

HARWINTON PLANNING COMMISSION
WEDNESDAY, APRIL 11, 2018
TOWN HALL 7:00 P.M.

Present: Chairman Michael Orefice, Lee Hall, Roland Perreault, William Starr, Paul Roche and
Land Use Coordinator Polly Redmond

Absent: Alternate members Michael Rewenko and Debra Freidus

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman Orefice called the hearing to order at 7:00 p.m. All regular members present are seated.

2. DAVE WILSON, P.E. FOR MYRON L. BALDWIN, TRUSTEE– APPLICATION FOR TWO LOT SUBDIVISION, BALDWIN SUBDIVISION, HAYDEN ROAD.

Chairman Orefice reads the call to hearing as published in the Republican American on 3/30/18 and 4/7/18. IWWC approval has been received. TAHD approval has been received, dated 4/2/18 which Chairman Orefice reads into the record. D. Wilson is present and submits proof of mailings giving notice of this hearing to property owners within 200 feet of the subject parcel. Plans by Dave Wilson, P.E., titled Baldwin Subdivision, dated 3/3/18, revised 3/28/18 and Site Development Plan dated February 2018 are reviewed. The parcel contains 9 acres with an existing wood road to be repurposed for a driveway of Lot 1. The property behind this parcel is owned by Harwinton Rod & Gun Club and their deed gives no right to access although they have been using it. The Highway Supervisor has asked that a Right to Drain be installed at the end of the driveway on Lot 1 and this will be noted on the mylar to be filed in the land records. Also to be amended on the mylar is the street name that must be changed from Hayden Hill Road to Hayden Road. Chairman Orefice questions whether it will be piped with Mr. Wilson replying, road runoff drains into the driveway right now from the south side. No construction is being proposed and IWWC approved for the subdivision of the lots only. No open space is being provided as the property contains less than ten acres. R. Perreault notes that he sees only nine notices sent out when there should have been ten. It appears a Mr. Gallucci is missing from the notices received though he is on the abutters list provided by Mr. Wilson. Chairman Orefice opens the floor to public comment at this time.

Byron Pierce, 552 Milton Road, Litchfield, CT, member of the Harwinton Rod & Gun Club. He states that the Rod & Gun Club purchased land on Hill Road and has been using the wood access road on Lot 1 off Hayden Road. He questions if this right of way is grandfathered in and if the Gun Club will still be able to use it. Their property is accessible from Hill Road but once they go in a ways there are wetlands. They do plan to lay down gravel in the wetlands and Mr. Pierce is advised to go before the Wetlands Commission before doing so. Chairman Orefice states that if access is permitted regardless of ownership there would be a legal document filed in the land records stating so. B. Pierce questions if the access use has been used for ten years, does that make it legal? Chairman Orefice states that he believes it to be 15 years for adverse possession but you have to demonstrate maintenance was done by the person using the access and this would be through a legal process.

Mike Zadrick, 51 Hayden Road, wishes to clarify that the Harwinton Rod & Gun Club has no access to their property off Hill Road? Byron Pierce states that there is a gate and a parking lot when entering off Hill Road and on dry days they can access the property.

Chairman Orefice states that the applicant only has to demonstrate feasibility of the subdivision that it meets acreage and frontage requirements and that house locations can change.

Lisa Zadrick, 51 Hayden Road, states she realizes the status of Hayden Road being designated a scenic (dirt) road doesn't stop a subdivision but the road is in pretty rough shape even though the town tries to keep up with it.

3. CONTINUE OR CLOSE HEARING.

With no further comments from the Commission or public, P. Roche **motioned** to close the public hearing at 7:55 p.m., seconded by L. Hall. Motion passed unanimously.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Orefice called the meeting to order at 7:55 p.m. All regular members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: 3/28/18

P. Roche **motioned** to approve the minutes of the previous meeting with one correction to page 4, 8 lines up from the bottom to read: "fall on the applicant to assist the Planning and Zoning Commission~~s~~ with any information."

L. Hall seconded the motion and it passed unanimously.

3. DISCUSSION/POSSIBLE DECISION - DAVE WILSON, P.E. FOR MYRON L. BALDWIN, TRUSTEE– APPLICATION FOR TWO LOT SUBDIVISION, BALDWIN SUBDIVISION, HAYDEN ROAD.

It's noted that the setback line on Lot 1 need to be corrected showing the entire length on the western boundary as being 35 feet. "Right to Drain" must be placed on the mylar at Lot 1. The mylar should be corrected to read Hayden Road. In regards to the matter of Proof of Mailing, P. Roche **motioned** to reopen the public hearing, with members of the public still present, in order to discuss with the applicant the noticing requirement to Mr. Gallucci. R. Perreault seconded the motion and it passed unanimously.

PUBLIC HEARING - continued

DAVE WILSON, P.E. FOR MYRON L. BALDWIN, TRUSTEE– APPLICATION FOR TWO LOT SUBDIVISION, BALDWIN SUBDIVISION, HAYDEN ROAD.

Chairman Orefice called the public hearing to order at 8:00 p.m. All regular members present are seated. Mr. Wilson was advised to notice Mr. Gallucci of the date of this continued public hearing once that date has been set. Mr. Wilson agrees to do this and states that he will not be available on the date of the next Planning Commission's meeting but will be available May 9, 2018. P. Roche **motioned** to continue the public hearing to May 9, 2018, seconded by R. Perreault. Motion passed unanimously.

CONTINUED DISCUSSION/POSSIBLE DECISION - DAVE WILSON, P.E. FOR MYRON L. BALDWIN, TRUSTEE– APPLICATION FOR TWO LOT SUBDIVISION, BALDWIN SUBDIVISION, HAYDEN ROAD.

No further discussion.

4. OLD BUSINESS.

None.

5. NEW BUSINESS.

None.

6. ANY OTHER BUSINESS.

None.

7. CORRESPONDENCE.

None.

8. INVOICES.

None.

9. ADJOURN.

W. Starr **motioned** to adjourn the meeting at 8:10 p.m., seconded by P. Roche. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 04/19/18 AT 12:51 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK