

**ZONING COMMISSION MEETING
TUESDAY, NOVEMBER 12, 2013
TOWN HALL 7:00 P.M.**

Present: Chairman Todd Ouellette, Don Truskauskas, Cory Iacino, Lynne Steincamp and Land Use Coordinator Polly Redmond
Absent: Anne Marie Buonocore, David Mathes and Alternate Member Joseph Marzullo

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Ouellette called the meeting to order at 7:00 p.m. All regular members present are seated with Alternate Member L. Steincamp seated for D. Mathes. L. Steincamp has been sworn in by the Town Clerk as an Alternate Member of the Zoning Commission.

D. Truskauskas **motioned** to amend the agenda to add Election of Officers, seconded by C. Iacino. Motion passed unanimously.

D. Truskauskas **motioned** to nominate Todd Ouellette as Chairman of the Zoning Commission, seconded by C. Iacino. Motion passed unanimously.

T. Ouellette **motioned** to nominate Don Truskauskas as Secretary of the Zoning Commission, seconded by C. Iacino. Motion passed unanimously.

2. APPROVE MINUTES OF PREVIOUS MEETING: 10/28/13

D. Truskauskas **motioned** to approve the minutes of the previous meeting with the correction of the spelling of Wesley Seixas' name. C. Iacino seconded the motion and it passed unanimously.

3. JENNIFER FOX – APPLICATION FOR SPECIAL PERMIT FOR ACCESSORY APARTMENT ABOVE EXISTING GARAGE AND ADDITION OF 12' X 20' DECK OFF OF PROPOSED APARTMENT, 346 NORTH ROAD.

Raymond Ferro is present to represent. Site plans by David J. Little, L.S., titled Zoning Location Survey Prepared for Nicholas & Desiree Ashborn (previous owners) for a 2011 addition of a garage are presented. It is this garage that Ms. Fox is proposing to add an accessory apartment as a second floor with a deck off the apartment. TAHD approval has not yet been received as a B100a is being done. D. Truskauskas **motioned** to accept the application and set a public hearing for 11/25/13 seconded by C. Iacino. After discussion on timeframes for obtaining TAHD approval, D. Truskauskas **withdraws his motion** and C. Iacino withdraws her second. D. Truskauskas **motioned** to accept the application and set a public hearing for Monday, December 9, 2013 at 7:00 p.m. in the town hall, 100 Bentley Drive. C. Iacino seconded the motion and it passed unanimously. The applicant is informed to notify neighbors within 200 feet of all property lines of the public hearing date, time and purpose.

4. BROOKE CHENEY – APPLICATION FOR SPECIAL PERMIT TO ESTABLISH A GUN SAFETY/TARGET SHOOTING SCHOOL AT RESIDENCE, 144 MANSFIELD ROAD.

The applicant informed LUC Redmond that she would submit her application at the 11/25/13 meeting.

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

Mr. Seixas is not present but has sent a letter to Chairman Ouellette stating he could not be in attendance tonight but asks that the commission continue discussion on this matter. 1974 Zoning Regulations were reviewed and it was found that they do not contain wording that a special permit application is required for an accessory apartment, and in fact have no regulations at all for accessory apartments, nor is any special permit required to be filed in the land records in order to become effective. 1974 Regulations Section 23 *Special Exceptions* in fact gives the Zoning Board of Appeals the authority to grant special exceptions and assign performance standards in harmony with the general purpose and intent of the regulations.

D. Truskauskas notes that Section 5 and Section 6 of the 1974 Regulations state that accessory uses are permitted in Rural Residential and Residential Districts and believes that the commission could state that the use of the home at 65 Burlington Road includes an accessory apartment but is not a multi-family.

L. Steincamp questions whether this has been an existing use with D. Truskauskas stating it has been in existence since 1974. L. Steincamp questions whether tenants have always been taken in by the property owner with D. Truskauskas stating that he believes so and that there are two meters on the house.

D. Truskauskas states that he finds fault if this commission takes away a use that has been ongoing for the past 40 years with L. Steincamp agreeing. Chairman Ouellette states that discussion can continue at the next Zoning meeting. D. Truskauskas states that he does not have a problem with the continuing use of this property as is. Item will be placed on the next Zoning meeting agenda.

C. Iacino **motioned** to amend the agenda to take up Item 7 before Item 6, seconded by D. Truskauskas. Motion passed unanimously.

7. COMPLAINTS/ENFORCEMENT ACTIONS

Alysen Almand is present. ZEO David Perkins has sent a letter to Fred Pesce dated 11/5/13 asking him to remove a trailer and assorted scrap on the property that has created a nuisance and an eyesore and requesting that these items be removed. ZEO Perkins informed LUC Redmond via email that he was at the 529 Burlington Road property on Thursday (11/7/13?) and that he was going back to the property on Tuesday, 11/12/13 to speak with Mr. Pesce. The Commission asks that ZEO Perkins send a second letter to Mr. Pesce asking him to relocate the trailer and scrap to another location out of the sight of the Almands.

A. Almand finds this acceptable as long as she can no longer see it.

6. DISCUSSION – ZONING REGULATIONS AND APPLICATION FEES.

LUC Redmond explains that she has not yet typed up wording for Special Exception regulations.

D. Truskauskas makes note of changes to the proposed amendments typed up by LUC Redmond. Those changes will be made and any other proposed amendments shall be reviewed again at the next Zoning meeting on 11/25/13.

7. COMPLAINTS/ENFORCEMENT ACTIONS. None.

8. ANY OTHER BUSINESS.

D. Truskauskas **motioned** to appoint Glenn Bradley as an alternate member of the Zoning Commission for two years. C. Iacino seconded the motion and it passed unanimously.

D. Truskauskas would like to have nameplates of commissioners provided. LUC Redmond will look into.

9. CORRESPONDENCE. None.

10. INVOICES. None.

11. ADJOURN.

C. Iacino **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 11-13-13 AT 11:06 AM

ATTEST NANCY E. ELDRIDGE TOWN CLERK