentation regarding the old Cemetery at Danbury Quarter Road which was moved down on the agenda after "New Business". Sel. Arcelaschi gave a power point presentation to emphasize all the damage done over a period of neglect.

Item 12. Citizens Comments. None

Item 13. Selectmen's Comments and Reports.

Sel. Perez thanks to Sel. Bourque for the wonderful presentation on the 250th. Celebration and its success.

Sel. Bourque thanked all the volunteers who made this play such a success.

Sel. Arcelaschi reminded everyone about the food drive taking place and the fund raiser by the Police Department allowing the men to grow beards in order to raise money.

Thursday is the date for the swearing in of a newly hired Patrol Office and volunteers are need for the Winsted Area Ambulance Service.

Item 14. Adjournment.
Motion by Sel. seconded by Sel.
To adjourn at 8:45p.m.
UNANIMOUS

ATTEST:

Sheila S. Sedlack. CCTC, CMC



TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

TO: Board of Selectmen
FROM: Josh Kelly, Town Manager
SUBJECT: Manager's Report – December 6, 2021
DATE: December 6, 2021

Good morning, all,

Here are some Town updates for you – please note that any repetition from last week's report is an effort to help Jonathan get caught up on everything he needs to know.

- **508 Main Street:** As a reminder, a Request for Qualifications (RFQ) has been posted on the Town's website in an effort to see if there is anyone in the local area interested in redeveloping the site. We will accept proposals through December 22nd (60 days from the first date of advertisement) and know before the new year whether or not we have viable redevelopment proposals to consider. We have already had several developers reach out to inquire more and express their general interest in the property.
- **American Rescue Plan Act (ARPA):** At the last Board of Selectmen meeting, I presented proposals on how to allocate approximately the first 45% of the American Rescue Plan funding that the Town is slated to receive. These proposals have been carefully considered and cultivated over the past several months, and each of them has my wholehearted support. My hope is that these proposals are suitable in your eyes and that you will be willing to approve the proposed allocations at the December 6th meeting.
- **Business Growth:** 2nd Home, a new Wine Bar on Main Street, opened over Thanksgiving weekend. There is a lot of buzz around town about other new businesses opening on and around Main Street over the next several months, and I will keep you all apprised as I learn more about those possibilities.
- **Communities Challenge Grant:** The group of staff that has been working on this grant application has identified 14 projects that we would like to see included in this grant application. We are hoping to partner with Northwest Community College and other similar interests and organizations to ensure that we are including projects that benefit a wide variety of individuals in Winsted and that we have a wide range of support from organizations and firms in the community.

Winchester 250th Anniversary 1771-2021

- **Connecticut Conference of Municipalities:** This past week, I attended the Connecticut Conference of Municipalities (CCM) annual convention where I had the opportunity to learn a lot more about the successful ideas, programs, and offerings that towns across the state are putting into practice. Where appropriate, I hope to bring these ideas forward and put them to good use here in Winchester.
- **COVID-19:** Given the uptick in infections and hospitalizations across the northeast, masking remains required in Town facilities. As always, we will continue to evaluate this on a rolling basis. In the meantime, all Town employees and residents are highly encouraged to not just get vaccinated, but to get a booster shot once the appropriate amount of time has passed since the initial vaccination was completed. Vaccines and boosters can both be acquired at the CVS and Stop & Shop pharmacies here in Winsted, though an appointment is necessary.
- **C-PACE:** In preparing to have work done at the site, the new owner of 35 Willow Street, Joe Miller, has discovered the Commercial Property Assessed Clean Energy (C-PACE) program, which is an offering by the Connecticut Green Bank that allows commercial, industrial, non-profit, and multi-family homeowners to access affordable, long-term financing for green energy updates to their buildings. In order to participate in this program, however, the Town of Winchester has to opt-in and become a member town within the C-PACE program. So far, out of 169 towns, over 130 have opted into the program already, including Torrington, Barkhamsted, Norfolk, New Hartford, Litchfield, and more. There is no cost for the municipality to join, it simply requires that a resolution be passed by the Town to allow for its participation. Mr. Miller has asked that the Town consider becoming a part of this program, and thus I plan to provide you with a draft resolution on the matter at the December 20th Board of Selectmen meeting.
- **Economic Development:** This past Thursday, State economic development leaders met in Hartford to discuss the various ways that the State and municipalities are working to increase economic development as we move forward with some pandemic conditions persisting. This event provided me with many thoughts and ideas for how to continue to better Winchester's economic situation.
- **Fire Departments:** Discussions around the funding of fire apparatus continues at Town Hall. At the December 20th meeting, I hope to have this item formally placed on the Board of Selectmen's agenda so that there may be a wider conversation about whether or not Fire Chief Lagassie should commit to the scheduled purchasing of a pumper at this time.
- **Fire Services Summit:** This past Thursday and Friday, the State held a Fire Services Summit, and I was asked to be in attendance to provide a municipal perspective on how fire departments can better collaborate and cooperate with each other to find efficiencies in operations and cost savings for residents. I spoke with Chief Lagassie about this summit at multiple points before I attended, and I believe that the summit was helped by having Winchester's voice at the table.

Winchester 250th Anniversary 1771-2021

- **Town Newsletter:** The winter newsletter is set to be finalized by the end of this week and sent out to households and businesses in time for December 15th. If you have events, information, updates, etc that you would like to see listed/mentioned in the newsletter, please send it to me as soon as possible! That will guarantee that I have time to compile everything and send it off to the printer in a timely manner.
- **Union Negotiations:** We have come to a tentative agreement with the Supervisors Union. I do not believe that will be ready for your review at the December 6th meeting, but it will likely be ready for your review at one of the two meetings thereafter.

Here are a few upcoming events to mark on your calendars:

- Monday, December 6th: Board of Selectmen Meeting
- Saturday, December 18th: Gator Parade
- Monday, December 20th: Board of Selectmen Meeting
- Friday, December 24th: Town Hall Closed (Christmas Holiday observed)
- Friday, December 31st: Town Hall Closed (New Years Holiday observed)

Respectfully submitted,



Joshua Steele Kelly

Town Manager

CC: Terry Hall, Administrative Assistant

Winchester 250th Anniversary 1771-2021

Boards & Commissions

CONSIDERATION

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Term Dates	Appointing Authority

NOMINATIONS

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Term Dates	Appointing Authority

APPOINTMENTS

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Term Dates	Appointing Authority
11/15/2021	Bryan Sundie	Recreation Board	R	Permanent	4/2027	BOS
11/15/2021	William Hudock	Torrington Area Health District Board	D	Permanent	4/2024	BOS

RE-APPOINTMENT

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Next Term Exp	Appointing Authority

RESIGNATION

Date	Name	Board/Commission	Party Affiliation	Permanent/Alternate	Next Term Exp	Appointing Authority

APPLICATION FOR APPOINTMENT TO A BOARD/COMMISSION

WINCHESTER, CONNECTICUT

338 Main St. Winsted CT 06098 860 379-2713

www.townofwinchester.org

If you are interested in the well-being and betterment of our community and are willing to put in the time to review appropriate material and attend meetings, this is an opportunity for you to apply to become a member of one of our Boards or Commissions. This application will be reviewed by the Board of Selectmen. The Board of Selectmen is responsible for making appointments for Board/Commission vacancies.

LIST THE BOARD/COMMISSION YOU ARE INTERESTED IN SERVING: Torrington Area Health District Board

NAME: William (Bill) Hudock

ADDRESS: 232 Grantville Road, P.O. Box 187, Winchester Center, CT 06094

HOME PHONE #: 860.738.9748 CELL PHONE #: 410.707.1972 E-MAIL: whudock@gmail.com


ARE YOU A REGISTERED VOTER IN THE TOWN OF WINCHESTER? Yes

PRIOR CIVIC INVOLVEMENT: Town of Mansfield, CT – Town Council, Planning and Zoning Commission, Inland Wetlands Commission, Zoning Boards of Appeal, Justice of the Peace, Moderator-Annual Town Meeting, Strategic Planning Committee

SHORT SYNOPSIS OF EXPERTISE AND/OR INTEREST: I am a former health insurance executive, mental health provider executive, and Senior Public Health Advisor with the federal government. I currently consult with states, providers and payers on how to increase the effectiveness, sustainability, access and scalability of behavioral health systems. I seek to support the interests of the town and region's public health through this representation.

Have you contacted any current members or attended any meetings on the Board/Commission that interests you? no

Name: William Hudock

Signature:  Date: 10/24/2021

Please note that all Board/Commission members are subject to the Town of Winchester's Conflict of Interest Policy

Please Return To: Town Manager 338 Main St. Winsted CT 06098 townmanager@townofwinchester.org

APPLICATION FOR APPOINTMENT TO A BOARD/COMMISSION
WINCHESTER, CONNECTICUT

338 Main St. Winsted CT 06098 860 379-2713
www.townofwinchester.org

If you are interested in the well-being and betterment of our community and are willing to put in the time to review appropriate material and attend meetings, this is an opportunity for you to apply to become a member of one of our Boards or Commissions. This application will be reviewed by the Board of Selectmen. The Board of Selectmen is responsible for making appointments for Board/Commission vacancies.

LIST THE BOARD/COMMISSION YOU ARE INTERESTED IN SERVING:

Recreation Board

NAME: Bryan Sundie

ADDRESS: 152 Spencer Hill Rd

HOME PHONE #: _____ CELL PHONE #: 860 470 3668 E-MAIL: bsundie@yahoo.com


ARE YOU A REGISTERED VOTER IN THE TOWN OF WINCHESTER? Yes

PRIOR CIVIC INVOLVEMENT: Winchester/Winsted Youth Soccer Board

SHORT SYNOPSIS OF EXPERTISE AND/OR INTEREST:

communications, good understanding/experience in all kinds municipal and state government.

Have you contacted any current members or attended any meetings on the Board/Commission that interests you? _____ Name: _____

Signature: 

Date: 7-19-21

Please note that all Board/Commission members are subject to the Town of Winchester's Conflict of Interest Policy

Please Return To:
Town Manager
338 Main St.
Winsted CT 06098
townmanager@townofwinchester.org

BOARD OF SELECTMEN ACTION REQUEST

No.: 21-80

Date: December 6, 2021

Topic: Unfinished Business (A) – American Rescue Plan Funding Request (Phase 1)

From: Joshua Kelly, Town Manager

Background: At the Board of Selectmen’s meeting on November 15, 2021, the Town Manager presented final recommendations on how to allocate the first \$1,433,236 of grant money given to the Town of Winchester through the American Rescue Plan Act (ARPA) of 2021. This represents approximately 45% of the total funding that the Town will receive in total. 17 projects were included in that funding request, all of which are outlined in the attached presentation. Residents have been given the opportunity to provide public comment to the Town Manager via email between the last meeting and now (as well as in-person at either meeting), all proposals have been vetted by the Town Attorney to verify that they qualify as legal expenditures under the American Rescue Plan Act, and we are now at a pivotal moment where the Board of Selectmen must decide if these are seventeen projects that they would like this grant money to fund.

Fiscal Implications: \$1,433,236 would be invested in Winchester from American Rescue Plan grant funds. This investment has the capacity to bring more businesses, jobs, and residents to Winchester, potentially growing our economy and grand list.

Manager’s Recommendation: *I recommend that the Board of Selectmen approve the expenditure of \$1,433,236 from the American Rescue Plan grant for the projects outlined in the attached document.*

Recommended Motion: *I move that the Board of Selectmen authorize the following expenditures under the American Rescue Plan grant:*

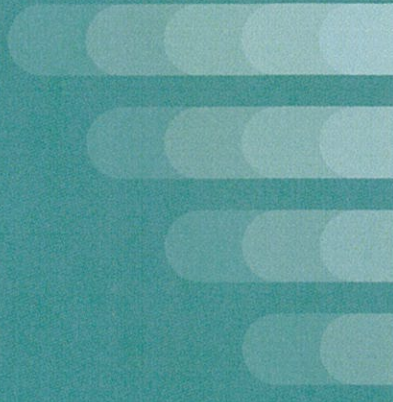
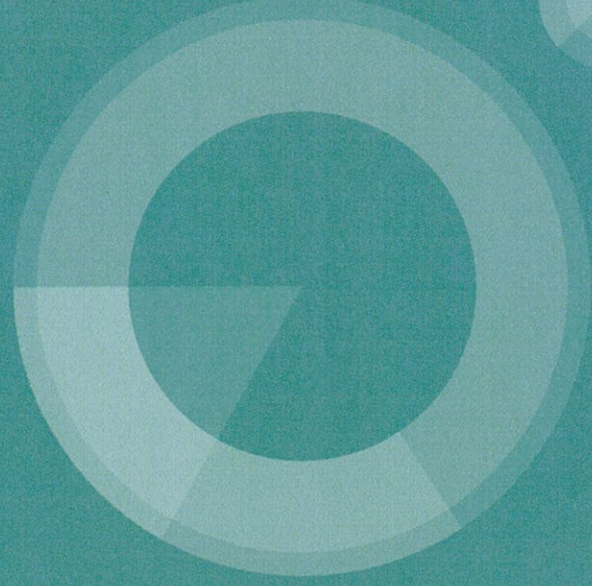
- \$39,200 for the adoption of Online Permitting Software;
- \$3,000 for the acquisition of laptops;
- \$40,000 for Town marketing and economic development activities;
- \$50,000 for the hiring of a part-time Economic Development Director;
- \$100,000 for the creation of a business start-up fund;
- \$10,000 for the creation of a Water Quality Improvement Fund;
- \$200,000 for the acquisition of 800-band radios;
- \$67,366 for the refurbishment of a Winsted Ambulance Service ambulance;
- \$35,000 for the purchase and installation of a new air conditioning system with UV filtration for the Elm Street Firehouse;
- \$40,000 for the purchase and installation of a new washing machine and dryers at the Elm Street Firehouse;
- \$48,960 for the updating of our GIS maps;
- \$11,000 for mailed communications;
- \$8,500 for safety improvements on our playground swing sets;
- \$350,000 for the replacement of the sewer plant’s raw water pumps;
- \$350,000 for sewer pump station rehabilitations;
- \$20,210 towards the “No Senior Left Behind” Technology Program at the Winsted Senior Center; and
- \$60,000 for Social Services staffing.

Attachments:

Presentation on proposed ARPA projects.

Proposed ARPA Allocations

Town of Winchester, CT
November, 2021



ARPA Funding 101

- In 2021, the federal government announced that the Town of Winchester would receive \$3,138,260 in funding from the American Rescue Plan Act (ARPA).
- Funds are only to be used for one of the five following purposes:
 - a. Support public utilities.
 - b. Support post-pandemic economic development.
 - c. Support expanded social services.
 - d. Support pandemic-related emergency services.
 - e. Recover lost municipal income.
- Earlier in 2021, the Board of Selectmen empowered the Town Manager to convene a group of staff members, residents, and Selectmen to consider possible uses of these funds and to make a recommendation to the Board of Selectmen for their recommendation.
- This document outlines a “Phase 1” proposal for funding, which will allow us to make use of ARPA funds already in our possession. The second half of the ARPA funds will not be received until July 1, 2022, and deferring decisions about how to spend that money until closer to that date will allow us to better react to new and evolving situations as they arise.

Rationale for General Project Inclusion

Projects were more likely to be included if...

1. They met the objectives of ARPA.
2. They were not independently too expensive.
3. They provided clear benefit to residents of the Town and the Town's continued development and success.
4. They help defray taxpayer or ratepayer costs.
5. They are sustainable and do not require increased taxpayer funding in the future.

Projects were less likely to be included if...

1. They did not meet the objects of ARPA.
2. They were independently too expensive.
3. They did not provide a clear benefit to residents of the Town.
4. They did not help defray costs for taxpayers and/or ratepayers.
5. They are not sustainable and require increased taxpayer funding in the future.
6. They were proposed without an estimated cost.
7. Other grant/non-taxpayer funding is likely available to cover costs presented.

Rationale for Project Inclusion in Phase One

Projects were more likely to be included in this phase if...

1. The project that is being funded is time-sensitive to some degree.
2. The project would directly and immediately improve the Town's economic conditions, safety services, and/or general resident services.
3. The project addresses priorities designated by the Board of Selectmen.
4. It is unlikely that we will be able to seek other grant funding for the project in question.

Projects were less likely to be included in this phase if...

1. The project is not time-sensitive and can be easily funded in 2022 without negative consequences.
2. The project would not be able to quickly improve the Town's economic conditions, safety services, and/or general resident services.
3. The project does not address priorities designated by the Board of Selectmen.
4. We have an opportunity to seek other grant funding for the project in question.



Other Projects Under Consideration for Phase 2 and Beyond

- Director of Economic Development - Part 2
- Medical Supplies
- Supplemental First Responder Vehicle
- Winchester Fire Department Pumper/Tanker
- Sewer Plan Septage Receiving Station
- Sewer Plant Step Screen
- Water Main Rehab/Replacement
- Community Center Review
- Mad River Riverfront Recapture Efforts
- Senior Center Free Fitness Classes
- Social Services Coordinator - Part 2
- Soldiers Monument Educational Panels & Renovation

Summary - Phase 1 Projects Included

Project Name	Category	Estimated Cost
Online Permitting Software	Economic Development	\$39,200
Remote Laptops	Economic Development	\$3,000
Town Marketing & Economic Development Activities	Economic Development	\$40,000
Director of Economic Development - Part 1	Economic Development	\$50,000
Business Start-Up Fund	Economic Development	\$100,000
Water Quality Improvement Program	Economic Development	\$10,000
800-band Radios	Health & Emergency Services	\$200,000
Ambulance Components	Health & Emergency Services	\$67,366
Firehouse Air Conditioning with Filtration Station	Health & Emergency Services	\$35,000
Firehouse Washing Machine & Dryer	Health & Emergency Services	\$40,000
GIS Map Updating	Health & Emergency Services	\$48,960
Mailed Communications	Health & Emergency Services	\$11,000
Recreation Safety Improvements	Health & Emergency Services	\$8,500
Sewer Plant Raw Water Pumps	Public Utilities	\$350,000
Sewer Pump Station Rehabilitations	Public Utilities	\$350,000
Senior Center "No Senior Left Behind" Technology Program	Social Services	\$20,210
Social Services Coordinator - Part 1	Social Services	\$60,000
TOTAL		\$1,433,236

Project Breakdown:

- 17 Projects funded in Phase 1.
- Funds divided by category:
 - Public Utility: 48.84%
 - Health & Emergency Services: 28.66%
 - Social Services: 5.60%
 - Economic Dev: 16.90%
- Allocations will help keep utility rates down with sizable allocation to that sector alone.
- Phase 1 money is being directed to time-sensitive projects and items that will have the quickest and most direct positive impact on the community.



Winchester Public Schools

Please note that, through the American Rescue Plan Act, the Winchester Public Schools system received \$1,608,615. These funds are separate from the \$3,138,260 that the Town of Winchester received from this Act. The Act explicitly states that funds allocated to the school system are meant to be spent on school-related items/projects and the funds allocated to the Town are meant to be spent on Town-related projects. Thus, there are no school-related items/projects in this presentation. For more information about how the school system will use the funding they received, please contact Superintendent of Schools Melony Shanley-Brady.



Leftover Funding

We are simultaneously preparing to find the greatest cost efficiencies possible for each project and seeking out other grant opportunities that can supplement the money we have received from the American Rescue Plan Act. It is our goal to have every project listed come in at or under budget every time, and it is also our goal to minimize our need to spend ARPA funds on the projects listed, which will leave more funds open at the end to fund additional projects.

We propose that, once a project is completed, the amount of money left unexpended in that project be tallied and that a “Phase 3” set of allocations be proposed at a future date, using those leftover funds.



Conclusion

The enclosed funding proposal outlines 17 community projects that are both needed and would have a positive impact on Winchester as a whole.

These Phase 1 proposals total \$1,433,236, or 45.67% of the total ARPA allocation that Winchester will receive. A proposal for Phase 2 funding will be submitted to you before July 1, 2022, which is the day on which we will receive the second half of our ARPA grant money.

The Advisory Committee and I have taken a great deal of time to vet these projects and develop this list of proposals for your consideration for Phase 1 funding, and I hope very much that you will see fit to authorize the Town to expend the identified grant funds at this time.



Next Steps

This request that I have brought to you tonight would fund 17 projects that are in great need of getting off the ground.

I propose that the Board of Selectmen conclude this segment of tonight's meeting by asking members of the public to share their feedback on the proposals with me via email at townmanager@townofwinchester.org or during the public comment section of the next Board meeting on Monday, December 6th.

Once that public comment is put on the record at the December 6th meeting, I will ask that the Board consider voting to approve the Phase 1 allocations as presented here tonight - hopefully at that same meeting.

Project Detail Pages

Phase 1

Online Permitting Software

Category: Economic Development | Proposed by: Town Manager Josh Kelly

Description: The Town is currently trying to allow residents to apply for, track the approval process of, and ultimately obtain permits online. While we have received a grant to this end, the first year start-up costs for most quality permitting softwares far exceed that number. In order to obtain such quality software, we ask that ARPA funds be allocated to complete the start-up project.

Cost: \$39,200

Documents: Quote for Software (Attachment #1).

Remote Laptops

Category: Emergency Services | Proposed by: Town Manager Josh Kelly

Description: Given how quickly the COVID pandemic struck and how long it has lingered, the Town would be best served by acquiring additional laptops that can be used by staff and board and commission members in the event that remote work is necessary. During normal operations, these laptops can be used by interns from NWCC.

Cost: \$3,000

Documents: Quote for Laptops (Attachment #2).



Town Marketing & Econ Dev Activities

Category: Economic Development / Proposed by: Resident Rista Malanca

Description: Towns across Connecticut and the country are doing their best to attract new residents, which simultaneously increases home values and helps generate new business in those towns. In order to further Winchester's development, we need to use 21st century marketing to reach a 21st century audience. Creating video and published advertisements for tourism, Main Street, and the like will help us make Winchester a more prominent fixture on every map.

Cost: \$40,000

Documents: None.



Director of Economic Development

Part 1

Category: Economic Development / Proposed by: Town Manager Josh Kelly

Description: The Town is in need of dedicated staff that can help work one-on-one with businesses to find them space within Winchester's borders to operate and thrive. This person will also work to build relationships with businesses over time, market residential and tourism opportunities, and help retain residents and businesses, too. This first allocation will allow us to hire an individual part-time for one year.

Cost: \$50,000

Documents: Draft Job Description (Attachment #3).



Business Start-Up Fund

Category: Economic Development | Proposed by: Town Manager Josh Kelly

Description: This program would aim to get viable businesses into Main Street storefronts by offering prospective businesses \$10,000 in forgivable loans when they launch operations on key roads in Winsted. This program will be launched hand-in-hand with the Town's Facade Program, which will offer similar forgivable loans to businesses already in operation.

Cost: \$100,000

Documents: Draft proposal for fund management (Attachment #4).



Water Quality Improvement Program

Category: Economic Development | Proposed by: Town Manager Josh Kelly

Description: This program would aim to give matching grants of up to \$500 to individuals who undertake a Low Impact Development (LID) project on their property, which must be located within a certain radius of a major body of water in town, including but not limited to Highland Lake and Park Pond.

Cost: \$10,000

Documents: Draft proposal for fund management (Attachment #5).



800-band Radios

Category: Emergency Services / Proposed by: Purchasing Agent Mark Douglass

Description: The State of Connecticut has generally been moving towards adopting 800-band radio systems, which are far more reliable to users in remote locations, such as around remote parts of Winchester. The Fire Department has already adopted this radio system, but the Police and Public Works have not. While the total cost is far greater, this allocation will help each department acquire the first set of tools they need to be on the 800-band system and will help us better evaluate how many 800-band radios are truly needed for each department.

Cost: \$200,000

Documents: Town Calculation of Radio Needs (Attachment #6).

Ambulance Components

Category: Emergency Services | Proposed by: Winsted Ambulance Service

Description: This allocation would help the Winsted Ambulance Service make much-needed upgrades to one of their ambulances. Upgrades include a total replacement of the engine, the rebuilding of the transmission and torque converter, the replacement of the Vanner inverter, the replacement of the Pro Air system, and more.

Cost: \$67,366

Documents: [Quote for Ambulance Upgrade \(Attachment #7\)](#).

Firehouse Air Conditioning with Filtration Station

Category: Emergency Services | Proposed by: Fire Chief Jamie Lagassie

Description: Upgrade current air conditioning with new unit at the Elm Street Firehouse to include air filtration for upstairs training room. Install new air conditioning unit on first floor with air filtration. The current air conditioning units are in need of replacement, and the added filtration system will help the Fire Department operate more safely during pandemic conditions.

Cost: \$35,000

Documents: Quote for Air Conditioning System (Attachment #8).

Firehouse Washing Machine & Dryer

Category: Emergency Services / Proposed by: Fire Chief Jamie Lagassie

Description: Replace outdated washer and purchase two washing machine extractors and a dryer. It's purpose is to decontaminate turnout gear, clothing and other fabric products which may have been exposed to COVID-19 and other airborne pathogens, bloodborne pathogens, and/or carcinogens. These will be installed at the Elm Street Firehouse but will be used by all firefighters in Winsted and Winchester.

Cost: \$40,000

Documents: Quote for Machines (Attachment #9).



GIS Map Updating

Category: Emergency Services | Proposed by: Winsted Ambulance Service

Description: Addressing for Emergency dispatch can carry some significant risk relative to omission and inaccuracy of data. The Winsted Ambulance Service would strongly advocate that the Town compile NENA compliant data that is field verified to mitigate that risk. That said, We have provided a basic and compliant option for the Town to consider. We have done E-911/NG-911 projects for years, and believe this is the proper approach to creating usable GIS data for your PSAP dispatch software.

Cost: \$48,960

Documents: Quote for Update (Attachment #10).



Mailed Communications

Category: Emergency Services | Proposed by: Town Manager Josh Kelly

Description: In 2020, communicating in-person become difficult due to the pandemic. Given that Winchester has a high population that does not have access to the internet, the fastest and most direct way to communicate with the whole town at once is to send mail to every household. For this price, we would have an opportunity over the next year to send four Winchester Wire community newsletters and have money for a fifth notice that can be used for emergency purposes.

Cost: \$11,000

Documents: Sample Winchester Wire from Fall 2021 (Attachment #11).



Recreation Safety Improvements

Category: Emergency Services | Proposed by: Recreation Director Tanya Risucci

Description: It was brought to the attention of the Town this summer that none of its swing sets are currently ADA accessible, nor do any of the Town's swing sets have safety surfacing that can help prevent serious injuries. With this allocation, we can make one swing set totally accessible and ensure that all others are lined with safety surfacing.

Cost: \$8,500

Documents: Quote for Improvements (Attachment #12).



Sewer Plant Raw Water Pumps

Category: *Public Utilities* | Proposed by: *Director of Public Works Jim Rollins*

Description: To replace 30+ year old water pumps. They pump 100% of the wastewater that passes through the plant. One or more of these pumps is running 24/7/365. The current pumps are nearing the end of their useful life and are in dire need of replacement.

Cost: \$350,000

Documents: Detailed Description of Project (Attachment #13) (Coming Soon).



Sewer Plant Pump Station Rehabilitations

Category: *Public Utilities* | Proposed by: *Director of Public Works Jim Rollins*

Description: There are three 1950's vintage sewer pump stations that need rehabilitation. The pumps, controls, plumbing, and electrical are all requiring frequent after-hours service calls. Rags are clogging them frequently, and the new valves are designed to pass rags.

Cost: \$350,000

Documents: Detailed Description of Project (Attachment #14) (Coming Soon).



“No Senior Left Behind” Tech Program

Category: Social Services / Proposed by: Director of Senior Services Jennifer Kelley

Description: Older adults in our community should have the opportunity to use technology to connect, learn, communicate, share, improve brain function, and thrive in today's digital world. If a person retired more than 10 years ago, most likely he or she never learned to use a computer at work. The question is: how to begin? The Winsted Senior Center needs funding to provide older adult friendly devices, internet access, training, and support.

Cost: \$20,210

Documents: Birdsong Quote & No Senior Left Behind Program Info (Attachments #15).



Social Services Coordinator

Part 1

Category: Social Services / Proposed by: Town Manager Josh Kelly

Description: Currently, the Town pays for part-time social services staff out of a grant given to us by the Northwest Community Foundation. While this is incredibly helpful, our ability to assist residents is limited by the part-time nature of the position, and the position is only paid for through this grant until FY 2024. Allocating this amount for Social Services staff will allow us to make the position full-time without taxpayer burden for a full year.

Cost: \$60,000

Documents: Current Job Description and Annual Report (Attachments #16).

Down the Road - Fire Apparatus

Fire Apparatus

While this information has no bearings on the ARPA allocations that have been proposed in Phase 1, there are two fire trucks to be purchased that will impact future requests:

- Winchester: Requesting \$100,000 for a new pumper/tanker.
 - Remaining costs will be covered by private money and/or grants.
- Winsted: Requesting \$200,000 for a new pumper.
 - New pumper costs \$600,000, and the Town has already put aside \$300,000 towards this truck in the Capital Improvement Plan (CIP). On July 1st, we expect that another \$100,000 will be allocated to the project as part of the CIP, which will leave just \$200,000 to be allocated thereafter.

Therefore, in the near future we will need to allocate \$100,000 for Winchester's Fire Department needs and \$200,000 for the Winsted Fire Department needs.

BOARD OF SELECTMEN ACTION REQUEST

No.: 21-81

Date: December 6, 2021

Topic: New Business (A)- 8-24 Referral – Easements in Crystal Lake Watershed

From: Joshua Kelly, Town Manager

Background: Winchester's water supply comes from Crystal Lake (primary source) and the Rugg Brook Reservoir (secondary source). The Town owns 25 parcels of land in and around the Crystal Lake watershed, totaling an approximate 1,300 acres, excluding the land actively used by the water plant or land that may be used by the water plant in the future. These lands are totally comprised of Class 1, Class 2, and Class 3 water protection lands, as defined by the State of Connecticut. The Water & Sewer Commission is responsible for the maintenance and oversight of these parcels. Currently, it is the Town's policy to protect these lands from development so as to avoid the pollution of our drinking water, but there is nothing formal in place to preserve the land in question.

The State of Connecticut's Department of Energy & Environmental Protection (CT DEEP) is proposing to pay the Town of Winchester \$750,000 for the acquisition of conservation easements on each of the 25 parcels in question, with a 45.85-acre swath excluded around the current water treatment plant to allow for new water treatment-related construction activities to occur on that site. \$442,500 would be provided directly by the State, and the remaining \$307,500 would be provided by private fundraising efforts from the Housatonic Valley Association. The \$750,000 total would be used by the Water & Sewer Commission to help protect the watershed. After the sale of the conservation easements, this land would still be owned by the town, and passive recreation (e.g., hiking) would be permissible on the lots.

It should be noted that the Water & Sewer Commission has reviewed this proposal and has provided its full support to it.

Requested Action: I request that the Board of Selectmen allow for further consideration of this proposal by forwarding the proposed sale of easements on to our land use boards and commissions through an 8-24 referral.

Recommended Motion: *I move that the Board of Selectmen refer the matter of selling conservation easements around Crystal Lake and the Rugg Brook Reservoir to the State of Connecticut Department of Energy & Environmental Protection to the Planning & Zoning Commission and other land use boards as required by Connecticut General Statutes § 8-24.*

Attachments:

- *Presentation to Pursue Easements on Watershed Properties.*

Request to Pursue Easements on Watershed Properties

...

Town of Winchester, CT - December 2021

Background

- Winchester's water supply comes from Crystal Lake (primary source) and the Rugg Brook Reservoir (secondary source).
- The Town owns 25 parcels of land in and around the Crystal Lake watershed, totalling an approximate 1,300 acres, excluding the land actively used by the water plant.
 - These lands are totally comprised of Class 1, Class 2, and Class 3 water protection lands, as defined by the State of Connecticut.
 - The Water & Sewer Commission is responsible for the maintenance and oversight of these parcels.
- Currently, it is the Town's policy to protect these lands from development so as to avoid the pollution of our drinking water, but there is nothing formal in place to preserve the land in question.



The Land - Water Protection Classifications

- Class I: this includes watershed land nearest to water supply sources (e.g. within 250 feet of a reservoir, 200 feet of a well, or 100 feet of a watercourse). It also includes other especially environmentally sensitive lands, such as those that are steeply sloped or where bedrock is less than 20 inches from the soil surface.
- Class II: this land is (1) on the public drinking supply watershed but not included in class I and (2) completely off the watershed but within 150 feet of a reservoir or a major stream that runs into it.
- Class III: this consists of the rest of the land owned by the water company that falls within the water supply watershed.



The Proposal

- The State of Connecticut's Department of Energy & Environmental Protection (CT DEEP) is proposing to pay the Town of Winchester \$750,000 for the acquisition of conservation easements on each of the 25 parcels in question, with a 45.85 acre swath excluded around the current water treatment plant to allow for new water treatment-related construction activities to occur on that site.
- \$442,500 would be provided directly by the State, and the remaining \$307,500 would be provided by private fundraising efforts from the Housatonic Valley Association.
- The \$750,000 total would be used by the Water & Sewer Commission to help protect the watershed.
- After the sale of the conservation easements, this land would still be owned by the town, and passive recreation (e.g. hiking) would be permissible on the lots.

Land Set Aside for Future Water Works Development



The Process

- Early on: The Water & Sewer Commission has deliberated over this issue since earlier in 2021, and has voted to recommend that the Board of Selectmen take this opportunity to sell the easements.
- Additionally: The Housatonic Valley Association has affirmatively stated that they will give their best effort to privately fundraise the \$307,500 that the State will not be paying for the acquisition of the conservation easements.
- Now: the Board of Selectmen has an opportunity to consider this proposal.
- Next: if the Board of Selectmen would like to walk the process forward to some extent, the next step would be to send this to land use commissions as part of an 8-24 referral.

Town Manager's Recommendation:

- We are in need of protecting that watershed from pollutants, and currently there are no formal protections in place.
- We do not have plans to develop the land in the 25 parcels on which DEEP would like to buy conservation easements.
- Accepting this proposal would simultaneously formalize our conservation of this land and give the Town \$750,000 that it would not otherwise obtain.
- **I recommend that the Board of Selectmen send this proposal off to the town's land use commissions as part of an 8-24 referral.**

Any Questions?

BOARD OF SELECTMEN ACTION REQUEST

No.: 21-82

Date: December 6, 2021

Topic: New Business (B) - Letter to State Legislators regarding CGS 10-34

From: Joshua Kelly, Town Manager

Background: The financial relationship between the Town and the Gilbert School is partly dictated by Connecticut General Statute 10-34, which currently does not provide for a mechanism to allow for any form of mediation or arbitration in the event that there is a dispute between these two entities over the cost of tuition. Last year, in November 2020, the Board of Selectmen authorized the sending of a letter to Senator Miner and Representative Case asking that this statute be reviewed by the legislature, specifically proposing that an updated statute “require mediation and arbitration when such a stalemate exists.” The statute was not amended in the last legislative cycle, and thus Selectman Perez has asked that another, similar letter be sent to Winchester’s state legislators.

Requested Action: Selectman Perez has requested that the Board of Selectmen authorize the sending of a letter regarding the need to amend CGS 10-34 to Winchester’s state legislators.

Fiscal Implications: None.

Manager’s Recommendation: *I recommend that the Board of Selectmen grant approval for an updated version of last year’s letter regarding the amending of CGS 10-34 in the upcoming legislative session.*

Recommended Motion: *I move that the Board of Selectmen grant approval for the attached sample letter to be sent to Winchester’s state legislators regarding the Town’s belief that Connecticut General Statute 10-34 be amended to require some form of mediation and/or arbitration between the Town and the Gilbert School in the event that there is a future dispute regarding the cost of tuition.*

Attachments:
Sample letter of support.



TOWN OF WINCHESTER – CITY OF WINSTED

Town Hall – 338 Main Street

WINSTED, CONNECTICUT 06098

OFFICE OF THE SELECTMEN

December 6, 2021

Senator C. Miner
Representative J. Case
Legislative Office Building
Hartford, CT 06106-1591

Dear Senator Miner & Representative Case,

The Board of Selectman of the Town of Winchester would like to request your consideration of an amendment to C.G.S. 10-34.

The Town of Winchester does not maintain a public high school. The Gilbert School, a private endowment school, serves as the Town of Winchester's high school as well as for Grades 7-8. The Town of Winchester pays as tuition approximately 94% of the Gilbert School yearly operating budget.

The Board of Education of the Town of Winchester and The Gilbert School, in the past, have had difficulty arriving at an agreed tuition. Current state law provides no mechanism when a stalemate exists in attempting to set a tuition.

The amendment to C.G.S. 10-34 that the Board of Selectmen is proposing, if adopted by the General Assembly, would require mediation and arbitration, when such a stalemate exists. This proposed amendment, a copy of which is attached, is similar to the law for the process used for negotiating teacher salaries.

Please inform the Board of Selectmen what steps you will take to have the General Assembly consider this amendment. Contact us should you require more information.

Sincerely,
Board of Selectmen:

A. Candy Perez, Mayor Linda Groppo Todd Arcelaschi Steve Sedlack

Jack Bourque Candace Bouchard Jonathan Morhardt

Cc:

Governor Ned Lamont
Lt. Governor Susan Bysiewicz
Winchester Board of Education
The Gilbert School

Attachment: Proposed Amendment

The Town of Winchester is an equal opportunity provider, employer and lender.

BOARD OF SELECTMEN ACTION REQUEST

No.: 21-83

Date: December 6, 2021

Topic: New Business (C)- Public Act No. 21-29

From: Joshua Kelly, Town Manager

Background: Planning and Zoning Commission has recommended the Town of Winchester opt out of Public Act No. 21-29, Sections 5 and 6(f) regarding parking limitation provisions and accessory dwelling unit provisions. The Planning and Zoning Commission had characterized the legislation as a “one size fits all” approach to the issue of accessory apartments. The town’s zoning regulations already allow accessory dwelling units in six of the eight zones. The regulations are very flexible in that the accessory units do not need to be attached and can instead be a separate building.

Requested Action: I request that the Board of Selectmen consider the Planning and Zoning Commission’s recommendation to opt out of Public Act No. 21-29, Sections 5 and 6(f) regarding parking limitation provisions and accessory dwelling unit provision.

Recommended Motion: *I move that the Board of Selectmen opt out of Public Act No. 21-29, Sections 5 and 6(f) regarding parking limitation provisions and accessory dwelling unit provisions*

Attachments:

- *Public Act No.21-29*



Substitute House Bill No. 6107

Public Act No. 21-29

AN ACT CONCERNING THE ZONING ENABLING ACT, ACCESSORY APARTMENTS, TRAINING FOR CERTAIN LAND USE OFFICIALS, MUNICIPAL AFFORDABLE HOUSING PLANS AND A COMMISSION ON CONNECTICUT'S DEVELOPMENT AND FUTURE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 8-1a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) "Municipality" as used in this chapter shall include a district establishing a zoning commission under section 7-326. Wherever the words "town" and "selectmen" appear in this chapter, they shall be deemed to include "district" and "officers of such district", respectively.

(b) As used in this chapter and section 6 of this act:

(1) "Accessory apartment" means a separate dwelling unit that (A) is located on the same lot as a principal dwelling unit of greater square footage, (B) has cooking facilities, and (C) complies with or is otherwise exempt from any applicable building code, fire code and health and safety regulations;

(2) "Affordable accessory apartment" means an accessory apartment that is subject to binding recorded deeds which contain covenants or

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restrictions that require such accessory apartment be sold or rented at, or below, prices that will preserve the unit as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income;

(3) "As of right" means able to be approved in accordance with the terms of a zoning regulation or regulations and without requiring that a public hearing be held, a variance, special permit or special exception be granted or some other discretionary zoning action be taken, other than a determination that a site plan is in conformance with applicable zoning regulations;

(4) "Cottage cluster" means a grouping of at least four detached housing units, or live work units, per acre that are located around a common open area;

(5) "Middle housing" means duplexes, triplexes, quadplexes, cottage clusters and townhouses;

(6) "Mixed-use development" means a development containing both residential and nonresidential uses in any single building; and

(7) "Townhouse" means a residential building constructed in a grouping of three or more attached units, each of which shares at least one common wall with an adjacent unit and has exterior walls on at least two sides.

Sec. 2. Section 8-1c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) Any municipality may, by ordinance, establish a schedule of reasonable fees for the processing of applications by a municipal zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands commission.

Substitute House Bill No. 6107

Such schedule shall supersede any specific fees set forth in the general statutes, or any special act or established by a planning commission under section 8-26.

(b) A municipality may, by regulation, require any person applying to a municipal zoning commission, planning commission, combined planning and zoning commission, zoning board of appeals or inland wetlands commission for approval of an application to pay the cost of reasonable fees associated with any necessary review by consultants with expertise in land use of any particular technical aspect of such application, such as regarding traffic or stormwater, for the benefit of such commission or board. Any such fees shall be accounted for separately from other funds of such commission or board and shall be used only for expenses associated with the technical review by consultants who are not salaried employees of the municipality or such commission or board. Any amount of the fee remaining after payment of all expenses for such technical review, including any interest accrued, shall be returned to the applicant not later than forty-five days after the completion of the technical review.

(c) No municipality may adopt a schedule of fees under subsection (a) of this section that results in higher fees for (1) development projects built using the provisions of section 8-30g, as amended by this act, or (2) residential buildings containing four or more dwelling units, than for other residential dwellings, including, but not limited to, higher fees per dwelling unit, per square footage or per unit of construction cost.

Sec. 3. Subsection (j) of section 8-1bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(j) A municipality, by vote of its legislative body or, in a municipality where the legislative body is a town meeting, by vote of the board of selectmen, may opt out of the provisions of this section and the [provision] provisions of subdivision (5) of subsection [(a)] (d) of section

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8-2, as amended by this act, regarding authorization for the installation of temporary health care structures, provided the zoning commission or combined planning and zoning commission of the municipality: (1) First holds a public hearing in accordance with the provisions of section 8-7d on such proposed opt-out, (2) affirmatively decides to opt out of the provisions of said sections within the period of time permitted under section 8-7d, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered.

Sec. 4. Section 8-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(a) (1) The zoning commission of each city, town or borough is authorized to regulate, within the limits of such municipality: ~~[, the]~~ (A) The height, number of stories and size of buildings and other structures; (B) the percentage of the area of the lot that may be occupied; (C) the size of yards, courts and other open spaces; (D) the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes, including water-dependent uses, as defined in section 22a-93; [,] and (E) the height, size, location, brightness and illumination of advertising signs and billboards, [, Such bulk regulations may allow for cluster development, as defined in section 8-18] except as provided in subsection (f) of this section.

(2) Such zoning commission may divide the municipality into districts of such number, shape and area as may be best suited to carry out the purposes of this chapter; and, within such districts, it may regulate the erection, construction, reconstruction, alteration or use of buildings or structures and the use of land. All [such] zoning regulations shall be uniform for each class or kind of buildings, structures or use of land throughout each district, but the regulations in one district may

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differ from those in another district. [, and]

(3) Such zoning regulations may provide that certain classes or kinds of buildings, structures or [uses] use of land are permitted only after obtaining a special permit or special exception from a zoning commission, planning commission, combined planning and zoning commission or zoning board of appeals, whichever commission or board the regulations may, notwithstanding any special act to the contrary, designate, subject to standards set forth in the regulations and to conditions necessary to protect the public health, safety, convenience and property values. [Such regulations shall be]

(b) Zoning regulations adopted pursuant to subsection (a) of this section shall:

(1) Be made in accordance with a comprehensive plan and in [adopting such regulations the commission shall consider] consideration of the plan of conservation and development [prepared] adopted under section 8-23; [. Such regulations shall be]

(2) Be designed to ~~(A)~~ lessen congestion in the streets; [to] ~~(B)~~ secure safety from fire, panic, flood and other dangers; [to] ~~(C)~~ promote health and the general welfare; [to] ~~(D)~~ provide adequate light and air; [to prevent the overcrowding of land; to avoid undue concentration of population and to] ~~(E)~~ protect the state's historic, tribal, cultural and environmental resources; ~~(F)~~ facilitate the adequate provision for transportation, water, sewerage, schools, parks and other public requirements; [. Such regulations shall be made] ~~(G)~~ consider the impact of permitted land uses on contiguous municipalities and on the planning region, as defined in section 4-124i, in which such municipality is located; ~~(H)~~ address significant disparities in housing needs and access to educational, occupational and other opportunities; ~~(I)~~ promote efficient review of proposals and applications; and ~~(J)~~ affirmatively further the purposes of the federal Fair Housing Act, 42 USC 3601 et

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seq., as amended from time to time;

(3) Be drafted with reasonable consideration as to the [character] physical site characteristics of the district and its peculiar suitability for particular uses and with a view to [conserving the value of buildings and] encouraging the most appropriate use of land throughout [such] a municipality; [. Such regulations may, to the extent consistent with soil types, terrain, infrastructure capacity and the plan of conservation and development for the community, provide for cluster development, as defined in section 8-18, in residential zones. Such regulations shall also encourage]

(4) Provide for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a; [. Such regulations shall also promote]

(5) Promote housing choice and economic diversity in housing, including housing for both low and moderate income households; [, and shall encourage]

(6) Expressly allow the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to section 16a-26; [. Zoning regulations shall be]

(7) Be made with reasonable consideration for [their] the impact of such regulations on agriculture, as defined in subsection (q) of section 1-1; [.]

(8) Provide that proper provisions be made for soil erosion and

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sediment control pursuant to section 22a-329;

(9) Be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies; and

(10) In any municipality that is contiguous to or on a navigable waterway draining to Long Island Sound, (A) be made with reasonable consideration for the restoration and protection of the ecosystem and habitat of Long Island Sound; (B) be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris on Long Island Sound; and (C) provide that such municipality's zoning commission consider the environmental impact on Long Island Sound coastal resources, as defined in section 22a-93, of any proposal for development.

(c) Zoning regulations adopted pursuant to subsection (a) of this section may: [be]

(1) To the extent consistent with soil types, terrain and water, sewer and traffic infrastructure capacity for the community, provide for or require cluster development, as defined in section 8-18;

(2) Be made with reasonable consideration for the protection of historic factors; [and shall be made with reasonable consideration for the protection of existing and potential public surface and ground drinking water supplies. On and after July 1, 1985, the regulations shall provide that proper provision be made for soil erosion and sediment control pursuant to section 22a-329. Such regulations may also encourage]

(3) Require or promote (A) energy-efficient patterns of development; [(B) the use of distributed generation or freestanding solar, wind and other renewable forms of energy; [(C) combined heat and power; and (D) energy conservation; [. The regulations may also provide]

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(4) Provide for incentives for developers who use [passive solar energy techniques, as defined in subsection (b) of section 8-25, in planning a residential subdivision development. The incentives may include, but not be] (A) solar and other renewable forms of energy; (B) combined heat and power; (C) water conservation, including demand offsets; and (D) energy conservation techniques, including, but not limited to, cluster development, higher density development and performance standards for roads, sidewalks and underground facilities in the subdivision; [. Such regulations may provide]

(5) Provide for a municipal system for the creation of development rights and the permanent transfer of such development rights, which may include a system for the variance of density limits in connection with any such transfer; [. Such regulations may also provide]

(6) Provide for notice requirements in addition to those required by this chapter; [. Such regulations may provide]

(7) Provide for conditions on operations to collect spring water or well water, as defined in section 21a-150, including the time, place and manner of such operations; [. No such regulations shall prohibit]

(8) Provide for floating zones, overlay zones and planned development districts;

(9) Require estimates of vehicle miles traveled and vehicle trips generated in lieu of, or in addition to, level of service traffic calculations to assess (A) the anticipated traffic impact of proposed developments; and (B) potential mitigation strategies such as reducing the amount of required parking for a development or requiring public sidewalks, crosswalks, bicycle paths, bicycle racks or bus shelters, including off-site; and

(10) In any municipality where a traprock ridge or an amphibolite ridge is located, (A) provide for development restrictions in ridgeline

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setback areas; and (B) restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (i) Emergency work necessary to protect life and property; (ii) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted pursuant to this section; and (iii) selective timbering, grazing of domesticated animals and passive recreation.

(d) Zoning regulations adopted pursuant to subsection (a) of this section shall not:

(1) Prohibit the operation of any family child care home or group child care home in a residential zone; [. No such regulations shall prohibit]

(2) (A) Prohibit the use of receptacles for the storage of items designated for recycling in accordance with section 22a-241b or require that such receptacles comply with provisions for bulk or lot area, or similar provisions, except provisions for side yards, rear yards and front yards; [. No such regulations shall] or (B) unreasonably restrict access to or the size of such receptacles for businesses, given the nature of the business and the volume of items designated for recycling in accordance with section 22a-241b, that such business produces in its normal course of business, provided nothing in this section shall be construed to prohibit such regulations from requiring the screening or buffering of such receptacles for aesthetic reasons; [. Such regulations shall not impose]

(3) Impose conditions and requirements on manufactured homes, including mobile manufactured homes, having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards or on lots containing such manufactured homes, [which] including mobile manufactured home parks, if those conditions and requirements are

Substitute House Bill No. 6107

substantially different from conditions and requirements imposed on (A) single-family dwellings; [and] (B) lots containing single-family dwellings; [. Such regulations shall not impose conditions and requirements on developments to be occupied by manufactured homes having as their narrowest dimension twenty-two feet or more and built in accordance with federal manufactured home construction and safety standards which are substantially different from conditions and requirements imposed on] or (C) multifamily dwellings, lots containing multifamily dwellings, cluster developments or planned unit developments; [. Such regulations shall not prohibit]

(4) (A) Prohibit the continuance of any nonconforming use, building or structure existing at the time of the adoption of such regulations; [or] (B) require a special permit or special exception for any such continuance; [. Such regulations shall not] (C) provide for the termination of any nonconforming use solely as a result of nonuse for a specified period of time without regard to the intent of the property owner to maintain that use; [. Such regulations shall not] or (D) terminate or deem abandoned a nonconforming use, building or structure unless the property owner of such use, building or structure voluntarily discontinues such use, building or structure and such discontinuance is accompanied by an intent to not reestablish such use, building or structure. The demolition or deconstruction of a nonconforming use, building or structure shall not by itself be evidence of such property owner's intent to not reestablish such use, building or structure; [. Unless such town opts out, in accordance with the provisions of subsection (j) of section 8-1bb, such regulations shall not prohibit]

(5) Prohibit the installation, in accordance with the provisions of section 8-1bb, as amended by this act, of temporary health care structures for use by mentally or physically impaired persons [in accordance with the provisions of section 8-1bb] if such structures

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comply with the provisions of said section, [.] unless the municipality opts out in accordance with the provisions of subsection (j) of said section;

(6) Prohibit the operation in a residential zone of any cottage food operation, as defined in section 21a-62b;

(7) Establish for any dwelling unit a minimum floor area that is greater than the minimum floor area set forth in the applicable building, housing or other code;

(8) Place a fixed numerical or percentage cap on the number of dwelling units that constitute multifamily housing over four units, middle housing or mixed-use development that may be permitted in the municipality;

(9) Require more than one parking space for each studio or one-bedroom dwelling unit or more than two parking spaces for each dwelling unit with two or more bedrooms, unless the municipality opts out in accordance with the provisions of section 5 of this act; or

(10) Be applied to deny any land use application, including for any site plan approval, special permit, special exception or other zoning approval, on the basis of (A) a district's character, unless such character is expressly articulated in such regulations by clear and explicit physical standards for site work and structures, or (B) the immutable characteristics, source of income or income level of any applicant or end user, other than age or disability whenever age-restricted or disability-restricted housing may be permitted.

(e) Any city, town or borough which adopts the provisions of this chapter may, by vote of its legislative body, exempt municipal property from the regulations prescribed by the zoning commission of such city, town or borough, [;] but unless it is so voted, municipal property shall be subject to such regulations.

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[(b) In any municipality that is contiguous to Long Island Sound the regulations adopted under this section shall be made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound and shall be designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound. Such regulations shall provide that the commission consider the environmental impact on Long Island Sound of any proposal for development.

(c) In any municipality where a traprock ridge, as defined in section 8-1aa, or an amphibolite ridge, as defined in section 8-1aa, is located the regulations may provide for development restrictions in ridgeline setback areas, as defined in said section. The regulations may restrict quarrying and clear cutting, except that the following operations and uses shall be permitted in ridgeline setback areas, as of right: (1) Emergency work necessary to protect life and property; (2) any nonconforming uses that were in existence and that were approved on or before the effective date of regulations adopted under this section; and (3) selective timbering, grazing of domesticated animals and passive recreation.]

[(d)] (f) Any advertising sign or billboard that is not equipped with the ability to calibrate brightness or illumination shall be exempt from any municipal ordinance or regulation regulating such brightness or illumination that is adopted by a city, town or borough, pursuant to subsection (a) of this section, after the date of installation of such advertising sign or billboard. [pursuant to subsection (a) of this section.]

Sec. 5. (NEW) (*Effective October 1, 2021*) The zoning commission or combined planning and zoning commission, as applicable, of a municipality, by a two-thirds vote, may initiate the process by which such municipality opts out of the provision of subdivision (9) of subsection (d) of section 8-2 of the general statutes, as amended by this act, regarding limitations on parking spaces for dwelling units,

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provided such commission: (1) First holds a public hearing in accordance with the provisions of section 8-7d of the general statutes on such proposed opt-out, (2) affirmatively decides to opt out of the provision of said subsection within the period of time permitted under section 8-7d of the general statutes, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered. Thereafter, the municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, by a two-thirds vote, may complete the process by which such municipality opts out of the provision of subsection (d) of section 8-2 of the general statutes, as amended by this act.

Sec. 6. (NEW) (*Effective January 1, 2022*) (a) Any zoning regulations adopted pursuant to section 8-2 of the general statutes, as amended by this act, shall:

(1) Designate locations or zoning districts within the municipality in which accessory apartments are allowed, provided at least one accessory apartment shall be allowed as of right on each lot that contains a single-family dwelling and no such accessory apartment shall be required to be an affordable accessory apartment;

(2) Allow accessory apartments to be attached to or located within the proposed or existing principal dwelling, or detached from the proposed or existing principal dwelling and located on the same lot as such dwelling;

(3) Set a maximum net floor area for an accessory apartment of not less than thirty per cent of the net floor area of the principal dwelling, or one thousand square feet, whichever is less, except that such regulations may allow a larger net floor area for such apartments;

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(4) Require setbacks, lot size and building frontage less than or equal to that which is required for the principal dwelling, and require lot coverage greater than or equal to that which is required for the principal dwelling;

(5) Provide for height, landscaping and architectural design standards that do not exceed any such standards as they are applied to single-family dwellings in the municipality;

(6) Be prohibited from requiring (A) a passageway between any such accessory apartment and any such principal dwelling, (B) an exterior door for any such accessory apartment, except as required by the applicable building or fire code, (C) any more than one parking space for any such accessory apartment, or fees in lieu of parking otherwise allowed by section 8-2c of the general statutes, (D) a familial, marital or employment relationship between occupants of the principal dwelling and accessory apartment, (E) a minimum age for occupants of the accessory apartment, (F) separate billing of utilities otherwise connected to, or used by, the principal dwelling unit, or (G) periodic renewals for permits for such accessory apartments; and

(7) Be interpreted and enforced such that nothing in this section shall be in derogation of (A) applicable building code requirements, (B) the ability of a municipality to prohibit or limit the use of accessory apartments for short-term rentals or vacation stays, or (C) other requirements where a well or private sewerage system is being used, provided approval for any such accessory apartment shall not be unreasonably withheld.

(b) The as of right permit application and review process for approval of accessory apartments shall require that a decision on any such application be rendered not later than sixty-five days after receipt of such application by the applicable zoning commission, except that an applicant may consent to one or more extensions of not more than an

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additional sixty-five days or may withdraw such application.

(c) A municipality shall not (1) condition the approval of an accessory apartment on the correction of a nonconforming use, structure or lot, or (2) require the installation of fire sprinklers in an accessory apartment if such sprinklers are not required for the principal dwelling located on the same lot or otherwise required by the fire code.

(d) A municipality, special district, sewer or water authority shall not (1) consider an accessory apartment to be a new residential use for the purposes of calculating connection fees or capacity charges for utilities, including water and sewer service, unless such accessory apartment was constructed with a new single-family dwelling on the same lot, or (2) require the installation of a new or separate utility connection directly to an accessory apartment or impose a related connection fee or capacity charge.

(e) If a municipality fails to adopt new regulations or amend existing regulations by January 1, 2023, for the purpose of complying with the provisions of subsections (a) to (d), inclusive, of this section, and unless such municipality opts out of the provisions of said subsections in accordance with the provisions of subsection (f) of this section, any noncompliant existing regulation shall become null and void and such municipality shall approve or deny applications for accessory apartments in accordance with the requirements for regulations set forth in the provisions of subsections (a) to (d), inclusive, of this section until such municipality adopts or amends a regulation in compliance with said subsections. A municipality may not use or impose additional standards beyond those set forth in subsections (a) to (d), inclusive, of this section.

(f) Notwithstanding the provisions of subsections (a) to (d), inclusive, of this section, the zoning commission or combined planning and zoning commission, as applicable, of a municipality, by a two-thirds

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vote, may initiate the process by which such municipality opts out of the provisions of said subsections regarding allowance of accessory apartments, provided such commission: (1) First holds a public hearing in accordance with the provisions of section 8-7d of the general statutes on such proposed opt-out, (2) affirmatively decides to opt out of the provisions of said subsections within the period of time permitted under section 8-7d of the general statutes, (3) states upon its records the reasons for such decision, and (4) publishes notice of such decision in a newspaper having a substantial circulation in the municipality not later than fifteen days after such decision has been rendered. Thereafter, the municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, by a two-thirds vote, may complete the process by which such municipality opts out of the provisions of subsections (a) to (d), inclusive, of this section, except that, on and after January 1, 2023, no municipality may opt out of the provisions of said subsections.

Sec. 7. Subsection (k) of section 8-30g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(k) The affordable housing appeals procedure established under this section shall not be available if the real property which is the subject of the application is located in a municipality in which at least ten per cent of all dwelling units in the municipality are (1) assisted housing, (2) currently financed by Connecticut Housing Finance Authority mortgages, (3) subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income, (4) mobile manufactured homes located in mobile manufactured home parks or legally approved accessory apartments, which homes or

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apartments are subject to binding recorded deeds containing covenants or restrictions which require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which, for a period of not less than ten years, persons and families pay thirty per cent or less of income, where such income is less than or equal to eighty per cent of the median income, or (5) mobile manufactured homes located in resident-owned mobile manufactured home parks. For the purposes of calculating the total number of dwelling units in a municipality, accessory apartments built or permitted after January 1, 2022, but that are not described in subdivision (4) of this subsection, shall not be counted toward such total number. The municipalities meeting the criteria set forth in this subsection shall be listed in the report submitted under section 8-37qqq. As used in this subsection, "accessory apartment" [means a separate living unit that (A) is attached to the main living unit of a house, which house has the external appearance of a single-family residence, (B) has a full kitchen, (C) has a square footage that is not more than thirty per cent of the total square footage of the house, (D) has an internal doorway connecting to the main living unit of the house, (E) is not billed separately from such main living unit for utilities, and (F) complies with the building code and health and safety regulations] has the same meaning as provided in section 8-1a, as amended by this act, and "resident-owned mobile manufactured home park" means a mobile manufactured home park consisting of mobile manufactured homes located on land that is deed restricted, and, at the time of issuance of a loan for the purchase of such land, such loan required seventy-five per cent of the units to be leased to persons with incomes equal to or less than eighty per cent of the median income, and either [(i)] (A) forty per cent of said seventy-five per cent to be leased to persons with incomes equal to or less than sixty per cent of the median income, or [(ii)] (B) twenty per cent of said seventy-five per cent to be leased to persons with incomes equal to or less than fifty per cent of the median income.

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Sec. 8. Subsection (e) of section 8-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(e) (1) The zoning commission shall provide for the manner in which the zoning regulations shall be enforced, except that any person appointed as a zoning enforcement officer on or after January 1, 2023, shall be certified in accordance with the provisions of subdivision (2) of this subsection.

(2) Beginning January 1, 2023, and annually thereafter, each person appointed as a zoning enforcement officer shall obtain certification from the Connecticut Association of Zoning Enforcement Officials and maintain such certification for the duration of employment as a zoning enforcement officer.

Sec. 9. (NEW) (*Effective from passage*) (a) On and after January 1, 2023, each member of a municipal planning commission, zoning commission, combined planning and zoning commission and zoning board of appeals shall complete at least four hours of training. Any such member serving on any such commission or board as of January 1, 2023, shall complete such initial training by January 1, 2024, and shall complete any subsequent training every other year thereafter. Any such member not serving on any such commission or board as of January 1, 2023, shall complete such initial training not later than one year after such member's election or appointment to such commission or board and shall complete any subsequent training every other year thereafter. Such training shall include at least one hour concerning affordable and fair housing policies and may also consist of (1) process and procedural matters, including the conduct of effective meetings and public hearings and the Freedom of Information Act, as defined in section 1-200 of the general statutes, (2) the interpretation of site plans, surveys, maps and architectural conventions, and (3) the impact of zoning on the environment, agriculture and historic resources.

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(b) Not later than January 1, 2022, the Secretary of the Office of Policy and Management shall establish guidelines for such training in collaboration with land use training providers, including, but not limited to, the Connecticut Association of Zoning Enforcement Officials, the Connecticut Conference of Municipalities, the Connecticut Chapter of the American Planning Association, the Land Use Academy at the Center for Land Use Education and Research at The University of Connecticut, the Connecticut Bar Association, regional councils of governments and other nonprofit or educational institutions that provide land use training, except that if the secretary fails to establish such guidelines, such land use training providers may create and administer appropriate training for members of commissions and boards described in subsection (a) of this section, which may be used by such members for the purpose of complying with the provisions of said subsection.

(c) Not later than March 1, 2024, and annually thereafter, the planning commission, zoning commission, combined planning and zoning commission and zoning board of appeals, as applicable, in each municipality shall submit a statement to such municipality's legislative body or, in a municipality where the legislative body is a town meeting, its board of selectmen, affirming compliance with the training requirement established pursuant to subsection (a) of this section by each member of such commission or board required to complete such training in the calendar year ending the preceding December thirty-first.

Sec. 10. Section 7-245 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

For the purposes of this chapter: (1) "Acquire a sewerage system" means obtain title to all or any part of a sewerage system or any interest therein by purchase, condemnation, grant, gift, lease, rental or otherwise; (2) "alternative sewage treatment system" means a sewage treatment system serving one or more buildings that utilizes a method

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of treatment other than a subsurface sewage disposal system and that involves a discharge to the groundwaters of the state; (3) "community sewerage system" means any sewerage system serving two or more residences in separate structures which is not connected to a municipal sewerage system or which is connected to a municipal sewerage system as a distinct and separately managed district or segment of such system, but does not include any sewerage system serving only a principal dwelling unit and an accessory apartment, as defined in section 8-1a, as amended by this act, located on the same lot; (4) "construct a sewerage system" means to acquire land, easements, rights-of-way or any other real or personal property or any interest therein, plan, construct, reconstruct, equip, extend and enlarge all or any part of a sewerage system; (5) "decentralized system" means managed subsurface sewage disposal systems, managed alternative sewage treatment systems or community sewerage systems that discharge sewage flows of less than five thousand gallons per day, are used to collect and treat domestic sewage, and involve a discharge to the groundwaters of the state from areas of a municipality; (6) "decentralized wastewater management district" means areas of a municipality designated by the municipality through a municipal ordinance when an engineering report has determined that the existing subsurface sewage disposal systems may be detrimental to public health or the environment and that decentralized systems are required and such report is approved by the Commissioner of Energy and Environmental Protection with concurring approval by the Commissioner of Public Health, after consultation with the local director of health; (7) "municipality" means any metropolitan district, town, consolidated town and city, consolidated town and borough, city, borough, village, fire and sewer district, sewer district and each municipal organization having authority to levy and collect taxes; (8) "operate a sewerage system" means own, use, equip, reequip, repair, maintain, supervise, manage, operate and perform any act pertinent to the collection, transportation and disposal of sewage; (9) "person" means any person, partnership,

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corporation, limited liability company, association or public agency; (10) "remediation standards" means pollutant limits, performance requirements, design parameters or technical standards for application to existing sewage discharges in a decentralized wastewater management district for the improvement of wastewater treatment to protect public health and the environment; (11) "sewage" means any substance, liquid or solid, which may contaminate or pollute or affect the cleanliness or purity of any water; and (12) "sewerage system" means any device, equipment, appurtenance, facility and method for collecting, transporting, receiving, treating, disposing of or discharging sewage, including, but not limited to, decentralized systems within a decentralized wastewater management district when such district is established by municipal ordinance pursuant to section 7-247.

Sec. 11. Subsection (b) of section 7-246 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2021*):

(b) Each municipal water pollution control authority designated in accordance with this section may prepare and periodically update a water pollution control plan for the municipality. Such plan shall designate and delineate the boundary of: (1) Areas served by any municipal sewerage system; (2) areas where municipal sewerage facilities are planned and the schedule of design and construction anticipated or proposed; (3) areas where sewers are to be avoided; (4) areas served by any community sewerage system not owned by a municipality; (5) areas to be served by any proposed community sewerage system not owned by a municipality; and (6) areas to be designated as decentralized wastewater management districts. Such plan may designate and delineate specific allocations of capacity to serve areas that are able to be developed for residential or mixed-use buildings containing four or more dwelling units. Such plan shall also describe the means by which municipal programs are being carried out

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to avoid community pollution problems and describe any programs wherein the local director of health manages subsurface sewage disposal systems. The authority shall file a copy of the plan and any periodic updates of such plan with the Commissioner of Energy and Environmental Protection and shall manage or ensure the effective supervision, management, control, operation and maintenance of any community sewerage system or decentralized wastewater management district not owned by a municipality.

Sec. 12. Section 8-30j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) [At] Not later than June 1, 2022, and at least once every five years thereafter, each municipality shall prepare or amend and adopt an affordable housing plan for the municipality and shall submit a copy of such plan to the Secretary of the Office of Policy and Management, who shall post such plan on the Internet web site of said office. Such plan shall specify how the municipality intends to increase the number of affordable housing developments in the municipality.

(2) If, at the same time the municipality is required to submit to the Secretary of the Office of Policy and Management an affordable housing plan pursuant to subdivision (1) of this subsection, the municipality is also required to submit to the secretary a plan of conservation and development pursuant to section 8-23, such affordable housing plan may be included as part of such plan of conservation and development. The municipality may, to coincide with its submission to the secretary of a plan of conservation and development, submit to the secretary an affordable housing plan early, provided the municipality's next such submission of an affordable housing plan shall be five years thereafter.

(b) The municipality may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan and shall post a copy of any draft plan or amendment

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to such plan on the Internet web site of the municipality. If the municipality holds a public hearing, such posting shall occur at least thirty-five days prior to the public hearing. [on the adoption, the municipality shall file in the office of the town clerk of such municipality a copy of such draft plan or any amendments to the plan, and if applicable, post such draft plan on the Internet web site of the municipality.] After adoption of the plan, the municipality shall file the final plan in the office of the town clerk of such municipality and [, if applicable,] post the plan on the Internet web site of the municipality.

(c) Following adoption, the municipality shall regularly review and maintain such plan. The municipality may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. If the municipality fails to amend and submit to the Secretary of the Office of Policy and Management such plan every five years, the chief elected official of the municipality shall submit a letter to the [Commissioner of Housing] secretary that (1) explains why such plan was not amended, and (2) designates a date by which an amended plan shall be submitted.

Sec. 13. (*Effective from passage*) (a) There is established a Commission on Connecticut's Development and Future within the Legislative Department, which shall evaluate policies related to land use, conservation, housing affordability and infrastructure.

(b) The commission shall consist of the following members:

(1) Two appointed by the speaker of the House of Representatives, one of whom is a member of the General Assembly not described in subdivision (7), (8), (9) or (10) of this subsection and one of whom is a representative of a municipal advocacy organization;

(2) Two appointed by the president pro tempore of the Senate, one of whom is a member of the General Assembly not described in

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subdivision (7), (8), (9) or (10) of this subsection and one of whom has expertise in state or local planning;

(3) Two appointed by the majority leader of the House of Representatives, one of whom has expertise in state affordable housing policy and one of whom represents a town with a population of greater than thirty thousand but less than seventy-five thousand;

(4) Two appointed by the majority leader of the Senate, one of whom has expertise in zoning policy and one of whom has expertise in community development policy;

(5) Two appointed by the minority leader of the House of Representatives, one of whom has expertise in environmental policy and one of whom is a representative of a municipal advocacy organization;

(6) Two appointed by the minority leader of the Senate, one of whom has expertise in homebuilding and one of whom is a representative of the Connecticut Association of Councils of Governments;

(7) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to planning and development;

(8) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to the environment;

(9) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to housing;

(10) The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters

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relating to transportation;

(11) Two appointed by the Governor, one of whom is an attorney with expertise in planning and zoning and one of whom has expertise in fair housing;

(12) The Secretary of the Office of Policy and Management;

(13) The Commissioner of Administrative Services, or the commissioner's designee;

(14) The Commissioner of Economic and Community Development, or the commissioner's designee;

(15) The Commissioner of Energy and Environmental Protection, or the commissioner's designee;

(16) The Commissioner of Housing, or the commissioner's designee;
and

(17) The Commissioner of Transportation, or the commissioner's designee.

(c) Appointing authorities, in cooperation with one another, shall make a good faith effort to ensure that, to the extent possible, the membership of the commission closely reflects the gender and racial diversity of the state. Members of the commission shall serve without compensation, except for necessary expenses incurred in the performance of their duties. Any vacancy shall be filled by the appointing authority.

(d) The speaker of the House of Representatives and the president pro tempore of the Senate shall jointly select one of the members of the General Assembly described in subdivision (1) or (2) of subsection (b) of this section to serve as one cochairperson of the commission. The Secretary of the Office of Policy and Management shall serve as the other

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cochairperson of the commission. Such cochairpersons shall schedule the first meeting of the commission.

(e) The commission may accept administrative support and technical and research assistance from outside organizations and employees of the Joint Committee on Legislative Management. The cochairpersons may establish, as needed, working groups consisting of commission members and nonmembers and may designate a chairperson of each such working group.

(f) (1) Except as provided in subdivision (2) of this subsection, not later than January 1, 2022, and not later than January 1, 2023, the commission shall submit a report to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development, environment, housing and transportation and to the Secretary of the Office of Policy and Management, in accordance with the provisions of section 11-4a of the general statutes, regarding the following:

(A) Any recommendations for statutory changes concerning the process for developing, adopting and implementing the state plan of conservation and development;

(B) Any recommendations for (i) statutory changes concerning the process for developing and adopting the state's consolidated plan for housing and community development prepared pursuant to section 8-37t of the general statutes, and (ii) implementation of such plan;

(C) Any recommendations (i) for guidelines and incentives for compliance with (I) the requirements for affordable housing plans prepared pursuant to section 8-30j of the general statutes, as amended by this act, and (II) subdivisions (4) to (6), inclusive, of subsection (b) of section 8-2 of the general statutes, as amended by this act, and (ii) as to how such compliance should be determined, as well as the form and

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manner in which evidence of such compliance should be demonstrated. Nothing in this subparagraph may be construed as permitting any municipality to delay the preparation or amendment and adoption of an affordable housing plan, and the submission of a copy of such plan to the Secretary of the Office of Policy and Management, beyond the date set forth in subsection (a) of section 8-30j of the general statutes, as amended by this act;

(D) (i) Existing categories of discharge that constitute (I) alternative on-site sewage treatment systems, as described in section 19a-35a of the general statutes, (II) subsurface community sewerage systems, as described in section 22a-430 of the general statutes, and (III) decentralized systems, as defined in section 7-245 of the general statutes, as amended by this act, (ii) current administrative jurisdiction to issue or deny permits and approvals for such systems, with reference to daily capacities of such systems, and (iii) the potential impacts of increasing the daily capacities of such systems, including changes in administrative jurisdiction over such systems and the timeframe for adoption of regulations to implement any such changes in administrative jurisdiction; and

(E) (i) Development of model design guidelines for both buildings and context-appropriate streets that municipalities may adopt, in whole or in part, as part of their zoning or subdivision regulations, which guidelines shall (I) identify common architectural and site design features of building types used in urban, suburban and rural communities throughout this state, (II) create a catalogue of common building types, particularly those typically associated with housing, (III) establish reasonable and cost-effective design review standards for approval of common building types, accounting for topography, geology, climate change and infrastructure capacity, (IV) establish procedures for expediting the approval of buildings or streets that satisfy such design review standards, whether for zoning or subdivision

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regulations, and (V) create a design manual for context-appropriate streets that complement common building types, and (ii) development and implementation by the regional councils of governments of an education and training program for the delivery of such model design guidelines for both buildings and context-appropriate streets.

(2) If the commission is unable to meet the January 1, 2022, deadline set forth in subdivision (1) of this subsection for the submission of the report described in said subdivision, the cochairpersons shall request from the speaker of the House of Representatives and president pro tempore of the Senate an extension of time for such submission and shall submit an interim report.

(3) The commission shall terminate on the date it submits its final report or January 1, 2023, whichever is later.

Approved June 10, 2021

BOARD OF SELECTMEN ACTION REQUEST

No.: 21-84

Date: December 6, 2021

Topic: New Business (D)- Letter of Support

From: Joshua Kelly, Town Manager

Background: Jim Carbon, owner of a local-owned seasonal portable vegetable farm, is seeking to appeal the recent decision of the State of CT Department of Transportation to deny his lease renewal that he held for more than 20 years on a small state-owned roadside on the east side of Route 8, just north of the Wallens Street intersection. Mr. Carbon is a Winchester property owner and taxpayer.

Mr. Carbon is requesting a letter of support from the Town of Winchester be sent to the State of CT Department of Transportation in support of his continued use of the State land on the east side of Route 8 just north of the Wallens Street intersection.

Requested Action: The Board of Selectmen should consider submitting a letter in support of Mr. Carbon's request.

Fiscal Implications: None.

Manager's Recommendation: *I recommend that the Board of Selectmen grant approval for a letter be sent to the State of CT Department of Transportation in support of a new lease for Mr. Carbon.*

Recommended Motion: *I move that the Board of Selectmen grant approval for a letter be sent to the State of CT Department of Transportation in support of a new lease for Mr. Carbon.*

Attachments:
Sample letter of support.

Amy N. Martinez, Transportation Principal Property Agent
State of Connecticut
DEPARTMENT OF TRANSPORTATION
Division of Rights of Way
Property Management Section
2800 Berlin Turnpike
P.O. Box 317546
Newington, Connecticut 06131-7546

Dear Ms. Martinez,

Jim Carbon, for more than 20 years, has been leasing from the State of Connecticut, a small parking area in Winchester/Winsted on the east side of Route 8 north, a few hundred feet north of the intersection of Beach and Wallens streets.

Although he has paid a yearly lease to the State of Connecticut for the use of this property, he uses it only during the summer months for his family's portable vegetable stand.

The location has been the "go-to" place for many area residents wanting fresh vegetables especially corn. He has, over the years, become known locally as "the corn man."

For 2022, the Connecticut Department of Transportation, Division of Rights of Way, Property Management Section has determined that this property, which remains vacant through the year when he is not using it, will not be leased to Mr. Carbon.

In a conversation on November 29 with Selectman Jack Bourque, Ms. Martinez noted that the CTDOT has stopped leases of similar state-owned land after an incident with a food truck vendor in Ridgefield. The decision to not lease state owned land to Mr. Carbon, she said, is to be consistent throughout the state with similar property.

Mr. Carbon, is a Winchester property taxpayer, carries a \$1million insurance policy on his vegetable stand business, and has paid his lease to the state on time during all the years he has used the property.

This lease denial decision by the CTDOT is unfriendly to a business that has created no issues with this property's seasonal use over the many years it has been there, and signals that the state is unwilling to consider exceptions and assist a small business owner.

The Winchester Board of Selectmen urge reconsideration of the denial and provide an individual exception to Mr. Carbon's requested lease.

Sincerely,

Board of Selectmen

Town of Winchester

BOARD OF SELECTMEN ACTION REQUEST

No.: 21-85

Date: December 6, 2021

Topic: New Business (E)- Refunds as Recommended by the Collector of Revenue (with attachments)

From: Joshua Kelly, Town Manager

Background: The Town Collector of Revenue has recommended that the refunds described in the attached correspondence be authorized in accordance with Connecticut General Statutes Section 12-129.

Requested Action: The Board of Selectmen should authorize the Town Manager to approve the described refunds.

Fiscal Implications: The described refunds total \$2,092.51

Manager's Recommendation: I recommend that the Board of Selectmen authorize the refunds recommended by the Collector of Revenue.

Recommended Motion: *I move that the Board of Selectmen authorize the refunds recommended by the Collector of Revenue in the amount of \$2,092.51.*

Attachment:

Grand List 2019 Refunds
Grand List 2020 Refunds



The attached list represents taxes that have been corrected by authority of the provision of Section 12-129 of the General Statutes, and by the Assessor or Public Works Director of the Town of Winchester. The taxes/water and/or sewer amounts shown below have been paid and requests received for refunds of the same.

LIST #/GL YR	TAX TYPE	TAXPAYER	AMOUNT OF REFUND/REASON
12268 2020	MV CHASE AUTO	P O BOX 901076 FORT WORTH, TX 76101-9810	\$161.96 C OF C
15394 2020	MV CHASE AUTO	PO BOX 901076 FORT WORTH, TX 76101-9810	\$370.28 C OF C
13338 2020	MV PARRIS	JOHN 2 COOK ST WINSTED, CT 06098	\$105.84 C OF C
220222 2019	MV TOYOTA LEASE	20 COMMERCE WAY, SUITE 800 WOBURN, MA 01801-1057	\$511.28 C OF C
17542 2020	MV VAULT TRUST	P O BOX 23950 NASHVILLE, TN 37202-9913	\$489.02 C OF C
240174 2019	MV VW CREDIT	1401 FRANKLIN BLVD LIBERTYVILLE, IL 60048	\$454.13 C OF C
MV TOTAL REFUNDS BY TYPE			\$2,092.51
NUMBER OF REFUNDS	6	TOTAL REFUNDS	\$2,092.51

It is recommended that refunds in the amount as stated above be made to the taxpayers listed, in accordance with the provisions of said General Statutes, Section 12-129.

12/2/2021

Date of Report

Halaree Monnerat, Collector of Revenue

APPROVED FOR PAYMENT:

DATED: _____

Town Manager

I have received from Town Accountant the above checks to cover the refunds as stated above.

Date: _____

Collector of Revenue

2017	Year Total:	182	110	\$6,431.30	\$35.34	\$7,400.73	\$40.66	54%
2018	Jan-18	22	7	\$988.32	\$44.92	\$246.86	\$11.22	20%
2018	Feb-18	13	7	\$604.65	\$46.51	\$190.34	\$14.64	24%
2018	Mar-18	11	6	\$415.97	\$37.82	\$174.49	\$15.86	30%
2018	Apr-18	15	8	\$576.93	\$38.46	\$153.36	\$10.22	21%
2018	May-18	11	6	\$456.31	\$41.48	\$176.51	\$16.05	28%
2018	Jun-18	13	6	\$329.34	\$25.33	\$240.05	\$18.47	42%
2018	Jul-18	10	5	\$375.43	\$37.54	\$365.79	\$36.58	49%
2018	Aug-18	5	5	\$323.50	\$64.70	\$79.87	\$15.97	20%
2018	Sep-18	11	5	\$243.04	\$22.09	\$148.58	\$13.51	38%
2018	Oct-18	13	7	\$607.94	\$46.76	\$199.00	\$15.31	25%
2018	Nov-18	6	3	\$291.13	\$48.52	\$77.96	\$12.99	21%
2018	Dec-18	9	6	\$238.81	\$26.53	\$51.92	\$5.77	18%
2018	Year Total:	139	71	\$5,451.37	\$39.22	\$2,104.73	\$15.14	28%
2019	Jan-19	9	6	\$569.20	\$63.24	\$154.09	\$17.12	21%
2019	Feb-19	7	6	\$340.62	\$48.66	\$85.56	\$12.22	20%
2019	Mar-19	2	1	\$136.24	\$68.12	\$20.54	\$10.27	13%
2019	Apr-19	9	6	\$300.50	\$33.39	\$76.95	\$8.55	20%
2019	May-19	6	4	\$254.77	\$42.46	\$44.41	\$7.40	15%
2019	Jun-19	11	5	\$491.07	\$44.64	\$127.49	\$11.59	21%
2019	Jul-19	13	5	\$524.40	\$40.34	\$153.76	\$11.83	23%
2019	Aug-19	8	5	\$654.08	\$81.76	\$230.37	\$28.80	26%
2019	Sep-19	10	3	\$385.82	\$38.58	\$201.24	\$20.12	34%
2019	Oct-19	8	4	\$413.57	\$51.70	\$266.22	\$33.28	39%
2019	Nov-19	8	5	\$659.55	\$82.44	\$343.67	\$42.96	34%
2019	Dec-19	9	3	\$418.40	\$46.49	\$211.47	\$23.50	34%
2019	Year Total:	100	53	\$5,148.22	\$51.48	\$1,915.77	\$19.16	27%
2020	Jan-20	13	6	\$532.00	\$40.92	\$329.73	\$25.36	38%
2020	Feb-20	8	6	\$391.95	\$48.99	\$260.54	\$32.57	40%
2020	Mar-20	9	4	\$377.92	\$41.99	\$143.34	\$15.93	27%
2020	Apr-20	9	6	\$341.05	\$37.89	\$109.82	\$12.20	24%
2020	May-20	9	5	\$367.22	\$40.80	\$232.64	\$25.85	39%
2020	Jun-20	12	5	\$349.04	\$29.09	\$116.56	\$9.71	25%
2020	Jul-20	10	3	\$231.12	\$23.11	\$99.59	\$9.96	30%
2020	Aug-20	8	4	\$181.74	\$22.72	\$51.99	\$6.50	22%
2020	Sep-20	11	3	\$332.63	\$30.24	\$128.67	\$11.70	28%
2020	Oct-20	6	3	\$149.14	\$24.86	\$36.81	\$6.14	20%
2020	Nov-20	9	4	\$222.71	\$24.75	\$45.33	\$5.04	17%
2020	Dec-20	13	4	\$347.79	\$26.75	\$127.49	\$9.81	27%
2020	Year Total:	117	53	\$3,824.31	\$32.69	\$1,682.51	\$14.38	31%
2021	Jan-21	7	3	\$164.89	\$23.56	\$39.06	\$5.58	19%
2021	Feb-21	13	5	\$354.11	\$27.24	\$53.98	\$4.15	13%
2021	Mar-21	16	5	\$483.36	\$30.21	\$182.21	\$11.39	27%
2021	Apr-21	11	5	\$251.36	\$22.85	\$90.30	\$8.21	26%
2021	May-21	11	5	\$344.55	\$31.32	\$97.85	\$8.90	22%
2021	Jun-21	16	6	\$582.27	\$36.39	\$242.28	\$15.14	29%
2021	Jul-21	10	4	\$322.17	\$32.22	\$118.20	\$11.82	27%
2021	Aug-21	14	5	\$432.73	\$30.91	\$144.84	\$10.35	25%
2021	Sep-21	10	5	\$318.03	\$31.80	\$133.78	\$13.38	30%
2021	Year Total:	108	43	\$3,253.47	\$30.12	\$1,102.50	\$10.21	25%
Total		2,909	1,645	\$128,021.58	\$44.01	\$116,347.68	\$40.00	48%