

Present: Chairman Todd Ouellette, Don Truskauskas, Glenn Bradley and Land Use Coordinator Polly Redmond
Absent: Anne Marie Buonocore, Cory Iacino, Nancy LaGanga, Robert Lavoie and Kevin Ferrarotti

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

Chairman Ouellette called the meeting to order at 7:00 p.m. All members present are seated with Alternate Member G. Bradley seated for N. LaGanga.

2. **APPROVE MINUTES OF PREVIOUS MEETING: 9/23/13**

D. Truskauskas **motioned** to approve the minutes of the previous meeting with amendment to Page 3, Sohl application, to add "*D. Truskauskas seconded the motion and it passed unanimously.*" G. Bradley seconded the motion and it passed unanimously.

3. **BIRGE PARK COMMONS/GREG MELE – DISCUSSION OF LANDSCAPE BUFFER REQUIREMENT/REQUEST FOR MODIFICATION OF PREVIOUS APPROVAL GRANTED 4/8/13, 182 BIRGE PARK ROAD.**

Mr. Mele is present. Discussion continues from the last Zoning meeting he attended that left off with Commissioners agreeing to go out to the site to view the State DOT drainage easement. Aron Steeves, DOT Special Services Manager, has sent an email dated 9/27/13 to the Land Use office stating the DOT would like to avoid any obstructions on Mr. Mele's property that would prohibit DOT from cleaning the outlet. It is acknowledged that the Right of Way is on the neighbor's property but cleaning the outlet from that side would be prohibitive due to mature pines and brush. Mr. Mele distributes a plan for modification of approval for fencing that shifts the location from what was previously approved to a more westerly location. The fence shall start at the outlet location and run 70 feet out towards Birge Park Road and shall be six feet in height. This location will protect the neighbors to the north from any vehicular lights shining onto their property and also allows the DOT to continue to enter onto the Birge Park Commons property to maintain the Right of Way. D. Truskauskas suggests that no mowing take place right up to the property line allowing for vegetation to grow in and Chairman Ouellette states that the 50 foot buffer area should continue to be green. D. Truskauskas **motioned** to amend the Zoning Commission's previous approval of 4/8/13 amending the location of the fence and that the 50 foot buffer is to be allowed to grow in with vegetation. G. Bradley seconded the motion and it passed unanimously.

4. **J&F ASSOCIATES, LLC – INFORMAL DISCUSSION, PROPOSED HOUSE LOCATION WITHIN PROPOSED SUBDIVISION, 600 WILDCAT HILL ROAD.**

Robert Green, P.E., Robert Green Associates is present. Discussion continues from the last Zoning Commission meeting on September 23, 2013. Mr. Green explains that this matter was brought before the Planning Commission on October 9, 2013 for an informal discussion on placement of the proposed house within the accessway of a rear lot. The Planning Commission determined that if construction will be within the building envelope, meeting the setbacks, they don't see a problem with placing the home within the accessway. Owners of 600 Wildcat Hill Road are proposing a 3-lot subdivision of the property that includes a newly created 2.5 acre front lot with 223 feet of street frontage, an existing house lot with 6.3 acres and 280 feet of street frontage, and a second newly created lot, to be a rear lot, containing 5.2 acres of land with 140 feet of street frontage. It is this rear lot where Mr. Green is proposing to plot the approximate 30' x 70' house within the accessway, meeting the 60 foot setback requirement. This lot is not a typical "flag" lot with only a 50 foot access strip but instead has a 140 foot wide strip of land for approximately 90 feet in depth where the property then opens up. No TAHD testing has been done on the property as of this date. Mr. Green states that he saw nothing in the Zoning Regulations prohibiting building in an accessway of a rear lot. He claims there will be minimal land disturbance if the house is

constructed in the front due to sloping of the land in the back, which would require cuts. Zoning Commissioners ask that Land Use Coordinator Redmond contact Town Attorney Michael Rybak for his opinion on this matter.

5. **WESLEY SEIXUS – INFORMAL DISCUSSION ON USE OF HOME, 65 BURLINGTON ROAD.**

Mr. Seixus is present to continue discussion from the last Zoning meeting but has nothing further to present. He will be trying to contact previous owners for helpful information on the history of his home.

6. **CHRISTOPHER LEONE – APPLICATION FOR 16' X 20' SHED, 30 FOX HUNT WAY.**

Jared Braddock, Supreme Industries, is present to represent. A request for waiver of an engineered plan is presented. An as-built for construction of the home on Lot 4, Fox Hunt Way, is provided with the shed location drawn in. A temporary cul-de-sac is located directly in front of the proposed shed and a new driveway (not shown on plans) is being proposed from the temporary cul-de-sac pavement to the shed. The shed shall be temporarily 20 feet to the road but once the roadbed is reverted back to the property owner, the shed will be 60 feet from the front property line. A driveway opening permit has been obtained from the Highway Dept. TAHD and IWWC approval have been received. D. Truskauskas states that an as-built will be required once construction is complete to be certain the structure is 60 feet from the property line or the homeowner has the option of moving the structure back another 10 feet. Mr. Braddock agrees to relocate the shed so it is 70 feet from the front property line. D. Truskauskas **motioned** to accept the waiver request for an engineered plan, seconded by G. Bradley. D. Truskauskas **motioned** to approve the application as amended, seconded by G. Bradley. Both motions passed unanimously.

7. **DISCUSSION – ZONING REGULATIONS AND APPLICATION FEES.**

Commissioners review proposed amendments to Application Fees. D. Truskauskas **motioned** to accept the proposed amendments to the Fee Schedule – Appendix A and to send the proposal to the Board of Selectmen, Board of Finance and Town Atty. Michael Rybak for review, seconded by G. Bradley. Motion passed unanimously. Item will be requested to be set on the next Town Meeting agenda for approval. Proposed amendments are as follows:

Bold = Delete

Underline/Italics = Add

ZONING COMMISSION - FEE SCHEDULE

APPENDIX A (2013)

Fee for:	\$5.00 for each \$1,000 (or fraction thereof) of fair market value of		
Zoning Permit	the permitted construction, i.e., sheds, pools, etc.		
where no Site Plan	Minimum fee - \$10.00	Maximum fee - \$30.00	
Review is required			
Zoning Permit with	\$5.00 for each \$1,000 (or fraction thereof) of fair market value of		
Site Plan Review:	the permitted construction.		
	<u>Minimum - \$35.00</u>	Maximum fee - \$100.00	<u>\$125.00</u>

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THE FOLLOWING FEES ARE IN ADDITION TO THE FEE FOR A ZONING PERMIT

Fee for: Special Permit or other Permit involving a Public Hearing plus Site Plan review, if appropriate	\$200.00. The Special Permit fee is used to defray the cost of newspaper notice publication and other costs associated with conduct of a public hearing. (Plus state DEEP fee).
Site Plan Review:	\$300.00 for \$100,000 value or less;
Retail Service Zone, Light	\$500.00 for more than \$100,000 value up to \$500,000 value
Industrial Zone, Planned	\$200.00 additional for each \$100,000
Multi-Family Zone, Planned	
Retail Service Zone, Planned	
Industrial Park Zone	* Ordinance 102 allows for P.E. plan review when required, at the applicant's cost
Site Plan Review where required for all other zones:	\$200.00
Petition to establish or change Zoning District Boundary Lines	
a. For any single family, Residential zoning districts (CR, TR, LH zones)	\$500.00
b. For all other Zoning Districts (RS-A, LI-A, PMF, <u>MF, RS-B, PIP, LI-B</u> FH)	\$1000.00
Petition for change to Zoning Regulations (text)	\$500.00
Fee for: Erosion and Sediment Control Plan Inspection <u>and</u> Site Inspection that does not include soil and erosion control, i.e., set back inspections	\$50.00 <u>\$35.00</u> for each inspection *\$50.00 for all ZEO Inspections \$25.00 per inspection
Fee for: Home Occupation and Professional Office	\$200.00 Special Permit fee plus \$25.00 annual renewal
Fee for: Bed and Breakfast	\$300.00 Special Permit fee plus \$50.00 annual renewal

Fee for Certificate of Compliance \$50.00

\$60.00 State fee PA92-235 amended by PA03-6 to be collected for each application.

(Remaining paragraph of the Fee Schedule remains the same.)

8. COMPLAINTS/ENFORCEMENT ACTIONS.

None.

9. ANY OTHER BUSINESS.

None.

10. CORRESPONDENCE.

None.

11. INVOICES.

ZEO David Perkins has submitted his invoice for 18.75 hours for the period 8/13/13 – 9/20/13.

Commissioners request Investigation Reports to be attached to the invoice before they approve payment.

No motion is made.

12. ADJOURN.

D. Truskauskas **motioned** to adjourn the meeting at 8:15 p.m., seconded by G. Bradley. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 10-18-13 AT 9:19 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK