

ZONING COMMISSION MEETING
MONDAY, AUGUST 22, 2011
TOWN HALL 7:00 P.M.

Present: Chairman Ronald Sherlock, Peter Brazaitis, Nancy LaGanga, Todd Ouellette, Alternate Member Amy Calabrese, Alternate Member Robert Lavoie, Alternate Member Judith Pleau and Land Use Coordinator Polly Redmond. First Selectman Frank Chiaramonte is also present. Absent: Anne Marie Buonocore and ZEO Karen Nelson

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Sherlock called the meeting to order at 7:00 p.m. All regular members present are seated.
A. Calabrese is seated for Commissioner A. Buonocore.

2. APPROVE MINUTES OF PREVIOUS MEETING: 8/8/11.

A. Calabrese **motioned** to approve the minutes of the previous meeting, seconded by N. LaGanga. Motion passed unanimously.

3. BOB BROWN, COHEN AGENCY – INFORMAL DISCUSSION – USE OF LIGHT INDUSTRIAL PROPERTY FOR CHURCH.

No one is present to represent.

4. PETER LEDDA FOR ROGER PLASKETT – APPLICATION FOR 16' X 32' INGROUND POOL, 120 SOUTH ROAD. REQUEST FOR WAIVER OF ENGINEERED PLAN.

Mr. Ledda is present and a letter requesting a waiver of an engineered plan is read by Chairman Sherlock. A copy of a Site Plan prepared by John Paul Garcia & Associates, P.C., Bethany, CT dated 12/5/96 for house location is used to show pool location. The 16' x 32' inground pool shall be located 42 feet from the north side property line. IWWC approval has been received. TAHD approval is outstanding. N. LaGanga **motioned** to grant the waiver request, seconded by A. Calabrese. T. Ouellette **motioned** to approve the application pending TAHD approval and giving LUC Redmond authority to sign off on the application once it has been received. N. LaGanga seconded the motion and both motions passed unanimously.

5. WILLIAM & EMILY STARR – AFTER THE FACT APPLICATION FOR SHED, 328 BIRGE PARK ROAD.

Mr. Starr is present. TAHD approval has been received. A sketch is provided showing the shed location to be 55 feet from the back property line and 52 feet to the north side property line. Size of the existing shed is 12' x 26' and will be used for keeping of (18) chickens and (2) goats. A fee of \$105.00 is collected. P. Brazaitis **motioned** to approve the application, seconded by T. Ouellette. Motion passed unanimously.

6. GRJH, INC./SUNOCO GAS STATION – APPLICATION FOR MODIFICATION TO APPROVED SITE PLAN, 207 BIRGE PARK ROAD.

Mr. Lloyd Helm, GRJH, is present and states that he and ZEO Karen Nelson have met a number of times at the site to discuss various issues. The ZEO's report dated 8/20/11 has been received by commission members and remains on file in the land use office. Mr. Helm addresses items in the report. Dumpster shall be relocated, propane tanks will be removed completely off site with Mr. Helm agreeing that he will call the provider to cancel any future deliveries. Modifications will be made to the drainage culvert with improvements to the pavement in that area as well. Mr. Helm asks that if there is a problem with unpermitted signs going back up that the ZEO notify him. Chairman Sherlock states that even temporary signs would need a permit via the enforcement officer. It is suggested that a split rail fence be installed along the top of the retaining wall replacing the chicken wire type fencing that is presently up. Mr. Helm asks for an extension of four weeks in order to obtain a modified site plan from his engineer, Jason Dismukes. T. Ouellette notes that the modified site plan should show all present and

proposed work including a work schedule to understand when certain items will be completed. Item will be placed on the September 26, 2011 Zoning agenda. It is the consensus of the commission that no public hearing will be held. The commission does expect the town engineer, W.M.C. Consulting Engineers, to review the modified site plan. Mr. Helm is informed that his engineer, Jason Dismukes, is to provide a copy of the plan to W.M.C. as soon as possible.

A neighbor, Bruce Cloney, 198 Birge Park Road, is in the audience and asks the commission to address hours of gas delivery. He states he is woken up when the truck pulls up to the gas station at 2:00 a.m. two to three times a week. He is hoping that the delivery schedule can be changed to sometime between 8:00 p.m. and 10 p.m. Mr. Helm will speak to C. White who delivers. The two exchange phone numbers and will be in contact with each other regarding delivery times.

7. COMPLAINTS/ENFORCEMENT ACTIONS.

First Selectman Frank Chiaramonte is present to discuss various unpermitted signs that have been seen around town. He will be submitting a list of such signs to the ZEO in order for her to locate and remove. He informs the commission that the Board of Selectmen doesn't agree with the Zoning Commission's desire to have the ZEO provide set office hours. The Selectmen felt that her time would not be worthwhile as she has no administrative duties here in Harwinton. Chairman Sherlock believes it would best serve the public if they knew there was a day that she spent in Harwinton as she is almost impossible to get in touch with otherwise. First Selectman Chiaramonte will bring the item back to the Board of Selectmen for further discussion.

8. ANY OTHER BUSINESS.

N. LaGanga **motioned** to add Roger Bohan, 24 Burlington Road, informal discussion of proposed home occupation. P. Brazaitis seconded the motion and it passed unanimously.

Mr. Bohan explains that he is in the oil delivery business part time and would like to apply for a home occupation permit to conduct the bookkeeping portion of his job in his home and also to be able to have a sign on his property. Zoning Regulation 9.4.5 permits the use of a home occupation sign no larger than two square feet to be used. There will be no employees and no public traffic. Mr. Bohan will make formal application at the September 12, 2011 Zoning meeting and will include sign proposal.

9. CORRESPONDENCE.

Correspondence received from Atty. Steve Byrne regarding Lucas v. HZC. The commission will not discuss at this time. Chairman Sherlock will contact Atty. Byrne to inquire as to when he could attend a Zoning meeting to discuss the matter. The item will be placed under Executive Session to discuss pending litigation.

10. INVOICES.

None.

11. ADJOURN.

N. LaGanga **motioned** to adjourn the meeting at 8:26 p.m., seconded by T. Ouellette. Motion passed unanimously.

Respectfully submitted,



Polly Redmond
Land Use Coordinator