

**PLANNING COMMISSION MEETING
WEDNESDAY, APRIL 10, 2013
TOWN HALL 7:00 P.M.**

Present: Chairman Michael Orefice, Paul Roche, Christina Emery, Michael Letourneau (arrived at 7:10 p.m.) and Land Use Coordinator Polly Redmond

Absent: John Sullivan, John Souchuns, Alternates Matthew O'Connell and Steven Criss

Also present: First Selectman Michael Criss and Town Counsel Michael Rybak

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Orefice called the meeting to order at 7:03 p.m. and a quorum was established.

2. APPROVE MINUTES OF PREVIOUS MEETING: 3/13/13

Tabled. (See below.)

3. DISCUSSION/POSSIBLE DECISION TO AMEND SUBDIVISION REGULATIONS, SECTIONS 1.2, 2.3.13, 2.7 AND 2.10 IN RESPONSE TO PA11-79 AND PA12-182.

P. Roche stated that he reviewed Town Counsel Michael Rybak's 3/13/13 draft on the proposed regulations and agrees with it. Atty. Rybak states that LUC Redmond previously prepared a draft by taking the two Public Acts and began making revisions to what was presented at the time of the Planning Commission's public hearing on February 22, 2012 (in response to PA11-79 only). Atty. Rybak worked from the LUC's draft incorporating the statutory regulations of PA12-182. This Public Act amended the State Statutes to include Maintenance Bond terms of one year only, allowing 10% for Contingencies (no longer allowing 15% for contingencies and a 10% allowance for administrative expenses), towns are not allowed to bond for Low Impact Development but are allowed for any subdivision that is approved for development in phases to allow the financial guarantee provisions to be applied as if each phase was approved as a separate subdivision. The commission cannot require the establishment of a homeowners association or the placement of a deed restriction, easement or similar burden on property for the maintenance of approved public site improvements to be owned, operated or maintained by the municipality, except that the prohibition of this subparagraph shall not apply to the placement of a deed restriction, easement or similar burden necessary to grant a municipality access to such approved site improvements. Lastly, Surety Bonds are now to be considered an option with P. Roche noting that it is important to recognize that the commission "may" accept Surety Bonds (new: Section 2.7.2.3). Atty. Rybak states his belief that there should be a requirement that Site Plans be filed along with the Subdivision Plan mylar (Section 2.10b). P. Roche suggests that the commission defer taking a vote and have LUC Redmond send a note to absent members of tonight's meeting that they should carefully read the amendments as a vote is to be taken at the next Planning Commission meeting.

4. 8-24 REFERRAL - PURCHASE OF 4.27 ACRES OF LAND FROM ESTATE OF WILLIAM KAMINSKI. ASSESSORS MAP NO. A3-01-0003. LAND SITUATED SOUTHERLY FROM THE CAMPVILLE/NORTHFIELD BRIDGE, ON THE WESTERLY SIDE OF VALLEY ROAD AND ON THE EASTERLY SIDE OF THE NAUGATUCK RIVER.

First Selectman Michael Criss and Town Counsel Michael Rybak are present. First Selectman Criss informs the commission that the 4.27 acre parcel located between Valley Road and the Naugatuck River is the site of what once was the Hopkins and Alfred clock factory and is a piece of town history that should not be lost. The property is owned by heirs of William Kaminski, recently deceased, who are trying to be

located by Atty. Rybak. Money to purchase the property for \$20,000 will be obtained from remaining funds of a \$74,000 grant acquired under former First Selectman Frank Chiaramonte from the U.S. Fish and Wildlife Service. First Selectman Criss states that the federal grant money is specific and can only be used to buy property along the Naugatuck River. Possible uses of the land could be for continuing the Naugatuck River Greenway project, river access for trout fishing, parking area and is also a step in the right direction in preserving the Naugatuck River. Town meeting to approve the purchase of the property is set for April 23, 2013. P. Roche **motioned** to submit a favorable 8-24 Referral to the Board of Selectmen for the town to purchase 4.27 acres of land from the estate of William Kaminski as it is consistent with the Plan of Conservation and Development and specifically encourages the Naugatuck River Greenway Project (POCD pg. 58). M. Letourneau seconded the motion and it passed unanimously.

5. **OLD BUSINESS.**

Chairman Orefice notes that the Farm Ordinance will be brought to the 4/23/13 Town Meeting as well.

Approval of Minutes is taken up at this time with P. Roche **motioning** to approve the minutes of the previous meeting, seconded by M. Letourneau. Motion passed unanimously with C. Emery refraining from vote due to her absence at the previous meeting.

6. **ANY OTHER BUSINESS.**

None.

7. **CORRESPONDENCE.**

Clearscapes Newsletter is received.

8. **INVOICES.**

None.

9. **ADJOURN.**

P. Roche **motioned** to adjourn the meeting at 7:50 p.m., seconded by C. Emery. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 4/16/2013 AT 1:55 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK