

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

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

Chairman Ouellette called the meeting to order at 7:00 p.m. All regular members are seated with Alternate Member Joseph Marzullo seated for C. Iacino.

2. **APPROVE MINUTES OF PREVIOUS MEETINGS: 11/12/13, 11/25/13 AND 12/9/13**

D. Truskauskas **motioned** to approve the minutes of 11/12/13, seconded by L. Steincamp. Motion passed unanimously with A. Buonocore, D. Mathes and J. Marzullo refraining from vote due to their absence at the 11/12/13 meeting.

A. Buonocore **motioned** to approve the minutes of 11/25/13, seconded by D. Truskauskas. Motion passed unanimously with T. Ouellette refraining from vote due to his absence at the 11/25/13 meeting.

The approval of minutes for 12/9/13 is tabled until the next meeting and until a quorum is met.

3. **ANTHONY & JOANN CANTELE – APPLICATION FOR SITE PLAN APPROVAL FOR THE CONSTRUCTION OF A SINGLE FAMILY DWELLING, 39 HUNGERFORD LANE.**

Mr. & Mrs. Cantele are present. Plans by Mark Moriarty, P.E., Collinsville, CT titled Proposed Building Lot, dated January 2008, revised to 12/12/13 are reviewed. IWWC approved the application in 2008 as a regulated non-significant activity. The present plan has been revised to reposition the house but keeping the driveway (regulated activity) the same. House construction will continue to be a non-regulated activity. TAHD approval has been received, dated 12/23/13. Highway Supervisor John Fredsall has left note with LUC Redmond that she confer with him regarding the Cantele driveway, located at the very end of Hungerford Lane and in which a right-of-way to Buckley Broadcasting Corporation (radio towers) shares the accessway with the Canteles. The note explains that there is a water issue the town would like to resolve. D. Truskauskas **motioned** to approve the application with the condition that John Fredsall is consulted with by LUC Redmond concerning water issues. The motion was seconded by A. Buonocore and passed unanimously.

\*After conversation with John Fredsall, LUC Redmond was informed that the town is proposing road work (paving) at the end of Hungerford Lane to alleviate water issues and would like to cross over the Cantele's driveway with the pavement. Mr. Cantele has spoken with John Fredsall and has given his verbal approval of this proposal to do road work on and across his property. Mr. Cantele also gives permission to cross over his driveway and allow town plow trucks to push the snow to the edge of the Cantele property.

4. **REVIEW PLANNING COMMISSION'S COMMENTS AND RECOMMENDATIONS IN ACCORDANCE WITH STATE STATUTE 8-3A(B) OF PROPOSED ZONING REGULATION AMENDMENTS SET FOR PUBLIC HEARING ON 1-27-14.**

The Zoning Commission reviews the Planning Commission's comments concerning their proposed Regulation amendments set for public hearing on January 27, 2014. Their response is as follows:

For clarification, the definition of Garage, Public (page 12) has been amended to read as follows:

Garage, Public – A building other than a private garage used for the maintenance and repair of motor vehicles or for the storage of five or more vehicles (delete word "and") - new wording: **not owned by the property owner.**

State Statute concerning Poultry will be amended at the public hearing to read as Section 22-326(s)(5), not 236(s)(5).

Section 4.1: Permitted Uses in Residential Zones. To allow buildings and use of property as a permitted use in residential zones for recreational operations including ATVs and Snowmobiles as long as there is no commercial aspect.

**Planning:** The Planning Commission is **opposed** to this regulation amendment and believes it would create many other recreational activities in residential zones without benefit of a public hearing to notice neighbors. It would also allow applicants to state their purpose as "recreational", whether it shall be or not.

**\*Zoning's Response:** **The Zoning Commission will keep this proposal regardless of Planning's opposition because they feel it is a right to use your property for recreational purposes.**

Section 9.9: Special Exceptions. The Zoning Commission is adding Special Exceptions to the Zoning Regulations to allow for unique characteristics and uses of land that will be reviewed on a case-by-case basis.

**Planning:** The Planning Commission **opposes** this proposal to add Special Exceptions. They believe it would be detrimental to development and states that it is the Zoning Board of Appeals who reviews and acts on situations that do not conform to the normal situation.

**\*Zoning's Response:** **Special Exceptions will be deleted out of the proposed amendments at the public hearing.**

**The Planning Commission questions Zoning Regulation 11.3 Permitted Signs for Uses in Zones Requiring Site Plans and whether it should be revised or justified.**

**\*Zoning's Response:** **Section 11.3 will be deleted at the public hearing.**

Section 12: Landscape Buffer Requirements. The Planning Commission suggests amending the proposed wording of Section 12.1 to make it more understandable.

**\*Zoning's Response:** **The Zoning Commission is in agreement that rewording is necessary and will present the change at the public hearing. The paragraph will read as follows: "Where a Multi-Family, Retail Service or Light Industrial Zone abuts a single family Residential Zone (CR,TR,LH), a landscape buffer at least 50 feet in depth, *measured 90 degrees from abutting property line and continuing along the entire property line(s) that abut the residential zone*, shall be provided and maintained by the owner. The landscape buffer area shall be a part of the setback requirement listed in Section 5. This area shall not be used for storage of materials or parking of cars and trucks. \*the word perpendicular/perpendicularly has been exchanged for the word "90 degrees".**

*\*new wording is in italics*

Section 14: Excavation, Grading, Filling or Removal of Earth.

Section 14.4.5 allows for washing and crushing of material providing all material will be used on the site it originated and was crushed on if it feels limited truck traffic outweighs the disturbance a short-term operation may have.

**Planning:** The Planning Commission suggests re-wording this section to read as follows:

"There shall be no washing or crushing of material except in a Light Industrial Zone.

The Commission may decide to allow onsite crushing of material *in any zone* provided all material will be used on the site it originated and was crushed on." They suggest deleting the remaining sentence..."if it feels limited truck traffic outweighs the disturbance a short-term operation may have."

**\*Zoning's Response:** **The Zoning Commission is in agreement to the changes made to this section as recommended by the Planning Commission and will present it at the public hearing.**

5. **REVIEW 2014-2015 ZONING BUDGET REQUEST.**

D. Truskauskas **motioned** to accept the 2014-2105 Zoning Budget Request in the amount of \$3550.00.

6. **COMPLAINTS/ENFORCEMENT ACTIONS.**

The Commission asks that ZEO David Perkins email reports to them to keep them informed of his activities.

7. **ANY OTHER BUSINESS.**

None.

8. **CORRESPONDENCE.**

None.

9. **INVOICES.**

None.

10. **ADJOURN.**

D. Mathes **motioned** to adjourn the meeting at 8:10 p.m., seconded by A. Buonocore. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT  
ON 1-22-14 AT 9:05Am  
ATTEST NANCY E. ELDRIDGE TOWN CLERK