

HARWINTON ZONING COMMISSION MEETING

TUESDAY, JANUARY 24, 2017 (Rescheduled from 1/23/17 due to inclement weather.)

TOWN HALL 7:00 P.M.

Present: Cynthia Kasey, Daniel Thurston, Matthew Szydlo and Land Use Coordinator Polly Redmond

Absent: Chairman Michelle Rewenko, Deborah Kovall, Alternate Member Brooke Cheney and Alternate Member Don Truskauskas

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Acting Chairwoman Cynthia Kasey called the hearing to order at 7:00 p.m. All members present are seated.

2. A HARWINTON HAVEN/GARY TARTAGLINO – APPLICATION FOR A ZONE CHANGE FROM LIGHT INDUSTRIAL (LI-A) TO COUNTRY RESIDENTIAL (CR), 29 COUNTY LINE ROAD.

Acting Chairwoman Kasey acknowledges that the public notice of this hearing has been published in the Republican American newspaper on 1/13/17 and 1/20/17. Also in the file is a copy of the property deed, Assessors street card (E6-03-0010), a copy of the current Zoning Map (Dec. 2009) and a favorable report by the Harwinton Planning Commission made at their 1/11/17 meeting. Notice of the hearing has been sent to the Northwest Hills Council of Governments whose staff replied that they found no conflict with regional plans and policies, the Town of Burlington, CT, the Harwinton Town Clerk, Harwinton Assessors office and the Harwinton Board of Selectmen. Mr. Gary Tartaglino is present to represent and submits proof of certified mailings giving notice of this hearing to neighbors of the subject property. The property is located on the west side of County Line Road, also known as Town Line Road, Burlington, CT for those residents located on the east side of that street. The property previously housed the former Mitral Corporation.

Chairwoman Kasey opens the floor to public comment at this time.

Donna Dablain, 127 County Line Road, who lives north of the subject property, expresses her concern of ground and neighboring well contamination once the soils are disturbed to put a foundation in for a house. She states she was told the property could never be built on because of past contamination caused by the Mitral Corporation. Mr. Tartaglino states that he proposes to build on a slab with a vapor barrier underneath as suggested by the DEEP. Land Use Coordinator Redmond states that she reached out to Tom O'Connor, DEEP, on 12/21/16 regarding the cleanup of this former Mitral site at the request of the town attorney. An outline of that discussion remains on file in the Land Use office. In conclusion of that discussion, Mr. O'Connor informed LUC Redmond that he saw no problem with changing the zone to Residential from Light Industrial and that the Groundwater Classification for the site is GA – Potable Without Treatment. The town is in possession of all the reports from the cleanup of that site done by the EPA in 2009 and copies are also available in the Harwinton Library. A waterline has been installed since the cleanup and neighbors who had affected wells have hooked into it and Mr. Tartaglino will do the same. Mrs. Dablain questions whether the excavation for the septic will be deep with Mr. Tartaglino stating that it will not because leach fields do not require deep digging.

3. CONTINUE OR CLOSE HEARING.

With no further comments made by members of the public or Commissioners, M. Szydlo **motioned** to close the public hearing at 7:16 p.m., seconded by D. Thurston. Motion passed unanimously.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairwoman Cynthia Kasey called the meeting to order at 7:16 p.m. The same quorum exists.

2. APPROVE MINUTES OF PREVIOUS MEETINGS: 1/9/17

M. Szydlo **motioned** to approve the minutes of the previous meeting, seconded by D. Thuston. Motion passed unanimously.

3. PUBLIC COMMENT.

None.

4. DISCUSSION/POSSIBLE DECISION – A HARWINTON HAVEN/GARY TARTAGLINO - APPLICATION FOR ZONE CHANGE FROM LIGHT INDUSTRIAL TO COUNTRY RESIDENTIAL, 29 COUNTY LINE ROAD.

M. Szydlo **motioned** to approve the application for zone change from Light Industrial to Country Residential for the reasons that the lot abuts an existing Country Residential zone to the north and also for the reason that the site can't support an industrial building due to lack of sewers in the area. D. Thurston seconded the motion and it passed unanimously. The zone change will become effective fifteen (15) days after publication of the Commission's decision in the local newspaper.

5. MELANIE JOSEPH – CHANGE OF USE, 161 LITCHFIELD ROAD, HAIR SALON TO FITNESS STUDIO.

Melanie Joseph is present to represent. She discusses hours of operation for the proposed fitness studio which will be early morning, perhaps 6:00 a.m., and closing at 7:30 a.m. because she has a full time job to go to. There could be some yoga classes during the day, depending on another instructor's availability, but it is her intention to reopen the fitness studio during the week in the afternoon around 5:30 p.m. until 8:30 p.m. Weekend hours will include Saturday mornings only although if an instructor wishes to open on Sundays, it would not go past noon. There is plenty of parking on site for customers. D. Thurston **motioned** to approve the Change of Use from hair salon to fitness studio, seconded by M. Szydlo. Motion passed unanimously.

6. INFORMAL DISCUSSION - PROPOSED AMENDMENTS TO ZONING REGULATIONS FOR CLARIFICATION TO SECTION 6.5 KEEPING OF ANIMALS, SECTION 9.4 HOME OCCUPATIONS AND INFORMAL DISCUSSION ON REGULATIONS PERTAINING TO AFFORDABLE HOUSING.

Due to a lack of members present, Commissioners agreed to table this item until the next Zoning meeting on February 13, 2017.

7. EXECUTIVE SESSION – PERSONNEL MATTER.

Due to a lack of members present, Commissioners agreed to table this item until the next Zoning meeting on February 13, 2017.

8. COMPLAINTS/ENFORCEMENT ACTIONS.

None.

9. **ANY OTHER BUSINESS.**

None.

10. **CORRESPONDENCE.**

None.

11. **INVOICES.**

None.

12. **ADJOURN.**

M. Szydlo **motioned** to adjourn the meeting at 7:30 p.m., seconded by D. Thurston. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 01/25/17 AT 12:30PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK