

PLANNING COMMISSION MEETING

WEDNESDAY, JANUARY 8, 2014

TOWN HALL

7:00 P.M.

Present: Chairman Michael Orefice, Paul Roche (arriving at 7:05 p.m.), John Souchuns, Christina Emery, Michael Letourneau and Land Use Coordinator Polly Redmond Absent: Alternate Member Steven Criss

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Orefice called the meeting to order at 7:00 p.m. All regular members are present and seated.

2. ELECTION OF OFFICERS.

C. Emery **motioned** to table this item until Item 3 is taken up, seconded by J. Souchuns. Motion passed unanimously.

3. APPROVE MINUTES OF PREVIOUS MEETING: 10/9/13 AND 11/13/13

C. Emery **motioned** to approve the minutes of 10/9/13, seconded by J. Souchuns. Motion passed unanimously with M. Letourneau refraining from voting due to his absence at the 10/9/13 meeting.

J. Souchuns **motioned** to approve the minutes of 11/13/13, seconded by M. Letourneau. Motion passed unanimously with C. Emery refraining from voting due to her absence at the 11/13/13 meeting.

Commissioner Roche arrives at this time and the Commissioners take up Election of Officers.

C. Emery nominates Paul Roche as Secretary to the Planning Commission, seconded by J. Souchuns.

J. Souchuns **motioned** to close nominations, seconded by C. Emery. Motion passed unanimously.

All Commissioners are in favor of Paul Roche as Secretary.

C. Emery nominates Michael Orefice as Chairman to the Planning Commission, seconded by M. Letourneau.

J. Souchuns **motioned** to close nominations, seconded by M. Letourneau. Motion passed unanimously.

All Commissioners are in favor of Michael Orefice as Chairman.

4. 8-24 REFERRAL TO BOARD OF SELECTMEN TO ACCEPT THE GIFT OF A REMAINDER INTEREST IN 79± ACRES OF LAND ON BISSELL ROAD OWNED BY THE HIGH RIDERS SNOWMOBILE CLUB, INC.

Commissioners are presented with a copy of an Assessor's Map locating the property off Bissell Road containing 79± acres. There is no survey of the property. They question whether there is a pond or dam on the property and note that DEEP has been sending out notices to property owners with dams instructing them to conduct certain maintenance work to bring them up to standards. It is the Commission's belief that the town should not accept any property where, if a dam does exist, the condition of said dam is not known and also not known if there are any environmental issues. P. Roche **motioned** that the Planning Commission, at this time, does not recommend accepting the remainder interest of the property until more information is received regarding wetlands on the property, possible environmental issues and other information. This recommendation is in no means to be construed as a negative referral but that the Commission requires more information.

5. REVIEW PROPOSED ZONING REGULATION AMENDMENTS SET FOR PUBLIC HEARING ON 1/27/14. (COMMISSIONERS RECEIVED PROPOSED AMENDMENTS 35 DAYS PRIOR TO THE HEARING DATE UNDER SEPARATE MAILING.)

The Zoning Commission is proposing amendments to the 9-17-12 Zoning Regulations and have set a public hearing date of 1-27-14. The Planning Commission is required to review the proposals by State Statute 8-3a.

The Planning Commission makes the following comments:

4.1: Permitted Uses in Residential Zones. To allow buildings and use of property as a permitted use in residential zones for recreational operations including ATVs and Snowmobiles as long as there is no commercial aspect.

Planning: The Planning Commission is **opposed** to this regulation amendment and believes it would create many other recreational activities in residential zones without benefit of a public hearing to notice neighbors. It would also allow applicants to state their purpose as “recreational”, whether it shall be or not.

6.5.2: Driveways and Accessways: Allowing for shared driveways.

Planning: The Planning Commission is **in agreement** with this regulation amendment but asks that the Zoning Commission be conscious that they do not issue a Special Permit before any subdivision is approved and filed in the Land Records.

6.20 Use of Home for Personal Business. Deleting the restriction that no clients shall come to the home and allowing for two (2) clients to come to the home at one time.

Planning: The Planning Commission is **in agreement** with this regulation amendment and believes it is a step in the right direction for home-based businesses. They suggest that the regulation be reviewed again in the future for possibly increasing the number of clients allowed.

Section 9.6 (NEW): RESTAURANT, GRILL, TAVERN, PACKAGE STORE OR OTHER BUILDING OR ESTABLISHMENT SELLING OR SERVING ALCOHOLIC LIQUOR.

The Zoning Commission proposes to delete the 1000 foot setback requirement for establishments selling or serving alcoholic liquor and proposing a regulation that allows selling and serving of alcoholic liquor anywhere within the town as long as compliance with State of CT liquor laws are followed.

Planning: The Planning Commission is **in agreement** with this regulation amendment and states that Harwinton Business Districts *are* located in school, church, etc. locations and find no valid reason to disallow the serving of alcohol in establishments. *Chairman Michael Orefice notes that he is against amending the regulation.

9.9: Special Exceptions. The Zoning Commission is adding Special Exceptions to the Zoning Regulations to allow for unique characteristics and uses of land that will be reviewed on a case-by-case basis.

Planning: The Planning Commission **opposes** this proposal to add Special Exceptions. They believe it would be detrimental to development and states that it is the Zoning Board of Appeals who reviews and acts on situations that do not conform to the normal situation.

The Planning Commission questions Zoning Regulation 11.3 Permitted Signs for Uses in Zones Requiring Site Plans and whether it should be revised or justified.

12: Landscape Buffer Requirements. The Planning Commission suggests amending the proposed wording of Section 12.1 to make it more understandable.

14: Excavation, Grading, Filling or Removal of Earth.

Section 14.4.5 allows for washing and crushing of material providing all material will be used on the site it originated and was crushed on if it feels limited truck traffic outweighs the disturbance a short-term operation may have.

Planning: The Planning Commission suggests re-wording this section to read as follows:

“There shall be no washing or crushing of material except in a Light Industrial Zone.

The Commission may decide to allow onsite crushing of material *in any zone* provided all material will be used on the site it originated and was crushed on.”

The Planning Commission suggests deleting the wording, “if it feels limited truck traffic outweighs the disturbance a short-term operation may have.”

C. Emery **motioned** that the Planning Commission, based on knowledge of the Plan of Conservation and Development, has reviewed the proposed Zoning Regulation amendments and has made recommendations. They ask that consideration to concerns and questions of this Commission be addressed and that a response from the Zoning Commission be delivered to the Planning Commission’s next meeting on January 22, 2014. P. Roche seconded the motion and it passed unanimously.

Land Use Coordinator Polly Redmond will present the Planning Commission’s comments to the Zoning Commission at their next meeting on January 13, 2014 meeting.

6. REVIEW 2014-2015 PLANNING BUDGET REQUEST.

The Planning Commission has reviewed their budget request of \$820.00 and will submit it to the Finance office.

7. REVIEW 2014-2015 PLAN OF CONSERVATION AND DEVELOPMENT BUDGET REQUEST. OLD BUSINESS.

The Planning Commission has reviewed the budget request of \$2000.00 and will submit it to the Finance office. The request is based on no funding last year due to an oversight. It is also noted that the POCD review is due in six years and work will begin on it in the very near future.

8. ANY OTHER BUSINESS.

The Commission asks that LUC Redmond contact Lee Hall, who has been elected to serve on the Commission as a regular member next year, to ask if he would like to join the Commission as an alternate member at this time.

9. CORRESPONDENCE.

A Save The Date Notice has been received from the Connecticut Federation of Planning and Zoning Agencies stating their Annual Conference will be on March 13, 2014.

CT Landscape Architect Magazine has been received.

10. INVOICES.

None.

11. ADJOURN.

P. Roche **motioned** to adjourn the meeting at 9:20 p.m., seconded by J. Souchuns. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 1-14-2014 AT 11:11AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK