

Present: Chairman Thomas Rotondo, Mark Gelormino, Theodore Root, Jr., Peter Brazaitis IV and Land Use Coordinator Polly Redmond

Absent: Michael Durstin

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman T. Rotondo called the hearing to order at 7:00 p.m. All members present are seated.

LUC Redmond reads the legal notice which was published in the Republican American newspaper on 6/7/19 and 6/15/19. Receipts for certified mailings giving notice of hearing to neighbors within 200 feet of the property at 54 Silano Drive have been collected.

2. CHRISTOPHER BRUNNER – APPLICATION FOR A 22.4 FOOT REAR YARD VARIANCE FROM SECTION 5 ZONING REGULATIONS DATED 10-29-18, FOR CONSTRUCTION OF A 16' X 32' INGROUND SWIMMING POOL, 54 SILANO DRIVE (TR ZONE).

Mr. & Mrs. Brunner are present. Plans by Timothy G. Wyllie, Jr. titled Improvement Location Survey, June 2019 are reviewed. Mr. Brunner explains that the pool will be a salt water pool and because of the undersized lot, the entire pool will be located outside of the building envelope. TAHD approved for separating distance to the well and notes that the property is served by sewer.

M. Gelormino questions the applicant as to why the pool can't be placed on the west side of the property to the left of the patio where it would be within the building envelope with Mr. Brunner stating that there are pine trees on that side of the property that would wreak havoc on the filtration of the pool and also that the proposed location is closer to the rear entrance of the house.

Chairman T. Rotondo opens the floor to public comment at this time.

Ron Hurlburt, Land Surveyor, Clinton, CT is present along with John and Kathryn Berera, 473 Clearview Avenue, Torrington, CT who he is representing. The Berera's own a vacant lot (.71 acres) to the west of the Brunners and also a 7 acre vacant lot with approximately 200 feet of street frontage on Clearview Avenue in Torrington, with the back land in Harwinton which runs behind the Brunner property. (Note: This 7 acre parcel is not included in the Harwinton sewer service area.) Mr. Hurlburt states that the Berera's are being taxed for the 7 acre parcel as a buildable lot and should they decide to market the property, there would be a pool close to the property line of the 7 acre parcel which they feel would make the lot less desirable. Mr. Hurlburt speaks of trees that were cut down on the Berera property within 75 feet of the wetlands by Mr. Brunner and provides photos of such. Commissioners agree that tree cutting is not under their jurisdiction as a board. Mr. Hurlburt provides a plan titled Existing Conditions Survey, 4/11/19, prepared for Jonathan & Kathryn Berera for the purpose of showing wetlands flagged on the abutting Berera parcel to the west that could possibly flow on to the Brunner property and he suggests that any Wetlands Commission approval should be under a full review of any possible wetlands on site. Mr. Hurlburt states his belief that the hardship being sought for a pool is not a hardship at all and hasn't been shown as a hardship and that the pool is not a necessity.

3. CONTINUE OR CLOSE HEARING.

With no further comments, M. Gelormino **motioned** to close the hearing at 7:22 p.m., seconded by T. Root, Jr. Motion passed unanimously.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman T. Rotondo called the meeting to order at 7:22 p.m. All members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: 5/15/19

Item is tabled to the July 17, 2019 meeting due to members not receiving copies.

4. DISCUSSION/POSSIBLE DECISION - CHRISTOPHER BRUNNER – APPLICATION FOR A 22.4 FOOT REAR YARD VARIANCE FROM SECTION 5 ZONING REGULATIONS DATED 10-29-18, FOR CONSTRUCTION OF A 16' X 32' INGROUND SWIMMING POOL, 54 SILANO DRIVE (TR ZONE).

T. Root, Jr. opens discussion by stating that the lot is 19,000 square feet where it should have 65,000 square feet leaving no other location for the pool. M. Gelormino states his belief that the pool can be relocated to the west side of the property with perhaps more tree removal done and that it would fit into the building envelope in that location. If not, there is always the option of putting in a smaller pool.

P. Brazaitis IV acknowledges that this is a small piece of property and that even by relocating the pool to the west side of the property it would perhaps require a variance. If the pool was reconfigured though and if more trees were taken down, which shouldn't be an issue since they were taken down elsewhere, it could fit within the building envelope.

M. Gelormino **motioned** to table any decision to the next meeting on July 17, 2019 to allow Commissioners to individually visit the Brunner property. T. Root, Jr. seconded the motion and it passed unanimously.

3. CORRESPONDENCE.

None.

4. ANY OTHER BUSINESS.

None.

5. INVOICES.

None.

6. ADJOURN.

M. Gelormino **motioned** to adjourn the meeting at 7:40 p.m., seconded by P. Brazaitis IV. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator/ZBA Clerk

RECEIVED FOR RECORD AT HARWINTON CT

ON 6-25-19 AT 11:35am

ATTEST TOWN CLERK

Janet Beyer