

Present: Chairman Ronald Sherlock, Peter Brazaitis, Anne Marie Buonocore, Alternate members Amy Calabrese, Robert Lavoie, Judith Pleau and Land Use Coordinator Polly Redmond

Absent: Nancy LaGanga and Todd Ouellette

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman Sherlock called the hearing to order at 7:00 p.m. All regular members present are seated with alternate members A. Calabrese and R. Lavoie seated for absent regular members.

2. ROGER BOHAN – 24 BURLINGTON ROAD - APPLICATION FOR SPECIAL PERMIT FOR A HOME OCCUPATION, BOOKKEEPING, TO INCLUDE THE PLACEMENT OF A SIGN ON THE PROPERTY IN ACCORDANCE WITH SECTION 9.4.5 OF THE ZONING REGULATIONS.

Chairman Sherlock reads the call to hearing as published in the Republican-American newspaper on 9/30/11 and 10/8/11. Seven receipts of proof of certified mailings to Bohan's neighbors are collected. Mr. Bohan explains that he owns Hook & Ladder Oil, LLC and is applying for a home occupation to allow his wife to conduct bookkeeping in the home for the business and to place a sign, stating name of company and phone number, no larger than two square feet on his front yard property. Mr. Bohan will be contacting the state DOT to determine their right of way and his property line. Mr. Bohan states that there may be some deliveries made to the home but nothing in excess that would give the appearance of a business being operated from within the home. Mr. Bohan explains that there will be no parking of company trucks on site. Chairman Sherlock opens the floor for public comment at this time.

Rachel Maloney, 18 Burlington Road, abutting neighbor to Mr. Bohan, states she is in favor of the application. Corey Iacino, 84 Whetstone Road, questions if company trucks will be kept on the property with Mr. Bohan replying no, they are kept in Litchfield.

With no other comments from commissioners or the public, A. Calabrese **motioned** to close the hearing at 7:15 p.m., seconded by R. Lavoie. Motion passed unanimously.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Sherlock called the meeting to order at 7:15 p.m. Same quorum exists.

2. APPROVE MINUTES OF PREVIOUS MEETING: 9/26/11.

R. Lavoie **motioned** to approve the minutes of the previous meeting, seconded by P. Brazaitis. Motion passed unanimously.

3. DISCUSSION/POSSIBLE DECISION - ROGER BOHAN – 24 BURLINGTON ROAD – APPLICATION FOR SPECIAL PERMIT FOR A HOME OCCUPATION, BOOKKEEPING, TO INCLUDE THE PLACEMENT OF A SIGN ON THE PROPERTY IN ACCORDANCE WITH SECTION 9.4.5 OF THE ZONING REGULATIONS.

A. Buonocore **motioned** to approve the application as there will be no outside employees and minimal traffic impact. P. Brazaitis seconded the motion. R. Lavoie states he has a problem with the use of the premises and the need for a sign. Chairman Sherlock has concern with the connection of the heating oil business taking place off site.

At the request of the applicant, the public hearing is reopened in order for the applicant to respond to some of the commissioners questions. R. Lavoie **motioned** to reopen the public hearing, seconded by P. Brazaitis. Motion passed unanimously.

Discussion on the proposed sign takes place. R. Lavoie reviews Section 11.1.1 (Signs in Residence zones) and believes signs in residential zones should only give the name of the occupant or the use of the premises. Mr. Bohan believes the office, which will be operated from the home is an important aspect of his business, as is the sign. The sign is allowed under Zoning Regulation 9.4.5

Corey Iacino, 84 Whetstone Road, questions whether Zoning Regulation 9.4.1 has any bearing and questions the interpretation of this regulation. Mr. Bohan states that the sign will in no way change the appearance of the home nor would it give the impression that the home is a non-residential use.

R. Lavoie **motioned** to close the hearing at 7:28 p.m., seconded by P. Brazaitis. Motion passed unanimously.

R. Lavoie notes that with home occupation applications, business is usually conducted on site. A. Calabrese notes that businesses involve phone use and bookkeeping also. J. Pleau notes that this proposed business is not a bookkeeping business and that the regulations don't address this type of application.

A. Buonocore **motioned** to approve the application for a home occupation as there will be no outside employees and minimal traffic impact and that based on the nature of the business, a small sign is acceptable and **motioned** to approve that aspect of the application as well. A. Calabrese seconded the motion. Those voting in favor of the motion are A. Buonocore, A. Calabrese and P. Brazaitis. Those voting against the motion are R. Lavoie and R. Sherlock. Motion carried 3-2 in favor.

4. **GRJH, INC./SUNOCO GAS STATION – APPLICATION FOR MODIFICATION TO APPROVED SITE PLAN, 207 BIRGE PARK ROAD. CORRECT AND ABATE NOTICE ISSUED BY ZONING ENFORCEMENT OFFICER.**

No one is present to represent. ZEO Report on GRJH has been received. Correct and Abate Order issued 10/5/11 by ZEO. Applicant has 30 days to comply. It is noted that the State DOT has issues of unfinished work in the right of way. Item will be placed on the next Zoning meeting agenda scheduled for 10/24/11.

P. Brazaitis **motioned** to add to the agenda: Frank Rondano, 150 Litchfield Road, 20' x 24' deck and 10' x 30' ADA ramp. R. Lavoie seconded the motion and it passed unanimously. Mr. Rondano provides a copy of a 1957 map showing the property and foundation location of the home that is located in a Retail Service B zone. Mr. Rondano has sketched in the location of the deck and ramp and has received TAHD approval. There are no regulated activities taking place. P. Brazaitis **motioned** to approve the application, seconded by A. Buonocore. Motion passed unanimously.

5. **DISCUSS/REVIEW SIGN REGULATIONS, SECTION 11.**

Item 6 is taken up for discussion at this time.

6. **DISCUSSION – PROCEDURES ON ENFORCEMENT.**

Minor changes are made to the Procedures and final copies will be distributed to each commission and board as well as the ZEO. P. Brazaitis **motioned** to accept the changes, seconded by A. Buonocore. Motion passed unanimously.

Item 5 revisited: **DISCUSS/REVIEW SIGN REGULATIONS, SECTION 11**

Land Use Coordinator Redmond will work on definitions of signs with the aid of the City of Torrington's sign regulations. Copies will be distributed to commissioners and discussed at the next Zoning meeting.

7. **COMPLAINTS/ENFORCEMENT ACTIONS.**

Letter of complaint received from D. Motuzick. No action to be taken.

8. **ANY OTHER BUSINESS.**

None.

9. **CORRESPONDENCE.**

Letter from Atty. Steve Byrne has been received in regards to Lucas v. HZC. Item will be discussed at next Zoning meeting on 10/24/11 under Executive Session.

10. **INVOICES.**

P. Brazaitis **motioned** to approve the invoice of Atty. S. Byrne in the amount of \$1110.00 for work completed 8-31-11 to 9-30-11. A. Calabrese seconded the motion and it passed unanimously.

11. **ADJOURN.**

R. Lavoie **motioned** to adjourn the meeting at 8:15 p.m., seconded by P. Brazaitis. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON, CT
ON 10-18-11 AT 2:21 PM
ATTEST: PATRICIA K. WILLIAMSEN, TOWN CLERK