

ZONING COMMISSION MEETING
MONDAY, SEPTEMBER 28, 2015
TOWN HALL 7:00 P.M.

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

PLEDGE OF ALLEGIANCE

1. OPEN MEETING – ESTABLISH QUORUM.

Acting Chairman D. Mathes called the meeting to order at 7:00 p.m. All regular members present are seated with Alternate Member L. Steincamp seated for D. Truskauskas.

2. APPROVE MINUTES OF PREVIOUS MEETING: 9/14/15

Tabled until the next meeting due to lack of a voting quorum.

3. PUBLIC COMMENT.

None.

4. DISCUSSION ON DRAFT BLIGHT ORDINANCE AND REVISED ORDINANCE 103 ABANDONED AND INOPERABLE VEHICLES PREPARED BY BOARD OF SELECTMEN.

Section 5 of Abandoned and Inoperable Vehicles Ordinance is discussed. Commissioners believe the wording is unclear and that the requirement for fencing is unreasonable. Also questionable is the wording regarding vehicles not to be parked on the waterfront side of any property located adjacent to a pond, river or lake also found in Section 5. Commissioners believe that many properties are adjacent to those types of water bodies leaving them in noncompliance. It is also noted that there is no distance given for how far from those water bodies vehicles cannot be parked near. Public audience member Deborah Kovall gives example of a past occurrence where cars were parked at a property in the center of town on Burlington Road that would be considered blight and there should have been concern over seepage and spills into nearby waters. Zoning Commissioners question who the enforcement officer would be? The Blight Ordinance speaks of the Blight Commission issuing Warning Notices and Citations and the Abandoned Vehicle Ordinance gives the Zoning Enforcement Officer the power to enforce yet both ordinances include abandoned vehicles. The Blight Ordinance speaks of a violation of more than two (2) unregistered vehicles on the property whereas the Abandoned and Inoperable Vehicles Ordinance doesn't state any number of vehicles but only speaks of an "abandoned, inoperative or discarded motor vehicle". The definitions of *motor vehicle recycler's business* and *motor vehicle recycler's yard* found in the Abandoned and Inoperable Vehicles Ordinance states that these recycler businesses shall be regulated in accordance with the applicable regulations adopted by the Harwinton Zoning Commission. There are no Zoning Regulations fitting these definitions. Zoning Commissioners believe that the two documents should be combined so there is no contradiction. Audience member D. Kovall questions whether this document will be available to the public on the town's website at some point.

With no further comments, the item will be placed on the next Zoning meeting agenda scheduled for Tuesday, October 13, 2015.

5. **COMPLAINTS/ENFORCEMENT ACTIONS.**

ZEO David Perkins has forwarded to all Zoning Commissioners via email a complaint received in the Land Use office today from Jessica Genovese, 109 Scoville Hill Road, against Don Truskauskas, 99 Scoville Hill Road, of operating a business out of his residential property at 99 Scoville Hill Road. Complaint remains on file in the Land Use office. ZEO David Perkins is not present and no discussion takes place. Mr. Perkins' attorney in this matter advised him, in a response via email upon receiving a copy of the complaint, that until the court acts on the appeal cases of Don Truskauskas v Town of Harwinton Zoning Board of Appeals scheduled for 2/24/16, there is no order preventing Mr. Truskauskas from doing what he is doing.

6. **ANY OTHER BUSINESS.**

L. Steincamp questions whether there is any provision allowing the Zoning Commission to release a member for nonattendance at Zoning meetings. She states that Todd Ouellette has not attended a Zoning meeting in a number of months and believes that his position on the board would be better served by someone who would attend.

A. Buonocore expresses her concern over the Planning Commission's discussion at their last meeting held on January 23, 2015 and reads the minutes of Item 4 pertaining to the recently passed Zoning Regulation prohibiting medical marijuana facilities and the Planning Commission's concern on how the regulation was passed. She would like to know why the Planning Commission believes the regulation voted on didn't agree with the Plan of Conservation and Development. Acting Chairman Mathes questions whether Zoning Commissioners would want to invite Planning Commission Chairman Michael Orefice to a future Zoning meeting. A. Buonocore **motioned** to invite Chairman Orefice, or a representative of the Planning Commission, to a future Zoning meeting (the sooner the better) to discuss how the passing of the amendments on medical marijuana didn't comply with the POCD and what could be done to improve communication between the two commissions. L. Steincamp seconded the motion and it passed unanimously.

7. **CORRESPONDENCE.**

None.

8. **INVOICES.**

None.

9. **ADJOURN.**

L. Steincamp **motioned** to adjourn the meeting at 7:40 p.m., seconded by J. Marzullo. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator