

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

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman Truskauskas called the hearing to order at 7:00 p.m. All regular members present are seated with Alternate Member Dan Thurston seated for David Mathes.

2. BORGHESI BUILDING AND ENGINEERING – APPLICATION FOR SITE PLAN APPROVAL AND SPECIAL PERMIT/CHANGE OF USE – SCHOOL BUS PARKING ON PORTION OF PROPERTY FORMERLY OPERATED AS JOHNNYCAKE AIRPORT, 529 BURLINGTON ROAD (ROUTE 4). PROPERTY OWNED BY JOHNNYCAKE AIRPORT PROPERTY, LLC.

Chairman Truskauskas reads the call to hearing as published in the Republican-American newspaper on 5/29/14 and 6/6/14. A letter dated 6/5/14 from Eben Busa, Borghesi Building and Engineering, has been received requesting that the public hearing be postponed/continued to the 6/23/14 Zoning meeting in order to address the comments received from W.M.C. Consulting Engineers (town engineers). At 7:03 p.m. D. Thurston **motioned** to continue the public hearing to Monday, June 23, 2014 at 7:00 p.m. in the town hall, seconded by J. Marzullo. Motion passed unanimously.

REGULAR MEETING

1. OPEN MEETING - ESTABLISH QUORUM.

Chairman Truskauskas called the meeting to order at 7:03 p.m. Same quorum exists.

2. APPROVE MINUTES OF PREVIOUS MEETINGS: 5/27/14

D. Thurston **motioned** to approve the minutes of the previous meeting, seconded by J. Marzullo. Motion passed unanimously with L. Steincamp refraining from vote due to her absence at the previous meeting.

3. PUBLIC COMMENT. None.

4. BIRGE PARK COMMONS/GREG MELE – APPLICATION FOR SITE PLAN APPROVAL FOR 1466 SQUARE FOOT ADDITION INCLUDING FINAL COMPONENTS OF LIQUOR PERMIT, SIGNAGE, LANDSCAPING, PARKING AND TEMPORARY CONSTRUCTION TRAILER, 178 BIRGE PARK ROAD.

Greg Mele is present. Site plans by GM2 Associates, Inc., Hartford, CT, titled Zoning Location Survey, dated March 2014 showing the location of the 1466 square foot addition to the south side of the existing commercial building are reviewed. Mr. Mele distributes 11 x 17 copies of the site plan to Commissioners and submits for the record a copy of the filed Special Permit to establish a restaurant allowing sales/consumption of alcoholic liquor (Vol. 239, Page 645), a copy of Zoning minutes from 4/8/13 where motions were made to permit the restaurant with full service bar with the approval contingent upon site plan approval by the Harwinton Zoning Commission once TAHD approval has been received and a tenant is established (satisfying the 2013 approval contingency). A copy of the 4/8/13 Zoning minutes also shows approval for a Change of Use in relation to the above-mentioned Special Permit with the same contingencies of TAHD and site plan approvals. Mr. Mele also presents a copy of TAHD approval (satisfying the 2013 approval contingency), a copy of the site plan showing the location of the temporary construction trailer and a set of building plans with signage shown on Sheet A-5. Mr. Mele discusses the landscaping buffer on the south side of the property explaining that a 50 foot buffer already exists, meeting Zoning Regulation Section 12, and notation is made on the site plan that "Existing Foliage Line (Not to be Removed)". CTDOT has an existing right of way within this buffer. IWWC approval was granted on 6/2/14 for the 1466 square foot addition and

also for septic system repair/design. TAHD approval, with no conditions, is for seating of 48. Mr. Mele explains that the south end unit, formerly used as a dance studio, will become the restaurant and the 1466 square foot addition will be used as a kitchen. The unit currently housing The Edison Grill will become office/retail space. In discussing the signage, Mr. Mele states that the Edison Grill sign will be changed for a future tenant and new signage proposed for the south end unit will change from 3'-0" x 8'-0" to 3'-6" x 14'-0" for the new Edison Grill sign. An "Entry Sign" over the entrance door to the restaurant is proposed. With the addition being applied for tonight, the length of the building will become 124.75 feet long with a total signage of 124 square feet, meeting Zoning Regulation Section 11.2. Mr. Mele states that he will notify the Harwinton Land Use office once a new tenant is found for the unit currently used by Edison Grill soon to be unoccupied. In regards to the construction trailer, Mr. Mele states that it is a 24 foot trailer to be located on the south side of the building that will be used for temporary storage and for not more than six months in accordance with Zoning Regulation 6.9. Chairman Truskauskas questions whether the parking lot will remain the same with Mr. Mele stating yes, and that new striping will be done upon completion of the project. Parking requirements are noted on the site plan showing parking spaces for the warehouse, office space (existing), restaurant (former dance studio & proposed addition) for existing and proposed, retail space (existing) and the office space at 182 Birge Park Road. Total required parking spaces equal 60 spaces and 60 spaces are provided plus 3 handicapped spaces for a total of 63 parking spaces. D. Thurston **motioned** to approve the application, seconded by A. Buonocore. Motion passed unanimously.

5. SILANO REALTY/BRETT STONE – APPLICATION FOR SINGLE FAMILY DWELLING, LOT 1, SILANO DRIVE.

Brett Stone is present. Site plans by Berkshire Engineering titled Subdivision Plans Prepared for Brett Stone, dated 1/27/14, Sheet 1/1 revised 2/11/14 for Drainage Easement and Town Comments, revised 3/14/14 to Add Adjacent Property Owner, Sheet S1, Site Development Plan, revised 2/11/14 for Drainage Easement and Town Comments, Sheet E1, Erosion and Sedimentation Control Plan, revised 2/11/14 for Drainage Easement and Town Comments and Sheet D1 Details & Notes, dated 1/27/14 are reviewed. Individual site plan for Lot 1 is in the process of being produced by Berkshire Engineering but a death in the family of the Principal Engineer prevented completion in time for tonight's meeting. Highway Supervisor John Fredsall and ZEO David Perkins each went out to the site and expressed concerns with the present conditions. J. Fredsall was concerned with the lawn drains being tied into the catch basins. He asks that prior to any Certificate of Occupancy given that the tie-ins to the catch basins be signed off by the Highway Department. D. Perkins had concerns over improperly installed silt fence and lack of E&S measures in some areas. Mr. Stone confirms that silt fence is now installed properly. Lot 1 is a rear lot containing 3.13 acres and is permitted a sewer hookup. A Grant of Drainage Maintenance Easement for Lot 1 (and Lot 2) has been filed in the Harwinton Land Records in connection with Subdivision approval and should be noted on the individual Lot 1 deed. J. Marzullo **motioned** to approve the application for single family dwelling, Lot 1, with the conditions that an individual site plan be provided and that the tie-ins to the catch basins be signed off on by the Highway Department prior to a C.O. being issued. L. Steincamp seconded the motion and it passed unanimously. Mr. Stone paid the WPCA sewer hookup fee in the form of a check that will be forwarded to the WPCA Clerk.

6. SILANO REALTY/BRETT STONE – APPLICATION FOR SINGLE FAMILY DWELLING, LOT 2, SILANO DRIVE.

Brett Stone is present. Site plans by Berkshire Engineering titled Subdivision Plans Prepared for Brett Stone, dated 1/27/14, Sheet 1/1 revised 2/11/14 for Drainage Easement and Town Comments, revised 3/14/14 to Add Adjacent Property Owner, Sheet S1, Site Development Plan, revised 2/11/14 for Drainage Easement and Town Comments, Sheet E1, Erosion and Sedimentation Control Plan, revised 2/11/14 for Drainage Easement and Town Comments and Sheet D1 Details & Notes, dated 1/27/14 are reviewed. Individual site plan for Lot 1 is in the process of being produced by Berkshire Engineering but a death in the family of the Principal Engineer prevented completion in time for tonight's meeting. Highway Supervisor John Fredsall and ZEO David Perkins each went out to the site and expressed concerns with the present conditions. J. Fredsall was concerned with the lawn drains being tied into the

catch basins. He asks that prior to any Certificate of Occupancy given that the tie-ins to the catch basins be signed off by the Highway Department. D. Perkins had concerns over improperly installed silt fence and lack of E&S measures in some areas. Mr. Stone confirms that silt fence is now installed properly. Lot 2 is a front lot containing 16.36 acres and requires a septic design. An area containing 4.90 acres and part of Lot 2 is proposed for a Conservation Restriction Area. A Declaration of Conservation Easement and Restrictive Covenants and a Draft Grant of Drainage Maintenance Easement (and Lot 1) has been filed in the Harwinton Land Records in connection with Subdivision approval and should be noted on the individual Lot 2 deed. A. Buoncore **motioned** to approve the application for single family dwelling, Lot 2, with the conditions that an individual site plan for Subsurface Sewage Disposal be provided, TAHD approval is received and that the tie-ins to the catch basins be signed off on by the Highway Department prior to a C.O. being issued. J. Marzullo seconded the motion and it passed unanimously.

7. **DISCUSSION/POSSIBLE DECISION – BORGHESI BUILDING AND ENGINEERING – APPLICATION FOR SITE PLAN APPROVAL AND SPECIAL PERMIT/CHANGE OF USE – SCHOOL BUS PARKING ON PORTION OF PROPERTY FORMERLY OPERATED AS JOHNNYCAKE AIRPORT, 529 BURLINGTON ROAD (ROUTE 4). PROPERTY OWNED BY JOHNNYCAKE AIRPORT PROPERTY, LLC.** No discussion.

8. **INFORMAL DISCUSSION – MORATORIUM ON MEDICAL MARIJUANA DISPENSARIES.**
L. Steincamp has information she obtained from the internet which will be copied by LUC Redmond for each Commissioner for discussion at the 7/14/14 Zoning meeting. Chairman Truskauskas notes that future discussions will be on the agenda for the first Zoning meeting of every month and that once J. Marzullo is done with the Policy & Procedure for the ZEO, perhaps he can work on wording for a Zoning Regulation on Medical Marijuana.

9. **COMPLAINTS/ENFORCEMENT ACTIONS.** None. No report from the ZEO.

10. **ANY OTHER BUSINESS.**

J. MARZULLO – DISCUSSION ON ZEO PROCEDURE

J. Marzullo states that he spoke to three Zoning Enforcement Officers regarding these forms. Most recent forms are dated 5/3/14. Discussion continues on the use of forms with J. Marzullo stating that ZEO David Perkins should have some input on the use of them.

11. **CORRESPONDENCE.** None.

12. **INVOICES.**

ZEO David Perkins has submitted his invoice in order to get approval before the end of the fiscal year. Backup documentation will be submitted to accompany the invoice. L. Steincamp **motioned** to approve the ZEO invoice in the amount of \$1065, with the condition that backup documents be presented to this Commission at the 7/14/14 meeting, seconded by A. Buonocore. Motion passed unanimously.

13. **ADJOURN.**

L. Steincamp **motioned** to adjourn the meeting at 8:20 p.m., seconded by A. Buonocore. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 6-12-2014 AT 2:00 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK