

**HARWINTON PLANNING COMMISSION**

**WEDNESDAY, OCTOBER 27, 2021**

**TOWN HALL 7:00 P.M.**

Present: Chairman Michael Orefice, Paul Roche, Roland Perreault, Alternate Member Michael Rewenko, Alternate Member Debra Freidus and Land Use Coordinator Polly Redmond

Absent: Lee Hall, Christopher Ravlin and Alternate Member Mary Granda

**1. OPEN MEETING – ESTABLISH QUORUM.**

Chairman M. Orefice called the meeting to order at 7:05 p.m. All regular members present are seated with Alternate M. Rewenko seated for Lee Hall and Alternate Member D. Freidus seated for C. Ravlin.

**2. APPROVE MINUTES OF PREVIOUS MEETING: 8/11/21 AND 9/22/21**

P. Roche **motioned** to approve the minutes of 8/11/21, second by R. Perreault. Motion passed with M. Rewenko abstaining due to his absence at the 8/11/21 meeting and D. Freidus abstaining as she was not an alternate member at that time.

R. Perreault **motioned** to approve the minutes of 9/22/21, with amendment to page 2, 2<sup>nd</sup> paragraph, line 14 to add after the dollar amount of \$501, 023.65 a new sentence that reads, "No letter has been received from Highway Supervisor Dave Bousquet." Also, page 2, 2<sup>nd</sup> paragraph, line 19: Close the parentheses after the word "town". Motion seconded by M. Rewenko with P. Roche abstaining as he was absent at the 9/22/21 meeting.

**3. DISCUSSION/REPORT – NOTICE OF ZONING PROPOSED TEMPORARY AMENDMENT TO ZONING REGULATIONS:**

**Temporary Moratorium on Cannabis Establishments. State Statute 8-3a(b)**

LUC Redmond sent notice to the Planning Commission in compliance with State Statute 8-3a(b). Chairman Orefice states that with new law on legalization of recreational marijuana, the Zoning Commission needs to amend their regulations and address this. Time is needed for them to work on an amendment so they are proposing a Temporary Moratorium. P. Roche questions how long the Moratorium is for, is it for twelve (12) months? The last page of the written proposal leaves the date open and he would prefer seeing a date. LUC Redmond states that perhaps that would be done at the time of the public hearing after decided upon by the Zoning Commission. Chairman Orefice states that the town can opt out by January 23, 2023. P. Roche **motioned** to give a favorable report to the Zoning Commission and agrees with the proposal for a Temporary Moratorium on Cannabis Establishments as long as the Zoning Commission acts by December 2022 with recommendation that the Moratorium expires on December 30, 2022 in order to give the Zoning Commission time to evaluate cannabis related Zoning Regulations to be adopted. R. Perreault seconded the motion and it passed unanimously.

**4. REVISIT BOND REDUCTION REQUEST FOR EQUESTRIAN ESTATES SUBDIVISION, IN THE AMOUNT OF \$84,236.90 FOR REMAINING CONSTRUCTION OF BREAK MAIDEN LANE STA 0+00 – 13+00, FROM JUNE 9, 2021 MOTION MADE BY PLANNING COMMISSION. NEW AMOUNT: \$114,125.48 PER DAVE BOUSQUET, HIGHWAY SUPERVISOR, LETTER OF 10/12/21 TO BOARD OF SELECTMEN. BOARD OF SELECTMEN ACCEPTED NEW AMOUNT 10/19/21.**

Atty. William Tracy is present. Minutes from the Board of Selectmen's meeting on 10/19/21 are acknowledged. Chairman M. Orefice explains to Commissioners that W.M.C. Consulting Engineers revised

their letter accepting the bond reduction recommended by Pickett Brook Property previously submitted to the Planning Commission on June 9, 2021 and September 22, 2021 after Highway Supervisor Dave Bousquet calculated higher dollar amounts if the town was required to complete the subdivision. Atty. Tracy states that he is comfortable with the new amount for this bond and the bond listed in Item 5 below. R. Perreault **motioned** to accept the new amount of the bond in the amount of **\$114,125.48** to complete remaining construction of Break Maiden Lane Sta 0+00-13+00 per Highway Supervisor Dave Bousquet's calculations and the Board of Selectmen's acceptance of the amount, provided there are no further bond reductions or adjustments until Equestrian Estates Subdivision is completed. D. Freidus seconded the motion and it passed unanimously.

**5. REVISIT SUBSTITUTION OF BOND REQUEST FOR EQUESTRIAN ESTATES SUBDIVISION, IN THE AMOUNT OF \$501,023.65 TO COMPLETE WORK ON STEEPLE CHASE ROAD AND THE NORTHWEST PORTION OF BREAK MAIDEN LANE, PHASE III, FROM SEPTEMBER 22, 2021 MOTION MADE BY PLANNING COMMISSION. NEW AMOUNT: \$645,875.40 PER DAVE BOUSQUET, HIGHWAY SUPERVISOR, LETTER OF 10/12/21 TO BOARD OF SELECTMEN. BOARD OF SELECTMEN ACCEPTED NEW AMOUNT ON 10/19/21.**

Atty. William Tracy notes that this item on the agenda is the same as Item 4 even though they are separate bonds, the pattern is the same. New figures were calculated by Highway Supervisor Dave Bousquet for the same reason as stated in Item 4. R. Perreault **motioned** to accept the new amount of the bond in the amount of **\$645,875.40** to complete work on Steeple Chase Road and the northwest portion of Break Maiden Lane, Phase III, per Highway Supervisor Dave Bousquet's calculations and the Board of Selectmen's acceptance of the amount, provided there are no further bond reductions or adjustments until Equestrian Estates Subdivision is completed. P. Roche seconded the motion and it passed unanimously.

**6. OLD BUSINESS.**

None.

**7. NEW BUSINESS.**

Ordinance 158 with an effective date of 5/18/2021 has been distributed to Planning Commissioners. This new Ordinance amends Ordinances 15, 34 and 60.

Planning Commissioners are made aware of a letter written to Pickett Brook Property by LUC Redmond regarding the number of horses on the property at 485 Plymouth Road that does not meet the acreage requirements of Zoning Regulation 6.5. This is the result of a recent lot line revision between lots 18, 19 and 21 within Equestrian Estates. The Zoning Commission requested the following:

*"That Pickett Brook Property, LLC needs to take immediate action to bring 485 Plymouth Road into legal compliance by either removing horse stalls in the barn, removing horses on the property, or join abutting land to 485 Plymouth Road by deed and map. Because the Zoning Commission understands there is a violation, this matter will be closely monitored by our Enforcement Officer at your cost."*

Chairman M. Orefice suggests that the Zoning Commission readdress Section 6.5 Keeping of Animals on where animals are to be kept and that it should be noted that keeping of animals be "on land area per parcel". If there is no action on the part of Pickett Brook Property, the Planning Commission suggests that a Cease & Desist Order be issued by the Zoning Enforcement Officer.

**8. CORRESPONDENCE.**

LUC Redmond reports she has written to Christopher Ravlin a second time now asking if he wishes to remain on the Commission since he has been absent for every meeting since his term began.

**9. INVOICES.**

None.

**10. ADJOURN.**

P. Roche **motioned** to adjourn the meeting at 8:10 p.m., seconded by R. Perreault. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator

