**Berlin Planning and Zoning Commission**

**AGENDA**

**November 2, 2023**

The Town of Berlin, CT Planning and Zoning Commission will hold a Regular Meeting

on Thursday, November 2, 2023, at 7:00 p.m. This meeting may be attended in person at Town Council Chambers, Berlin Town Hall, 240 Kensington Road, Berlin, CT or remotely by video or telephone as provided below.

**Join Zoom Meeting\***

<https://berlinct-gov.zoom.us/j/89048044587?pwd=cC9OVHZSdVJHQjcvR3FwNjNlSmUrdz09>

Meeting ID: 890 4804 4587 Passcode: PZ100

**Join by telephone**\*

+1 929 205 6099 US (New York) Meeting ID: 890 4804 4587 Passcode: 061820

\*Data and toll charges may apply

Previous meeting recordings are available for viewing on the Town’s YouTube Channel:

[Town of Berlin, Connecticut - YouTube](https://www.youtube.com/channel/UC5AtkQIY7aNVJEd6S4XWhzA)

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Commission Business**
   1. **Bond Release / Reduction**

Pistol Brook Holdings LLC – Subdivision 673 Spruce Brook Road

* 1. Cancelation of December 21, 2023 meeting. (Town Hall closes at 4:30 for the Christmas Holiday)

1. **Public Hearings** 
   1. Proposed text amendment of Planning and Zoning staff on behalf of the Berlin Planning and Zoning Commission to amend the Berlin Zoning Regulations §XI. Special Regulations with a new subsection for a prohibition regarding cannabis establishment uses.
   2. Proposed text amendments of Planning and Zoning staff to amend by updating sections of the Berlin Zoning Regulations referencing family day care to include family and group child care homes in accordance with the requirements of subsection (b) of Public Act 23-142.
   3. Proposed text amendments of Planning and Zoning staff at the direction of the Planning and Zoning Commission to the Berlin Zoning Regulations §IV.A.22. Lot Dimensions, and Subdivision Regulations §53:00 Lots, to clarify application of building square requirements.
   4. Proposed Special Permit use and site plan application of Joseph Cascio, at 586 Deming Road for an indoor golf training facility at property of 586 Deming LLC., MBL 5-3-127-2B *(must open 11/11)*
   5. Proposed 2-lot subdivision application of Eric Kucharczyk, property of Oak Land Developers LLC at 65 Savage Hill Road, MBL 17-3-143-1A.*(must open 11/11)*
2. **Old Business**
   1. Applications of 1906 Berlin LLC prepared by Christopher J. Smith Esq., Alter & Pearson, LLC submitted pursuant to Connecticut General Statutes §8-30g. Affordable Housing Land Use Appeals

i. Proposed zone text amendment to create new §XI. EE. “Planned Residential Infill Development — Inclusionary Multi-Family Residential Use with a Housing Opportunity or Workforce Housing Component"

*(PH 7/20, 8/3, 8/17, closed 9/7/2023, must decide 11/11/2023)*

ii*.* Application for site plan approval to permit a fifty-two (52) unit multi-family residential community (Spruce Brook Apartments) on real properties known as 1906 Berlin Turnpike (Map 21-2 Block 115 Lot 7), 1934 Berlin Turnpike (Map 21-2 Block 115 Lot 8) and 0 Berlin Turnpike (Map 21-2 Block 115 Lot 8a)

*(PH 8/3/23, 8/17, 9/7; 9/21, 9/28, closed 10/12)*

*(must decide by 12/16/2023. 4/65 ext. days remain)*

* 1. Applications of Little House Living LLC prepared by Christopher J. Smith Esq., Alter & Pearson, LLC submitted pursuant to Connecticut General Statutes

§8-30g. Affordable Housing Land Use Appeals:

* + 1. Proposed zone text amendment to create new §XI. EE. “Planned Residential Infill Development — Inclusionary Multi-Family Residential Use with a Housing Opportunity or Workforce Housing Component" *(PH 8/3, 8/17, closed 9/21)*

*(must decide by 11/25/23)*

* + 1. Application for site plan approval to permit a twenty (20) unit multi-family residential community on real property known as 1676 Berlin Turnpike (Map 22-1 Block 114 Lot 10)

*(PH opened 8/3, 8/17; 9/21, 9/28, 10/12, closed 10/19)*

*(must decide by 12/23/2023, 11 ext. days remain)*

* 1. Proposed text amendment of Planning and Zoning staff on behalf of the Berlin Planning and Zoning Commission to amend the Berlin Zoning Regulations §XI. Special Regulations with a new subsection for a prohibition regarding cannabis establishment uses.
  2. Proposed text amendments of Planning and Zoning staff to amend by updating sections of the Berlin Zoning Regulations referencing family day care to include family and group child care homes in accordance with the requirements of subsection (b) of Public Act 23-142.

* 1. Proposed text amendments of Planning and Zoning staff at the direction of the Planning and Zoning Commission to the Berlin Zoning Regulations §IV.A.22. Lot Dimensions, and Subdivision Regulations §53:00 Lots, to clarify application of building square requirements.
  2. Proposed Special Permit use and site plan application of Joseph Cascio, at 586 Deming Road for an indoor golf training facility at property of 586 Deming LLC., MBL 5-3-127-2B
  3. Proposed 2-lot subdivision application of Eric Kucharczyk, property of Oak Land Developers LLC at 65 Savage Hill Road, MBL 17-3-143-1A.

1. **Planner Comments**
2. **Executive Session**
3. Discuss the status of the pending litigation of Little House Living, LLC v. Berlin Planning & Zoning Commission and Town of Berlin (Docket No. HHD-CV23-6165456-S) and 550-554 Berlin Turnpike Associates, LLC v. Berlin Planning & Zoning Commission and Town of Berlin (Docket No. HHD-CV23-6170450-S), and possible action relating to same.

2. Consider whether to convene in executive session to discuss the status of the pending litigation of Little House Living, LLC v. Berlin Planning & Zoning Commission and Town of Berlin (Docket No. HHD-CV23-6165456-S) and 550-554 Berlin Turnpike Associates, LLC v. Berlin Planning & Zoning Commission and Town of Berlin (Docket No. HHD-CV23-6170450-S).

1. **Adjournment**