

**ZONING COMMISSION SPECIAL MEETING  
WEDNESDAY, JUNE 23, 2010  
TOWN HALL 7:00 P.M.**

Present: Chairman Ronald Sherlock, Peter Brazaitis, Clarence Caldwell, Todd Ouellette, Alternate Judith Pleau, and Land Use Coordinator Polly Redmond. Also present: First Selectman Frank Chiaramonte and Atty. Steve Byrne.  
Absent: Regular member Nancy LaGanga, Alternates Amy Calabrese, Robert Lavoie and ZEO Karen Nelson

**Discussion with legal counsel concerning Zoning Board of Appeals' 6/9/10 decision on cease and desist order placed on the Heavens property, 50 Shingle Mill Road.**

Chairman Sherlock called the meeting to order at 7:05 p.m. All regular members present are seated with Alternate Judith Pleau seated for Regular member Nancy LaGanga.

Chairman Sherlock gives a brief history of the ZBA hearing held on 6/9/10 and explains that it was an appeal on the Zoning Commission's decision to instruct ZEO Karen Nelson to issue a cease and desist order to the Heavens at 50 Shingle Mill Road and an appeal of the cease and desist order issued by ZEO Karen Nelson. The Zoning Board of Appeals heard the case and ordered that the cease and desist order be lifted and the appeal granted. The notice of the ZBA decision was published in the Republican-American on 6/12/10 allowing for a 15-day appeal period.

**Possible Executive Session**

Mr. Brazaitis **motioned** to enter into Executive Session at 7:10 p.m. for Zoning Commission consideration to enforce legal relief or legal right on the ZBA appeal, seconded by Mr. Ouellette. Motion passed unanimously.

It is noted that First Selectman Chiaramonte is present and invited to remain during Executive Session as ex officio, Atty. Byrne is present as legal counsel to the Zoning Commission and invited to remain and Land Use Coordinator Polly Redmond is invited to be present during Executive Session and remain as she is a Certified Zoning Enforcement Officer (not the Town of Harwinton ZEO) as well as Land Use Coordinator and keeper of land use records.

At 8:10 p.m. Mr. Ouellette **motioned** to exit out of Executive Session, seconded by Mr. Caldwell. Motion passed unanimously.

**Discussion and possible action by the Harwinton Zoning Commission concerning Zoning Board of Appeals' 6/9/10 decision.**

No motions and no votes were taken while in Executive Session.

Mr. Caldwell would like to note for the record that he would like to appeal the Zoning Board of Appeals decision but due to financial consideration of the town, he chooses not to. He also notes that time constraints are a factor in his decision.

Mr. Ouellette **motioned** to adjourn the meeting at 8:15 p.m., seconded by Mr. Caldwell. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator