

## **HARWINTON ZONING COMMISSION MEETING**

**MONDAY, APRIL 24, 2017**

**TOWN HALL 7:00 P.M.**

Present: Chairwoman Michelle Rewenko, Cynthia Kasey, Deborah Kovall, Matthew Szydlo, Alternate Member Don Truskauskas, Land Use Coordinator Polly Redmond and Zoning Enforcement Officer Thomas Mitchell  
Absent: Daniel Thurston and Alternate Member Brooke Cheney

### **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 with Alternate Member Don Truskauskas seated for Daniel Thurston.

#### **2. APPROVE MINUTES OF PREVIOUS MEETING: 4/10/17**

Cynthia Kasey **motioned** to approve the minutes of the previous meeting, seconded by Deborah Kovall. Motion passed unanimously with Don Truskauskas refraining from vote due to his absence at the 4/10/17 meeting and Matthew Szydlo not voting as he arrived at the meeting after the approval of minutes.

#### **3. PUBLIC COMMENT.**

None.

#### **4. GREG MARTINOTTI – APPLICATION FOR 18' X 33' INGROUND SWIMMING POOL, 71 HARMONY HILL ROAD. REQUEST FOR WAIVER OF ENGINEERED PLAN.**

Mr. Martinotti is present and provides a copy of a Septic System Design Plan prepared by Connecticut Consulting Engineers, Meriden, CT, for the construction of his house in 2007. Using this plan, he has provided a sketch locating the inground pool 45 feet to the right side property line, 136 feet to the left side property line, 108 feet from the front property line and 1068 feet from the back property line. IWWC and Torrington Area Health District approval has been received. Don Truskauskas **motioned** to grant the waiver request of providing an engineered plan, seconded by Cynthia Kasey. Don Truskauskas **motioned** to approve the application, seconded by Deborah Kovall. Both motions passed unanimously with Matthew Szydlo not voting as he arrived at the meeting after the vote was taken.

Cynthia Kasey **motioned** to add to the agenda: **KEN HAWKINS FOR BRIAN GOULET – APPLICATION FOR 13' X 25' DECK, 167 WEINGART ROAD** - request for waiver of engineered plan, seconded by Cynthia Kasey. Motion passed unanimously.

Mr. Hawkins is present and provides a copy of a Septic System Design Plan prepared by Berkshire Engineering, Litchfield, CT, for the construction of Goulet's house in 2001. Using this plan, Mr. Hawkins has drawn on the location of the 13' x 25' deck locating the deck 130 feet to the right side property line, 120 feet to the left side property line, 200+ feet to the front property line and 270 feet to the back property line. IWWC approval has been received. Torrington Area Health District approval is outstanding. Cynthia Kasey **motioned** to grant the waiver request, seconded by Don Truskauskas. Don Truskauskas **motioned** to approve the application pending Torrington Area Health approval, seconded by Cynthia Kasey. Both motions passed unanimously.

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

ZEO Thomas Mitchell informs the Commission that the Harwinton Agricultural Commission is meeting on May 2, 2017 in the Town Hall at 7:00 p.m. where they will discuss the proposed Zoning Regulation concerning chickens. Zoning Commissioners are welcome to attend. ZEO Mitchell reached out to the City of Torrington concerning their regulations on chickens and found that they are addressed under the definition of Farm and calls for a three acre minimum. Chickens also fall under the definition of Farm Animals in the Torrington regulations. The item will be placed on the next Zoning agenda scheduled for May 8, 2017 where ZEO Mitchell will report back on the thoughts of the Agricultural Commission.

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

LUC Polly Redmond will send the final draft to the Harwinton Economic Development Committee for their second review of the proposed regulations on Home Occupations.

Regarding regulations pertaining to Affordable/Workforce Housing, the Commission believes that the Board of Selectmen should form a Housing Trust similar to one the Town of Litchfield has formed. The Commission questions whether proposing a regulation that states “Affordable/Workforce Housing must be serviced by sewer and water only” would be viewed as actually *prohibiting* this type of housing. Any type of future housing serviced by sewer would have to be approved by the Torrington Water Pollution Control Authority and the Harwinton WPCA. The Commission asks that LUC Redmond send a letter to the Board of Selectmen, similar to the one sent by the Planning Commission on 3/3/11, stating that obtaining Affordable/Workforce Housing in Harwinton should be a matter of utmost priority and requesting that the Board of Selectmen look into forming a Housing Trust for guidance in creating Affordable/Workforce Zoning Regulations and locating where such housing could be located in Harwinton.

**7. DISCUSSION/ADOPTION OF *GUIDELINE FOR ZONING ENFORCEMENT OFFICER*.**

Commissioners ask LUC Redmond to forward the Guideline to Town Attorney Michael Rybak for his review and opinion. Once received, the Commission can vote on whether to formally adopt the Guideline.

**8. COMPLAINTS/ENFORCEMENT ACTIONS.**

Paul Barrow, 44 Breezy Hill Road, is present to address a written complaint he previously submitted to ZEO Thomas Mitchell. ZEO Mitchell has been out to the property and has spoken to the party responsible for the activities on the vacant lot next to 44 Breezy Hill Road that is the subject of the complaint. Mr. Barrow refers to various Zoning Regulations that he believes pertain to the activities being conducted that confirm violations are taking place.

ZEO Mitchell states he has written letters to the property owners of this vacant lot, who reside in Torrington, on 3/13/17 and again on 4/19/17 after no response from the first letter. He reports that the property owner called him today and informed him that her grandson (the party responsible for the activities) was only given permission to clear wood off the property and not to store cars, trucks or trailers there. The property owner will be scheduling a meeting with ZEO Mitchell at the property in the near future and he will report back to this Commission.

ZEO Mitchell reports he is investigating a complaint of chickens on Orchard Hill Road. Report will be forthcoming.

**9. ANY OTHER BUSINESS.**

None.

**10. CORRESPONDENCE.**

None.

**11. INVOICES.**

ZEO Thomas Mitchell submits an invoice for 14 hours accompanied by reports of his activities and time.

M. Szydlo **motioned** to approve the invoice for \$490.00, seconded by D. Kovall. Motion passed unanimously.

**12. ADJOURN.**

M. Szydlo **motioned** to adjourn the meeting at 8:07 p.m., seconded by D. Truskauskas. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT  
ON 4-28-17 AT 8:56 AM  
ATTEST NANCY E. ELDRIDGE TOWN CLERK