

HARWINTON ZONING COMMISSION

TUESDAY, NOVEMBER 14, 2017

TOWN HALL 7:00 P.M.

Present: Chairwoman Michelle Rewenko, Cynthia Kasey, Daniel Thurston, Alternate Member Don Truskauskas, Alternate Member Theodore Root and Land Use Coordinator Polly Redmond

Absent: Matthew Szydlo, Deborah Kovall and Alternate Member Nancy Schnyer

PLEDGE OF ALLEGIANCE

1. OPEN MEETING – ESTABLISH QUORUM.

Chairwoman Rewenko called the meeting to order at 7:00 p.m. All regular members present are seated with Alternate Member D. Truskauskas seated for M. Szydlo and Alternate member T. Root seated for D. Kovall.

2. ELECTION OF OFFICERS.

D. Truskauskas nominated and **motioned** to elect Michelle Rewenko to the position of Chairman and Cynthia Kasey to the position of Secretary. With no further nominations, the motion was seconded by T. Root and passed unanimously.

3. APPROVE MINUTES OF PREVIOUS MEETING: 10/10/17

C. Kasey **motioned** to approve the minutes of the previous meeting, seconded by D. Thurston. Motion passed unanimously with Alternate Member T. Root refraining from vote due to him being newly elected on 11/7/17.

4. PUBLIC COMMENT.

None.

5. NATHAN BOUCHER – APPLICATION FOR 20' X 24' GARAGE, 20 FOX HUNT WAY.

Jason Riccio, Asst. Project Manager/Facilities Manager Building Division, Supreme Industries & E.R. Hinman and Sons, is present to represent. Site plans by Jones Engineering, LLC, titled Map Showing Area to be Deeded to Lot 7, dated 10/17/17 are reviewed. IWWC and TAHD approval has been received. The proposed garage will be 36 feet to the side property line. D. Truskauskas **motioned** to approve the application with the condition that an as built site plan be provided to the Land Use office once construction of the garage is complete, seconded by C. Kasey. Motion passed unanimously.

6. TINO JANIERO – APPLICATION FOR CONSTRUCTION OF DRIVEWAY, WILDCAT HILL ROAD, ASSESSORS MAP NO. B6-05-0021.

Tino Janiero is present. Plans by Berkshire Engineering titled Driveway Plan, dated 9/27/17, revised 10/31/17 for Brook Crossing with Bridge are reviewed. IWWC approval has been received. Driveway opening permit is on file. The proposed driveway will be 500 feet long and the plans show pull offs as required by Zoning Regulation 6.4.3. D. Truskauskas **motioned** to approve the application for driveway construction only, seconded by D. Thurston. Motion passed unanimously.

7. BART DICROSTA – CONSTRUCTION OF DRIVEWAY, DELAY ROAD, ASSESSORS MAP NO. B5-03-251B.

Bart DiCrosta is present. Copies of filed Subdivision Maps 1102 and 1103 associated with a two lot subdivision by Tabacco & Sons Builders in 1996 that includes Mr. DiCrosta's lot are reviewed. Mr. DiCrosta states that he wishes to construct the driveway exactly as how it is laid out in the original subdivision plans. Driveway opening permit is on file. The proposed driveway will be approximately 1800 feet long and the plans show pull offs as required by Zoning Regulation 6.4.3. D. Truskauskas **motioned** to approve the application for driveway construction only, seconded by C. Kasey. Motion passed unanimously.

LUC Redmond requests that the Commission review a site plan titled Septic Repair, 221 Bogue Road, prepared by Robert Green Associates dated 6/8/16, informing the Commission that the house on the property at 221 Bogue Road was demolished in 2015 and now the owner, B&R Corporation, would like to rebuild on the same footprint making only a minor change in removing a 13' x 8' bump-out on the west side and squaring off the house. Jason Riccio, Asst. Project Manager/Facilities Manager Building Division, Supreme Industries & E.R. Hinman and Sons, is present to represent. The Commissioners agree that the house can be rebuilt on the same footprint with the minor change with no requirements for filing a Zoning application or supplying an as built site plan. TAHD approval dated 11/13/17 has been received for the septic repair.

8. DISCUSSION/POSSIBLE DECISION - COMMISSION-INITIATED PROPOSED ZONING REGULATION AMENDMENTS.

Zoning Regulation 2.3 Definitions – to add *definition of Affordable Housing Development* that includes definitions of “*Assisted Housing*”, “*Set-aside Development*” and “*Median Income*”.

Zoning Regulation 4.7.2 Special Permit Uses in Multi Family Zone to include 4.7.2c adding that Affordable Housing Developments are permitted by Special Permit in a Multi Family zone *only* and adds limitations to eligible applicants.

Zoning Regulation 6.5 Keeping of Animals to add regulations concerning poultry; that poultry shall be contained on owner's property by use of pens or fencing if necessary.

Zoning Regulation 6.17 Storage Sheds – to delete the first paragraph of the regulation concerning the appearance of sheds in the Lake Harwinton Association.

Zoning Regulation 6.19 Use of Home for Personal Business – to delete the existing wording and replace with new wording under title of *Home Based Business – Minor*.

Zoning Regulation 9.4 Home Occupations – to delete the existing wording and replace with new wording under title of *Home Based Business – Major*.

Commissioners discuss the proposed Zoning Regulation amendments beginning with Section 2.3 Definition of Affordable Housing. Chairwoman Rewenko states that she believes the Commission needs to do much more work on research for Affordable Housing regulations that should include input from the Town Attorney and the Planning Commission. D. Truskauskas states that Affordable Housing regulations will never be easy but agrees that more research needs to be done. All Commissioners agree that the proposed regulation on Affordable Housing is not ready to be passed yet.

Chairwoman Rewenko states that proposed Zoning Regulation amendment to Section 4.7.2 Special Permit Uses in Multi Family Zone to include 4.7.2c adding that Affordable Housing Developments are permitted by Special Permit in a Multi Family zone only and adds limitations to eligible applicants should not be passed for the same reasons Section 2.3 should not be passed. All Commissioners agree that the proposed regulation amendment to Section 4.7.2 is not ready to be passed yet.

Chairwoman Rewenko states there were no public concerns at the public hearing on the proposed Zoning Regulation amendment to Section 6.5 Keeping of Animals that poultry shall be contained on owner's property by use of pens or fencing if necessary. D. Truskauskas states that he believes it is important to keep poultry on one's

own property and that this regulation will help the Zoning Enforcement Officer handle complaints of wandering poultry more easily. All Commissioners agree that the amendment to Section 6.5 Keeping of Animals is ready to be voted on.

Chairwoman Rewenko states there were no public concerns at the public hearing on the proposed Zoning Regulation amendment to Section 6.17 Storage Sheds to delete the first paragraph of the regulation concerning the appearance of sheds in the Lake Harwinton Association. All Commissioners agree that the amendment to Section 6.5 Keeping of Animals is ready to be voted on.

Chairwoman Rewenko states that there was much concern at the public hearing on the proposed Zoning Regulation amendments to Section 6.19 Use of Home for Personal Business and Section 9.4 Home Occupations. She states that distinction between the two regulations may not be necessary as Atty. Rybak noted at the public hearing. She would like to see the Commission continue work on amending these regulations and believes the Commission is not ready yet to pass the proposed amendment as written. C. Kasey believes there was still some confusion by the public on what is a residential business and what is a contractor's business. D. Truskauskas states that resident Stacey Sefcik made a good point at the 9/25/17 public hearing when she suggested the Zoning Regulations should have a distinction between Home Occupations and Contractor Shops.

Chairwoman Rewenko states that the next time the Commission works on proposed Zoning Regulation amendments, perhaps one regulation at a time should be considered. She also suggests that when the Commission is ready to propose new regulation amendments perhaps a Zoning member should attend a Planning Commission meeting to discuss the amendment and give updates. Commissioners agree that the Zoning Regulations for Home Occupations will continue to be worked on and it will be placed on the next Zoning meeting agenda for informal discussion.

Don Truskauskas **motioned** to **ADOPT** proposed Zoning Regulation amendments to Section 6.5 Keeping of Animals in order for the Zoning Enforcement Officer to act on complaints regarding poultry that become a nuisance on neighboring properties and to **ADOPT** proposed Zoning Regulation amendments to Section 6.17 Storage Sheds since the Zoning Commission does not have jurisdiction over the appearance of sheds in the Lake Harwinton Association.

D. Truskauskas **motioned** to **REJECT** proposed Zoning Regulation amendments to Section 2.3 Definitions that would have added the definition of Affordable Housing Development and included definitions of "Assisted Housing", "Set-aside Development" and "Median Income", to **REJECT** proposed Zoning Regulation amendments to Section 4.7.2 Special Permit Uses in Multi Family Zone that would have included Section 4.7.2c adding that Affordable Housing Developments are permitted by Special Permit in a Multi Family zone only and would have added limitations to eligible applicants, to **REJECT** proposed Zoning Regulation amendments to Section 6.19 Use of Home for Personal Business that would have deleted the existing wording and be replaced with new wording under title of Home Based Business – Minor and to **REJECT** proposed Zoning Regulation amendments to Section 9.4 Home Occupations that would have deleted the existing wording and be replaced with new wording under title of Home Based Business – Major for the reason being that the Commission needs to do further research on these proposed amendments for proper wording and legality. D. Thurston seconded both motions and both motions passed unanimously.

***EFFECTIVE DATE OF AMENDED ZONING REGULATIONS SHALL BE NOVEMBER 20, 2017.**

9. SET 2018 ZONING COMMISSION MEETING SCHEDULE.

D. Truskauskas **motioned** to accept the 2018 Zoning Commission Meeting Schedule as presented by LUC Redmond, seconded by C. Kasey. Motion passed unanimously.

10. COMPLAINTS/ENFORCEMENT ACTIONS.

None.

11. ANY OTHER BUSINESS.

None.

12. CORRESPONDENCE.

None.

13. INVOICES.

None.

14. ADJOURN.

C. Kasey **motioned** to adjourn the meeting at 7:35 p.m., seconded by D. Truskauskas. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 11/16/17 AT 12:55 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK