

**ZONING COMMISSION
MONDAY, JULY 26, 2010
TOWN HALL 7:00 P.M.**

Present: Chairman Ronald Sherlock, Clarence Caldwell, Todd Ouellette, Alternate Member Judith Pleau, Alternate Member Amy Calabrese, Land Use Coordinator Polly Redmond and Zoning Enforcement Officer Karen Nelson.

Absent: Regular Members Peter Brazaitis, Nancy LaGanga and Alternate Member Robert Lavoie.

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Sherlock called the meeting to order at 7:00 p.m. All regular members are seated with Ms. Pleau seated for Nancy LaGanga and Ms. Calabrese seated for Peter Brazaitis.

2. APPROVE MINUTES OF PREVIOUS MEETING: 7/12/10.

Mr. Caldwell **motioned** to approve the minutes of the previous meeting, seconded by Ms. Pleau. Motion passed unanimously with votes from Chairman Sherlock, Mr. Caldwell and Ms. Pleau. Ms. Calabrese and Mr. Ouellette refrain from voting due to their absence at the previous meeting.

3. MICHAEL SMITH FOR JOE WATSON – APPLICATION FOR 848 SQ. FT. ADDITION TO EXISTING HOME, INCLUDING 18' X 8' DECK, 102 LAKE HARWINTON ROAD.

No one is present to represent.

4. COMPLAINTS/ENFORCEMENT ACTIONS:

GRJH, 207 Birge Park Road

Chairman Sherlock informs the commission members of a site visit that took place at 5:00 p.m. today at 207 Birge Park Road. Present were: himself, IWWC Chairman Bruce Burnett, Building Inspector Frank Rybak, W.M.C. Consulting Engineer Steve McDonnell, GRJH Project Engineer Jason Dismukes, Site Contractor for septic system installation Peter Letta, TAHD Representative Robert Smith, Wetlands/Zoning Enforcement Officer Karen Nelson and LUC Polly Redmond.

IWZEO Karen Nelson reports that installation of the septic system is being monitored by TAHD and issues have been worked out with them. GRJH has until 9/1/10 to install and it is up to TAHD on whether any more extensions will be given. GRJH is awaiting elevation information from their former engineer, Ken Hrica, in order to install the septic system. If the information is not provided by Mr. Hrica then Mr. Dismukes will have to start from scratch. There are grading issues with the bioswale located in the back of the property and discussion took place on redesign. The retaining wall was discussed and after a review of Jason Dismukes' 7/20/10 report on the stability of it, Steve McDonnell, W.M.C. Consulting Engineers, writes in a 7/26/10 report that they concur with Mr. Dismukes' evaluation and have no further comments. Discussion on changes to the drainage system/swale is discussed with note that paving of the Sunoco Gas Station parking lot extended onto the neighboring property and also over the swale that was long ago established for drainage. The land use staff and W.M.C. Consulting Engineers will draft a memo on what can be done to rectify the drainage problem.

At their meeting held on 6/14/10 the Zoning Commission allowed two weeks in order for Mr. Helm to provide the following:

- *Address the drainage issue with adjacent property.
- *Provide new drainage calculations.
- *Status Report on the septic system installation.
- *Address the stability of the retaining wall and provide a report to this commission by a qualified engineer.
- *A temporary fence shall be placed on the south side of the parking lot prohibiting any parking in front of the retaining wall.
- *Address the (improper) construction of the bioswale.
- *File the two Special Permits (mailed to Mr. Helm) in the land records of the Harwinton Town Clerk's office.

All items have been addressed by IWZEO Nelson except drainage calculations, which will change with the redesign of the bioswale. Discussion will continue at the next Zoning meeting on 8/9/10.

TARGA, Sunset Ridge, Mountain View Drive

ZEO Nelson has contacted Todd Parsons, Lenard Engineering, for TARGA with concerns of road conditions and lack of erosion control measures. Developer Len Lopardo recently informed the Land Use Coordinator that, with more houses being proposed, the road will not be finished until all houses are in. ZEO Nelson has concern that with approximately two houses being constructed every two years, the road may not be completed for a long time. It is noted that Mr. Lopardo has posted a Stabilization Bond for seeding and soil and erosion control measures and a Performance Bond to ensure the satisfactory completion of all improvements, excluding buildings shown on the site plan. Bonding is for public improvements including but not limited to:

- a. retention pond
- b. fencing around retention pond
- c. intersection at Mountain View Drive and intersection at Fairlawn Drive, Torrington
- d. fire hydrants
- e. drainage connections
- f. sewer connection

ZEO Nelson will send a letter to Mr. Lopardo asking him to put soil and erosion control measures in place.

5. REVIEW AND DISCUSS PRELIMINARY LID PROPOSALS.

Commissioners would like to wait until a full board is present before discussion begins. Preliminary Strategies will be discussed at the next Zoning meeting on 8/9/10.

6. DISCUSSION – PROPOSED REGULATIONS ON AGRICULTURAL USE AND FARM DEFINITIONS, RIGHT TO FARM LAW INCLUSION AND REVIEW OF SECTION 6.5 KEEPING OF ANIMALS.

No further discussion takes place or additional wording proposed. Commission will invite Harwinton residents who farm to their 9/27/10 Zoning meeting to join in discussion of the DRAFT proposals. Gene Heavens, 50 Shingle Mill Road, is present and receives a copy of the proposed regulations. He also will be sent an invitation to attend the 9/27/10 Zoning meeting.

7. **ANY OTHER BUSINESS.**

ZEO Nelson reports that Frank Rybak, Building Inspector, notified her that he has repeatedly gotten "stuck" in a driveway under construction on Lot 1, Rulli Resubdivision, Rocky Road East when visiting for inspections. Ms. Nelson will investigate and report back to the commission.

8. **CORRESPONDENCE.**

None.

9. **INVOICES.**

Invoice from Atty. Steve Byrne for work done between 6/7/10 and 6/23/10 on the matter of Heavens v. Zoning Commission in the amount of \$2,794.50 received. Mr. Caldwell **motioned** to approve the invoice, seconded by Mr. Ouellette. Motion passed unanimously.

10. **ADJOURN.**

Mr. Caldwell **motioned** to adjourn the meeting at 8:00 p.m., seconded by Ms. Calabrese. Motion passed unanimously.

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON, CT
ON 8-2-10 AT 12:05 PM
ATTEST: PATRICIA K. WILLIAMSEN, TOWN CLERK