

**HARWINTON ZONING COMMISSION
VIRTUAL MEETING
TUESDAY, MAY 26, 2020 7:00 P.M.**

Present/In attendance: Chairwoman Michelle Rewenko, Cynthia Kasey, Daniel Thurston, Matthew Szydlo, Deborah Kovall and Land Use Coordinator Polly Redmond

Not in attendance: Alternate Member Don Truskauskas, Alternate Member Theodore Root and Alternate Member Dave Foster

This hearing is being recorded on audio.

PUBLIC HEARING – continued

1. OPEN HEARING – ESTABLISH QUORUM.

Chairwoman Michelle Rewenko called the meeting to order at 7:00 p.m. Seated for the public hearing are: Cynthia Kasey, Dan Thurston, Matthew Szydlo, Deborah Kovall and Chairwoman Michelle Rewenko. D. Kovall notes that she has read the minutes of 2/24/2020 when the public hearing opened, and the applicant was present, and is confident in her knowledge of the application in order to vote.

2. B&R CORPORATION – SPECIAL PERMIT AND SITE PLAN APPROVAL FOR CHANGE OF USE AND OCCUPANCY, 221 BOGUE ROAD, PROPOSED USE OF BUILDING CHANGING FROM RESIDENTIAL TO COMMERCIAL USE PERMITTED UNDER ZONING REGULATIONS 4.4.1.E GENERAL BUSINESS AND PROFESSIONAL OFFICE (2ND FLOOR) AND ZONING REGULATION 4.4.1.L ACCESSORY APARTMENT USE (1ST FLOOR) IN A BUSINESS BUILDING. LIGHT INDUSTRIAL ZONE.

Jared Braddock is present to represent for B&R Corporation. Commissioners have received a copy of Zoning Location Survey/As Built for 221 Bogue Road prepared by Robert Green Associates, dated 10/25/18 with ten (10) parking spaces added to the site plan. Chairwoman M. Rewenko questions what type of use is being considered for the second floor commercial area with J. Braddock stating that it is being marketed now with something in mind such as a small business office or yoga studio. The second floor is not yet complete (studs only) but will be constructed as one open space room as opposed to one or two individual offices and will provide for one business use. Robert Green Associates submitted to TAHD a summary of calculations for leaching area, hydraulics, flow, percolation factor, etc. for the first floor and for the second floor. This document remains on file in the Land Use Office. Mr. Green's report notes that there would be eight (8) employees in the commercial office. Mr. Braddock states that the number of employees is dictated by the septic capacity and B&R Corporation will adhere to TAHD's restrictions. M. Szydlo questions whether the handicapped parking space will be for the first or second floor with Mr. Braddock replying that they will be dealing with the Harwinton Building Official on that and that they will follow code. He notes that the Fire Marshal will also be consulted with through the Building Inspector's office.

3. CONTINUE OR CLOSE PUBLIC HEARING.

**(PUBLIC HEARING OPENED 2-24-20. 35 DAYS TO KEEP HEARING OPEN: 3-29-20.
EXTENSION GRANTED TO 6-1-20.)**

With no further comments and no public comment, C. Kasey **motioned** to close the public hearing at 7:23 p.m., seconded by D. Thurston. Motion passed unanimously.

REGULAR MEETING

1. **OPEN MEETING – ESTABLISH QUORUM.**

Chairwoman M. Rewenko called the regular meeting to order at 7:23 p.m. All regular members present are seated.

2. **APPROVE MINUTES OF PREVIOUS MEETING: 3/9/20**

D. Thurston **motioned** to approve the minutes of the previous meeting, seconded by C. Kasey. Motion passed unanimously.

3. **DISCUSSION/POSSIBLE DECISION - B&R CORPORATION – SPECIAL PERMIT AND SITE PLAN APPROVAL FOR CHANGE OF USE AND OCCUPANCY, 221 BOGUE ROAD, PROPOSED USE OF BUILDING CHANGING FROM RESIDENTIAL TO COMMERCIAL USE PERMITTED UNDER ZONING REGULATIONS 4.4.1.E GENERAL BUSINESS AND PROFESSIONAL OFFICE (2ND FLOOR) AND ZONING REGULATION 4.4.1.L ACCESSORY APARTMENT USE (1ST FLOOR) IN A BUSINESS BUILDING. (LI ZONE)**

C. Kasey **motioned** to approve the application for Special Permit and Site Plan Approval for the change of use and occupancy with the conditions that the Land Use Office be informed of what type of business moves into the second floor, that the Fire Marshal review the plans with the Building Official, and that the first floor remain residential and the second floor remain commercial. D. Kovall added a **friendly amendment** to the motion stating that the reason for approval is that this is the best use of the property located in a Light Industrial zone. M. Szydlo seconded the motion and it passed unanimously.

4. **COMPLAINTS/ENFORCEMENT ACTIONS.**

A complaint has come in to the Land Use Office regarding machine activity at 797 Hill Road, (Hock residence) from William Kovall, 789 Hill Road. Complaint includes noise (perhaps from a gravel operation), truck traffic loading material off site and overabundance of smell of manure. LUC Redmond forwarded this complaint to Troy LaMere, ZEO.

5. **ANY OTHER BUSINESS.**

None.

6. **INVOICES.**

None.

7. **ADJOURN.**

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

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 5-29-20 AT 10:15am
ATTEST TOWN CLERK *Jaime J. Bayen*