

HARWINTON ZONING COMMISSION MEETING

MONDAY, APRIL 10, 2017

TOWN HALL 7:00 P.M.

Present: Chairwoman Michelle Rewenko, Cynthia Kasey, Deborah Kovall, Daniel Thurston, Matthew Szydlo, Land Use Coordinator Polly Redmond and Zoning Enforcement Officer Thomas Mitchell

Absent: Alternate Members Brooke Cheney and Don Truskauskas

PLEDGE OF ALLEGIANCE

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairwoman Rewenko called the meeting to order at 7:00 p.m. All regular members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETINGS: 1/24/17, 2/27/17, 3/6/17 SPECIAL MEETING, 3/13/17 AND 3/27/17

M. Szydlo **motioned** to approve the minutes of 1/24/17, seconded by D. Thurston. Motion passed unanimously with M. Szydlo, D. Thurston and C. Kasey voting.

D. Kovall **motioned** to approve the minutes of 2/27/17, seconded by C. Kasey. Motion passed with D. Kovall, C. Kasey and M. Rewenko voting.

D. Thurston **motioned** to approve the minutes of 3/6/17 Special Meeting, seconded by C. Kasey. Motion passed unanimously with D. Thurston, C. Kasey, M. Szydlo and M. Rewenko voting.

M. Szydlo **motioned** to approve the minutes of 3/13/17, seconded by D. Thurston. Motion passed unanimously with M. Szydlo, D. Thurston, D. Kovall and M. Rewenko voting.

M. Szydlo **motioned** to approve the minutes of 3/27/17, seconded by C. Kasey. Motion passed unanimously with M. Szydlo, C. Kasey and M. Rewenko voting.

D. Thurston **motioned** to add to the agenda: **Steve Lepore, Lepore & Sons, LLC, representing for John and Jennifer Wyzykowski, application for single family dwelling, Lot 2B, Dumas Resubdivision, County Line Road.** M. Szydlo seconded the motion and it passed unanimously.

Plans prepared by J. Edwards & Associates, LLC, Easton, CT, titled Proposed Site Plan Lot 2B County Line Road, dated 4/3/17, shows the proposed house and a proposed 40' x 60' detached garage (to be built on slab). The detached garage is to be located 36 feet to the side property line and shall not be used for keeping of animals. TAHD approval has been received for both structures with condition that the detached garage has no living space and no plumbing. Erosion Control permit is on file and IWWC approval has been received. Driveway permit is outstanding. There is a shed on the property outside the building envelope on the south side of the property, not shown on the plans presented tonight, but is shown on Subdivision plans presented by Joshua Dumas Trustee, which must be removed as a condition of the Resubdivision application approval by the Planning Commission. No Certificate of Occupancy shall be issued until the shed is removed. An as built will be required as a matter of course but especially to determine that the detached garage is not constructed outside the building envelope. M. Szydlo **motioned** to approve the application with the condition that the shed be removed and the driveway permit is obtained through the Highway Department, seconded by C. Kasey. Motion passed unanimously.

3. PUBLIC COMMENT.

None.

4. INFORMAL DISCUSSION/REVIEW – PROPOSED WORDING TO AMEND ZONING REGULATION 6.5 KEEPING OF ANIMALS TO ADD REGULATIONS CONCERNING CHICKENS.

Revisions have been made in connection with comments made at the last Zoning Commission meeting. Resident Michael Dumond, 56 South Shore Drive, is in the audience and expresses his concern over the proposed regulation suggesting that perhaps the regulation should state chickens and roosters must be restricted to the owner's backyards only or even banning roosters altogether. He speaks of his neighbors having chickens that roam onto his property causing damage to his flowerbeds and that the smell from the chickens permeates to the inside of his house. Commissioners express their understanding of his plight but also understand that Harwinton is a rural town that wishes to foster farming.

At this time, Michael Orefice, Chairman Agricultural Committee, stops in unexpectedly and reviews the proposed regulation. He would like to bring the proposal to the Agricultural Committee and have Tom Mitchell attend as Animal Control Officer to discuss the proposed regulation and to also hear of complaints received regarding chickens and roosters. Michael Orefice states that he would like to see the Agricultural Commission utilized more. ZEO Mitchell informs the Commission that he will seek information from the City of Torrington Animal Control Officer pertaining to roosters. The Commission will continue to review the proposal at the next Zoning meeting on April 24, 2017.

5. INFORMAL DISCUSSION – PROPOSED AMENDMENT TO ZONING REGULATION 9.4 HOME OCCUPATIONS AND INFORMAL DISCUSSION ON REGULATIONS PERTAINING TO AFFORDABLE/WORKFORCE HOUSING REGULATIONS.

Discussion on Home Occupations continues from the last Zoning meeting. Revisions have been made to the proposed regulation concerning traffic flow and storage of equipment. Section 6.19 *Use of Home for Personal Business* is also being revised under the new heading "*Home Based Business, Minor*". Current regulations concerning renewals and renewal fees will be added and the Commission will continue to review at the next Zoning meeting on April 24, 2017.

Discussion on Affordable/Workforce Housing Regulations continues. There is no draft wording proposed at this time. Town Counsel Michael Rybak was contacted by LUC Redmond in regards to the Town of Litchfield's Zoning Regulations on Affordable Housing. He sent back an email response suggesting that the Zoning Commission reach out to Bob Petricone, Litchfield Housing Trust President or Dennis Tobin, Litchfield ZEO as to areas where regulations can be improved and also notes that Litchfield is redoing their POCD and may have some statistics or recommendations for consideration that may be helpful to Harwinton. In his final statement he states that affordable housing regulations are a special permit "floating zone" best limited to areas with public sewer and water, good highway access and a neighborhood which is supportive with similar uses.

6. DISCUSSION/ADOPTION OF GUIDELINE FOR ZONING ENFORCEMENT OFFICER.

The guide is still under construction and will be discussed at the next Zoning meeting on April 24, 2017.

7. COMPLAINTS/ENFORCEMENT ACTIONS.

ZEO T. Mitchell reports that a driveway going in at 65 South Shore Drive lacks erosion control measures. He will contact the property owner. Clearing of a lot on the east side of Wildcat Hill Road lacks a construction tracking pad leaving dirt in the road according to Highway Supervisor John Fredsall. He left a note on equipment being used that was parked on the side of the road at the entrance. Also inspection of the driveway of Michael Rousseau, 45 Wildcat Hill Road showed lack a construction tracking pad. He will contact Mr. Rousseau.

8. ANY OTHER BUSINESS.

None.

9. CORRESPONDENCE.

None.

10. INVOICES.

None.

11. ADJOURN.

C. Kasey **motioned** to adjourn the meeting at 8:40 p.m., seconded by M. Szydlo. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 04/12/17 AT 2:11 PM
ATTEST NANCY E. ELDRIDGE TOWN CLERK