

HARWINTON ZONING COMMISSION

MONDAY, JUNE 11, 2018

TOWN HALL 7:00 P.M.

Present: Chairwoman Michelle Rewenko, Cynthia Kasey, Daniel Thurston, Matthew Szydlo, Deborah Kovall, Alternate Member Don Truskauskas and Land Use Coordinator Polly Redmond

Absent: Alternate Members Theodore Root and Nancy Schnyer

PLEDGE OF ALLEGIANCE

PUBLIC HEARING - continued

1. OPEN HEARING – ESTABLISH QUORUM.

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

2. BUMPER BROOK ESTATES – PETITION FOR A ZONE CHANGE FROM LIGHT INDUSTRIAL TO NEWLY CREATED ZONE E – MULTI FAMILY ELDERLY HOUSING ZONE, TWENTY-FOUR BUMPER ROAD, ASSESSORS MAP NOS. A8-03-0003, A8-03-0004 AND A8-03-0006.

No one is present to represent.

3. CONTINUE OR CLOSE HEARING.

C. Kasey **motioned** to continue the hearing to the next Zoning meeting, Monday, June 25, 2018 at 7:00 p.m. M. Szydlo seconded the motion and it passed unanimously. Atty. Michael Rybak who is present is thanked for his attendance and leaves the meeting.

REGULAR MEETING

1. Open meeting – establish quorum.

Chairwoman Rewenko calls the meeting to order at 7:05 p.m. All regular members present are seated.

2. Approve minutes of previous meeting: 5/29/18

M. Szydlo **motioned** to approve the minutes with amendment to page 3, paragraph 3, line 2 to read:

“Commissioner D. Truskauskas states that if the Commission initiated these proposals there would NOT be time constraints...” D. Thurston seconded the motion and it passed unanimously.

3. Public Comment.

None.

4. Richard Brown – application for 20' x 30' addition to home, 19 Sunny Lane.

The applicant was informed not to attend as he still requires IWWC approval.

5. Discussion/possible decision – Bumper Brook Estates, LLC - Petition to amend Zoning Regulation text amendments: Zoning Regulation *Section 2.3 Definition of Elderly Housing.

***To add a new Zoning Regulation under Section 4 Permitted Uses and Special Permit Uses for Each Zone (new section 4.10) titled Zone E – Multi-Family Elderly Housing Zone, that includes subsections titled Statement of Purpose, Permitted Uses, Special Permit Uses, Standards and Regulations and Additional Site Plan Requirements.**

***To amend Zoning Regulation Section 5 Lot Area to add other dimensions and space requirements to include requirements for Zone E. (Public Hearing closed 4/23/18.)**

Chairwoman Rewenko states that Commissioners received pages from the 2010 POCD from LUC Redmond that pertain to Housing for the Elderly (pgs. 74 & 80) and reads from page 80. M. Szydlo refers to the sentence that reads *“With regard to determining suitable and needed affordable housing, the town should establish a committee to explore: 1) the type(s) of affordable elderly housing to develop in Harwinton; 2) potential sites in town for such affordable elderly housing; and 3) non-profit organizations who might be willing to partner with the town in the development of affordable elderly housing.”* He asks who is to form such a committee. Commissioners agree that it would be the Board of Selectmen and the Zoning Commission can recommend that such a committee be formed. Discussion ensues on whether the application to amend the regulations is in keeping with the POCD. D. Truskauskas states that he is not in favor of the proposal and if a vote is taken and all Commissioners are not in favor of the proposal, the Commission doesn’t have to find a reason within the POCD to deny but only state reasons why it isn’t approved. D. Kovall states that there are parts of the proposal that don’t even agree with the current Zoning Regulations with Chairwoman Rewenko agreeing stating she is still opposed to parts of the proposal with the proposed setbacks being one of the things she’s opposed to. D. Truskauskas notes that the Commission is basing a decision on the very first application with the original wording, not the red-lined version Atty. Tracy presented at the last hearing. The original wording was presented, the public hearing was closed, and therefore, the red-lined version was not made part of the record. Further discussion will continue at the next Zoning meeting scheduled for Monday, June 25, 2018.

C. Kasey **motioned** to add to the agenda **Informal Discussion with RICK MUTE FOR ZONE CHANGE, 14 WHETSTONE ROAD. RETAIL SERVICE ZONE TO COUNTRY RESIDENTIAL ZONE.** Motion seconded by D. Kovall and passed unanimously.

Mr. Mute is present and provides a conceptual plan of where a house could be built on the 1.27 acre parcel that currently houses only a barn. It is determined that the zone cannot be changed to Country Residential because it doesn’t meet the two acre requirement. Discussion is then held on the possibility of building an addition of an “apartment” for living quarters on to the barn, permitted by Zoning Regulation 4.4.11 *Accessory apartment use in a business building*. Mr. Mute states he would plan to add a 2000 square feet addition for living space to the barn. Zoning Regulation calls for a minimum floor area of 500 square feet but doesn’t have a maximum floor area and Commissioners question whether that would still be considered an *accessory apartment*. Commissioners ask that LUC Redmond contact Town Atty. Michael Rybak for his opinion. Mr. Mute is told that the barn must be used as a business or else it would be considered just an accessory building.

6. **Discussion/possible decision – Bumper Brook Estates, LLC - Petition for a Zone Change from Light Industrial to newly created Zone E – Multi Family Elderly Housing zone, Twenty-four Bumper Road, Assessors Map Nos. A8-03-0003, A8-03-0004 and A8-03-0006.**

No discussion.

7. **Complaints/Enforcement Actions.**

None.

8. **Any other business.**

LUC Redmond informs the Commission that Mike Boucher, grandson to property owner of 8 Woodchuck Lane, Maryann Delay, is preparing to rebuild a home where now only the foundation of a demolished home exists (2013) on the property. Ms. Delay was before the Zoning Commission on 4/25/16 to discuss rebuilding and was informed that anything outside the original footprint of the house would require a variance. Mr. Boucher will be building on the same footprint but wishes to add an attached garage which will be brought before the Zoning Board of Appeals. LUC Redmond questions whether the Zoning Commission will want Mr. Boucher to present a Zoning application to this Commission after he attends

ZBA for verification of TAHD approval, driveway construction and erosion control plan. The Commissioners agree that Mr. Boucher should present to them an application to construct and fees should be collected.

9. Correspondence.

None.

10. Invoices.

None.

11. Adjourn.

C. Kasey **motioned** to adjourn the meeting at 7:50 p.m., seconded by M. Szydlo. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 06/14/18 AT 10:43AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK