

**ZONING COMMISSION MEETING
TUESDAY, MAY 29, 2012
TOWN HALL 7:00 P.M.**

Present: Chairman Peter Brazaitis, Anne Marie Buonocore, Nancy LaGanga, Don Truskauskas, Alternate Member Robert Lavoie (seated for T. Ouellette), Land Use Coordinator Polly Redmond, ZEO Karen Nelson (arriving at 7:30 p.m.)

Absent: Todd Ouellette, Alternate Members Glenn Bradley and Kevin Ferrarrotti

PUBLIC HEARING – continued

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman Brazaitis called the hearing to order at 7:03 p.m. All members present are seated.

2. CONSIDER PROPOSED AMENDMENTS TO THE ZONING REGULATIONS DATED 3-1-11, SECTION 2.3 DEFINITIONS, SECTION 6.5 KEEPING OF ANIMALS, SECTION 11 SIGNS AND SECTION 17 INVALIDATION.

The Commission is still awaiting communication from the Economic Development Committee and the Agricultural Council. With no input from the public, D. Truskauskas **motioned** to continue the hearing to Monday, June 11, 2012 at 7:00 p.m., seconded by R. Lavoie. Motion passed unanimously. LUC Redmond will contact the EDC and the Agricultural Council to ask for input. The public hearing adjourned at 7:07 p.m.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Brazaitis called the meeting to order at 7:07 p.m. Same quorum exists.

2. APPROVE MINUTES OF PREVIOUS MEETINGS: 5/14/12 AND 4/18/12 SPECIAL MEETING (SITE WALK).

A. Buonocore **motioned** to approve the minutes of 5/14/12, seconded by D. Truskauskas. Motion passed unanimously with A. Buonocore, D. Truskauskas and R. Lavoie voting. All others refrained from voting due to their absence at the previous meeting. D. Truskauskas **motioned** to approve the minutes of 4/18/12, seconded by A. Buonocore. Motion passed unanimously with D. Truskauskas, A. Buonocore and P. Brazaitis voting. All others refrained from voting due to their absence at the site walk.

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

No one is present to represent.

4. DISCUSSION/POSSIBLE DECISION – CONSIDER PROPOSED AMENDMENTS TO THE ZONING REGULATIONS DATED 3-1-11, SECTION 2.3 DEFINITIONS, SECTION 6.5 KEEPING OF ANIMALS, SECTION 11 SIGNS AND SECTION 17 INVALIDATION.

No discussion.

5. EXECUTIVE SESSION WITH ATTY. STEVE BYRNE – PENDING LITIGATION, LUCAS V HZC.

D. Truskauskas **motioned** to table item 5 until Atty. Byrne arrives and to table Item 6 until ZEO Nelson arrives. Motion seconded by R. Lavoie and passed unanimously. Atty. Byrne was asked to arrive at 7:30 p.m.

6. **COMPLAINTS/ENFORCEMENT ACTIONS.**

LUC Redmond informs the commission that two complaints have been called in to the Land Use office regarding ATV use on residential lots. Neighbors are complaining but no written complaints have been received. LUC Redmond informs the commission that even if a written complaint were received, it is her belief that the ATV use does not fall under any Zoning Regulations that could be enforced.

7. **ANY OTHER BUSINESS.**

There are members of the public who are in attendance who are interested in the status of discussions for a Town Center/Business Zone. They are informed that the commission is still waiting on feedback from the Economic Development Committee and the Planning Commission. They are also informed that there is nothing in writing and that the Zoning Commission just put out a generic inquiry for input. LUC Redmond states that it could be suggested that only the regulations for Home Occupations might be expanded to include other types of businesses.

8. **CORRESPONDENCE.**

None.

9. **INVOICES.**

None.

With the arrival of Atty. Steve Byrne, D. Truskauskas **motioned** to enter into Executive Session to discuss pending litigation, Lucas v HZC, (Item 5) at 7:32 p.m., seconded by N. LaGanga. Motion passed unanimously. ZEO Karen Nelson is also present. R. Lavoie **motioned** to exit out of Executive Session at 7:51 p.m., seconded by A. Buonocore. Motion passed unanimously. R. Lavoie **motioned** to allow Atty. Byrne to request from the court a stay of proceedings for 60 days in the Lucas v HZC matter, seconded by A. Buonocore. Motion passed unanimously.

At this time, ZEO Nelson updates the commission on GRJH. An as built has not yet been completed and the Citation Hearing has been continued to 6/21/12 with Atty. Joel Perlotto as Hearing Officer. Building codes still remain an issue at the GRJH/gas station site. ZEO Nelson informs the commission that the town still holds bonds for TARGA for E&S controls but that only 7 units out of 30 are built at this time. The matter of the Scoville Hill Road chickens has been resolved since the residents at 292 Scoville Hill Road removed them. ZEO Nelson's May 24, 2012 report has been received by all members of the commission.

10. **ADJOURN.**

Truskauskas **motioned** to adjourn the meeting at 8:03 p.m., seconded by N. LaGanga. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

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TOWN CLERK