

ZONING COMMISSION MEETING
MONDAY, JANUARY 25, 2016
TOWN HALL 7:00 P.M.

Present: Chairman Don Truskauskas, David Mathes, Steve Maston, Michelle Rewenko, Alternate Member Deborah Kovall, Alternate Member Brooke Cheney and Land Use Coordinator Polly Redmond
Absent: Joseph Marzullo and Alternate Member Dan Thurston

PLEDGE OF ALLEGIANCE

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Truskauskas called the meeting to order at 7:00 p.m. All regular members present are seated with Alternate Member B. Cheney seated for J. Marzullo.

2. APPROVE MINUTES OF PREVIOUS MEETING: 1/11/16

Alternate Member D. Kovall is seated for Item 2 only for voting quorum. D. Kovall **motioned** to approve the minutes of the previous meeting, seconded by M. Rewenko. Motion passed unanimously with D. Kovall, M. Rewenko and S. Maston voting. D. Truskauskas, D. Mathes and B. Cheney refrain from voting due to their absence at the previous meeting.

3. PUBLIC COMMENT.

None.

4. HARWINTON LAKE ASSOCIATION -- APPLICATION FOR CONSTRUCTION (AFTER THE FACT ACTIVITY) OF 16' X 24' PLATFORM ON ISLAND OWNED BY HLA.

Bob de Riesthal, Vice President, Harwinton Lake Association is present to represent and explains that the construction of the platform was a gift from his family to members of the Association to honor the memory of his late wife. He states that he didn't realize a Zoning approval was required as the platform sits 30 inches high on an island which is not a residential lot, has no neighbors, and the project was approved by the Lake Association. IWWC reviewed an application last month and determined it to be a use of right under IWWC Regulation 4.2b, outdoor recreation/nature study. Chairman Truskauskas states that the Zoning Commission would like to be informed of any future projects taking place on the island as a courtesy. D. Mathes **motioned** that the application is deemed approved by this Commission and **motions** that the application fee be waived due to the platform being constructed on a non-residential lot, seconded by S. Maston. Motion passed unanimously.

5. MICHAEL MAGILL – INFORMAL DISCUSSION ON USE OF PROPERTY, 25 LOCUST ROAD.

Mr. Magill is in to informally discuss the possibility of converting his four bedroom home into a rehabilitation/short term and long term care facility and build a new home he would live in on a vacant lot next door that he owns. He has been in nursing for 15 years and is interested in pursuing a new concept of what would be mainly elderly care in a residential setting for two to three people needing long term care and two to three people needing short term care for approximately three to four months. Discussion takes place on what would be required to remodel the interior of the existing home for ADA (American with Disabilities Act) compliance including size of bedrooms, hallways and access ways to bathrooms. Chairman Truskauskas reads the Zoning Regulation definition of Elderly Housing which is "Dwelling units designed exclusively for the needs of single people ages 62 or over or couples with at least one member

aged 62 or over and conforming to State and Town requirements for housing for the elderly.” He questions whether the home will be divided into units or will the house be used with central living space. Mr. Magill states that there would be a central living area and upon questioning on whether the house will stay in his name, he states that he was advised to put it under a business name. S. Maston notes that not all prospective patients will fall under the definition of elderly. Discussion of traffic in and out of the facility takes place with Mr. Magill stating that visiting hours would be limited as they are for nursing care facilities and parking shouldn’t be an issue on the five acre lot. Mr. Magill is advised to discuss the proposal with TAHD for any septic or well issues. D. Kovall brings up the matter of involvement with the Department of Public Health, third party licensing requiring audits and the fact that care by therapists, respiratory therapists and doctors will most certainly be required to be done in a licensed facility thereby taking the proposal out of the realm of elderly housing and placing it under the umbrella of a rehabilitation facility, something not allowed by the Zoning Regulations. Chairman Truskauskas states that the Commission would then have to determine if this would fall under Zoning Regulation 4.2c *Hospital* allowed by special permit. D. Kovall states her belief that the proposal is more likened to assisted living and not a hospital or elderly housing and that Mr. Magill should probably chose between having an assisted living facility or a rehabilitation facility, not both. Mr. Magill states that he would most likely gear towards rehabilitation then. D. Mathes suggests that Mr. Magill look into the ADA codes which might prove to be more costly then the project would be worth.

6. **DISCUSSION – 2016/2017 BUDGET REQUEST.**

B. Cheney **motioned** to request the same amount as the current Zoning budget of \$3650.00, seconded by D. Mathes. Motion passed unanimously.

7. **COMPLAINTS/ENFORCEMENT ACTIONS.**

None.

8. **ANY OTHER BUSINESS.**

None.

9. **CORRESPONDENCE.**

None.

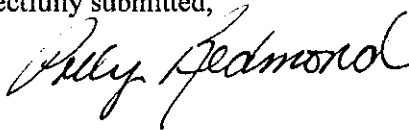
10. **INVOICES.**

None.

11. **ADJOURN.**

D. Mathes **motioned** to adjourn the meeting at 7:32 p.m., seconded by M. Rewenko. Motion passed unanimously.

Respectfully submitted,



Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 1-27-16 AT 12:03 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK