

MINUTES, PLANNING & ZONING REGULATION SUBCOMMITTEE, WEDNESDAY, JANUARY 24, 2024, AT 7:00 P.M. via ZOOM

- A. **Call to Order** was at 7:03 pm.
- B. **Roll Call:** Present: B. Kaligian, M. Macchio, J. Quish, R. Satti, M. Zahariades / STAFF: D. Sulkis, S. Harris, M. Greene, J. Griffith
Absent: None

Chairman Quish welcomed subcommittee members to the first meeting of the new year. He said the main goal of this meeting was to bring several regulations into conformity with state regulations and then share some thoughts on affordable housing.

C. **Topics for discussion:**

[24-1 Proposed changes to bring Article III, Section 3.1.1 Permitted uses and 3.2.1 Special Uses](#) into compliance with Public Act 23-142.

Mr. Sulkis briefly reviewed a change that affects the Milford Zoning Regulation (MZR) enacted during the 2021 legislative session, which required a report of compliance, but the deadline was missed. He said the relevant regulations must be edited for compliance and implemented by the end of March. He said the current MZR require a Special Permit for family day care homes and adult group day care homes, but the statute changed these uses to “as of right.” He said it would pertain to all the R zones and other zones that allow residential uses. **Chairman Quish** asked if each residential section must be edited or if a universal change can be made. **Mr. Harris** advised that the use description only appears in section 3.1. He elaborated on the distinction of family daycares being able to accept up to 6 children, whereas group daycares can accept up to 12 children. **Mr. Satti** said he had the statute in front of him and noted that the requirement was due to a 2023 statute that went into effect in October of 2023. **Chairman Quish** noted that the statute also referred to multi-family dwellings. **Mr. Sulkis** assured the group that thorough and proper edits would be made.

A quick poll showed all subcommittee members favored bringing the change to the full board for consideration.

[23-15 Proposed changes to Article V, Section 5.1.4 Fig. 4 Off-Street Parking](#) for multi-unit developments to comply with Public Act 21-29.

Mr. Sulkis said this regulation is proposed to conform to a 2021 statute. He shared an existing MZR table listing parking requirements for various dwelling and apartment configurations. He said these configurations must be reduced and brought into alignment with the statute. **Chairman Quish** noted that the statute provided the upper limit for parking requirements, but the city could require even less. **Mr. Sulkis** said many municipalities are currently reviewing parking maximums rather than minimums.

All were in favor of moving the regulation to the full board for consideration.

Discussion re: requiring affordable housing units as part of multi-unit developments of varying sizes.

Chairman Quish shared a matrix for discussion as a potential path toward achieving Milford’s affordable housing percentage under the 8-30g statute. He summarized the powers of the 8-30g regulation to overrule local zoning and spoke of the difficulty of achieving an affordable housing rate of 10%, given current development practices. He noted that there are several approved 8-30g projects that have not been built yet, so they aren’t included in the 10% calculation. He said some other municipalities are requiring all multifamily developments to include some affordable housing using deed restrictions whereas others have created a sliding scale. He said a housing expert will attend the next subcommittee meeting to share information on possible solutions being explored elsewhere. **Mr. Kaligian** and **Mr. Sulkis** discussed legal authority for compelling compliance with affordable housing regulations that exceed state requirements. **Mr. Sulkis** compared such requirements to limits imposed such as setbacks. He noted the challenge faced by cities which already have 10% affordable units to ensure continued development of even more affordable housing. He used the example of New Haven where income allocation requirements may go down to 40 % of median income. He added that the guest consultant will provide ideas, but reminded the group that any the zoning regulations can be bypassed with 8-30g. The topic of “NOAH” arose—NOAH standing for “naturally occurring affordable housing.” He noted that while Milford has many NOAH type apartments, they don’t count toward the required 10% required under 8-30g. **Chairman Quish** said the city may need to incentivize developers to provide more affordable housing. **Mr. Sulkis** said that twenty years ago, the city was at 7%, whereas now the percentage is closer to 5%. There is a challenge in trying to provide dispersed affordable housing in a way that is also fair to developers. **Mr. Zahariades** said that failing to meet percentages after impacts have been made to neighborhoods becomes a disservice if there’s no movement toward the goal percentage. **Chairman Quish** said that one possible incentive to provide more affordable units could be to allow greater heights or smaller setbacks in return. Discussion ensued on scale, location, and practices

MINUTES, PLANNING & ZONING REGULATION SUBCOMMITTEE, WEDNESDAY, JANUARY 24, 2024, AT 7:00 P.M. via ZOOM

of developers. **Chairman Quish** noted the scarcity of open land in Milford to develop or redevelop, endorsing an idea Mr. Harris has promoted in the past of adding new residential mixed uses along Bridgeport Avenue or New Haven Avenue. More discussion ensued about the reported statewide deficit of over 100,000 housing units and some ideas Mr. Satti had explored in his role as liaison to SCRCOG in examining how affordable housing projects have been pursued in Wallingford versus Milford. **Mr. Satti** noted that there is more available land in Wallingford, but that Wallingford has been able to work in concert with developers towards 8-30g percentage levels. The group asked that the guest housing expert be given sufficient time to share insights. **Mr. Sulkis** also offered to facilitate a meeting with local developers to hear that point of view.

Future topics:

Chairman Quish reviewed some items to be discussed in future meetings.

- Minimum dwelling unit size - change of existing language for compliance (PA 21-29) minimums in MZR must be brought into compliance by eliminating them. *Will defer to language from state.*
- Character language - refinement of existing language (PA 21-29) *The legislature has instructed that ambiguous words like "character" can't be used—there must be a standard. Chairman Quish asked for alternatives such as architectural review.*
- Outdoor dining standards - refinement of existing regulations (PA 21-29) *During Covid, executive orders allowed this as of right but additional edits are needed to keep up with subsequent changes.*
- Cottage Industry - Include new language (PA 21-29) *Is asking for a summary. This enables people, as a matter of right, to make goods in home kitchens to sell at fairs and outdoor markets. Mr. Sulkis noted that nothing in the MZR prevents the practice, but there should be language to explicitly recognize it.*

D. Member suggestions for proposed amendments: **Chairman Quish** encouraged new ideas and collaboration in the group.

E. Minutes from 11/2/2023 were approved without objection.

Chairman Quish said he would like to schedule regular subcommittee meeting on the 2nd Wednesday of each month at 7:00 via Zoom. Next month's meeting, however, will be on Wednesday 2/28 to avoid a schedule conflict.

F. Adjournment was at 8:03.

Attest: M.E. Greene