

**PLANNING COMMISSION MEETING**  
**WEDNESDAY, MARCH 28, 2012**  
**TOWN HALL 7:00 P.M.**

Present: Chairman Michael Orefice, Paul Roche, John Souchuns, Alternate Matthew O'Connell and Elizabeth Brayboy and Land Use Coordinator Polly Redmond  
Absent: Sabrina Janco, John Sullivan and Christina Emery

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

Chairman Orefice called the meeting to order at 7:05 p.m. All regular members present are seated with E. Brayboy seated for J. Sullivan and M. O'Connell seated for S. Janco.

**2. APPROVE MINUTES OF PREVIOUS MEETING: 3/14/12.**

P. Roche **motioned** to approve the minutes of the previous meeting, seconded by J. Souchuns. Motion passed unanimously.

**3. RON VISINI/MELNIC, LLC – APPLICATION FOR 2-LOT RESUBDIVISION, CORNER OF ORCHARD HILL ROAD AND SCOVILLE HILL ROAD.**

Dennis McMorow, P.E., Berkshire Engineering is present along with Mr. Visini representing Melnic, LLC. Plans by Berkshire Engineering titled Re-Subdivision Map Prepared for Melnic, LLC, Scoville Hill and Orchard Hill Roads, dated 2/6/12 (Sheet 1/1), Site Development Plan, dated 2/24/12 (Sheet S1), Erosion & Sedimentation Control Plan, dated 2/24/12 (Sheet E1) and Details & Notes, dated 2/24/12 (Sheet D1) are reviewed. The property is located in a TR zone, Assessors Map No. A6-3-1, and contains 6.955± acres. The property is a resubdivision of property previously belonging to Luella A. Pratt shown on Map 603 in the land records of the town clerk, dated 5/28/81. Lot 1 shall contain 2.487± acres and Lot 2 shall contain 4.468± acres. The application is accompanied by a Project Report prepared by Berkshire Engineering dated 2/24/12. TAHD application has been made by the applicant and is awaiting approval. Chairman Orefice reviews the site plans against the application requirements in the Subdivision Regulations and determines all is in order. P. Roche **motioned** to accept the application and set a public hearing for Wednesday, April 11, 2012 at 7:00 p.m. in the town hall. E. Brayboy seconded the motion and it passed unanimously.

**4. DISCUSSION/POSSIBLE DECISION TO AMEND SUBDIVISION REGULATIONS, SECTIONS 1.2, 2.3.13, 2.7 AND 2.10 IN RESPONSE TO PA 11-79.**

P. Roche **motioned** to table the item until the next meeting, seconded by E. Brayboy. Motion passed unanimously.

**5. REPORT ON PROPOSED ZONING REGULATION AMENDMENTS.**

The commissioners will review the proposed regulations and the item will be placed on the next Planning Commission meeting agenda to determine if any comments will be made.

**6. 8-24 REFERRAL – 6.61 ACRE OPEN SPACE WITHIN WHETSTONE ESTATES WEST SUBDIVISION.**

No correspondence has been received from the Board of Selectmen asking for an 8-24 Referral. State Statute 8-24 requires that no municipality shall acquire land until the proposal to take such has been referred to the commission for a report. Chairman Orefice notes that the open space gift was a condition of approval for Whetstone Estates West Subdivision and questions whether an 8-24 Referral is actually required. P. Roche suggests tabling the matter until written request from the Board of Selectmen is received. E. Brayboy questions whether the commission can proceed with an 8-24 report subject to receiving a Board of Selectmen request and also whether an 8-24 Referral is actually required. J. Souchuns reminds the commissioners that no action shows

no prejudice and can be taken as an approval of the proposal. P. Roche **motioned** that if any 8-24 referrals are required of the Planning Commission from the Board of Selectmen, for this matter and future matters, the entire Board of Selectmen should put the request in writing. Chairman Orefice reads Item 9 of the Call to Annual Town Meeting set for April 10, 2012 which states "As recommended by the Planning Commission, to accept a gift of 6.61 acres of open space in the Whetstone Estates West Subdivision..." Chairman Orefice states that the Board of Selectmen should be asked that any 8-24's from their board needs to be submitted in writing to the Planning Commission with P. Roche **motioning** that any 8-24's required of the Planning Commission must be submitted in writing by the entire Board of Selectmen with J. Souchuns seconding the motion. Motion passed unanimously. Chairman Orefice states that even though this commission cannot act because no request in writing has been made, the commission could write a letter, not an 8-24, stating that as part of the Whetstone Estates West Subdivision application, the Planning Commission accepted the 6.61 acres of open space. Land Use Coordinator Redmond is instructed to type a letter to the Board of Selectmen stating this and attach the Planning minutes of 5/14/08 when Whetstone Estates West Subdivision was approved. Town Counsel Michael Rybak should be copied. Commissioners will review the letter prior to sending.

7. **OLD BUSINESS.**

Janet Burritt, Whetstone Road, is present and expresses that she is quite upset that P.A. 11-79 is in effect. Chairman Orefice informs Mrs. Burritt that the public hearing on this matter has closed and the commission can take no further comments regarding P.A. 11-79.

8. **ANY OTHER BUSINESS.**

None.

9. **CORRESPONDENCE.**

A letter is received from member Sabrina Janco dated 3/20/12 giving her resignation to the committee. E. Brayboy **motioned** to accept the resignation seconded by P. Roche. Motion passed unanimously. The Planning Commission is charged with filling unexpired terms. S. Janco's term expires 11-3-15. Alternate Member Matthew O'Connell will consider becoming a regular member and will inform the commission of his decision at the next Planning meeting. The commission questions whether Steve Criss, who expressed interest in being an alternate member a few months back, is still interested.

CLEAR is presenting Spring 2012 Workshops located in Cornwall Town Hall and UCONN Torrington. Dates are March 29, April 23, May 8 and May 17. Flyer will remain in the Land Use office for those interested.

10. **INVOICES.**

None.

11. **ADJOURN.**

E. Brayboy **motioned** to adjourn the meeting at 8:24 p.m., seconded by P. Roche. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator