

HARWINTON ZONING COMMISSION

MONDAY, MARCH 11, 2019

TOWN HALL 7:00 P.M.

Present: Chairwoman Michelle Rewenko, Cynthia Kasey, Daniel Thurston, Matthew Szydlo, Deborah Kovall, Alternate Member Don Truskauskas, Alternate Member Theodore Root, Land Use Coordinator Polly Redmond and Zoning Enforcement Officer Troy LaMere
Also Present: Town Counsel Michael D. Rybak

PLEDGE OF ALLEGIANCE

PUBLIC HEARING

1. OPEN HEARING – ESTABLISH QUORUM.

Chairwoman M. Rewenko called the hearing to order at 7:00 p.m. All regular members present are seated. Chairwoman M. Rewenko reads the call to hearing as published in the Republican American on 3/1/19 and 3/8/19.

2. BUMPER BROOK ESTATES – APPLICATION FOR SPECIAL PERMIT AND SITE PLAN APPROVAL FOR CONSTRUCTION OF 36 UNIT ELDERLY HOUSING COMPLEX, TWENTY-FOUR BUMPER ROAD.

Chairwoman M. Rewenko reads the Exhibit List, prepared by Land Use Coordinator P. Redmond, as follows:

- A) SPECIAL PERMIT APPLICATION
- B) SITE PLAN APPLICATION
- C) EROSION & CONTROL PERMIT
- D) ASSESSORS MAP - ASSESSORS MAP NOS. A8-03-03, A8-03-04 AND A8-03-06
- E) STREET CARDS – ASSESSORS MAP NOS. A8-03-03, A8-03-04 AND A8-03-06
- F) SITE PLANS – PREPARED BY R.R. HILTBRAND ENGINEERS (Revised to 11/05/18)
- G) COPY OF QUIT CLAIM DEED – Parcel B, C & D - NOW UNDER ONE OWNERSHIP (not yet joined) ACCOMPANIED BY MAP 1654.
- H) INLAND WETLANDS COMMISSION DECISION OF 11/5/18 (IWWC minutes of 11/5/18).
- I) LEGAL NOTICE OF DECISION PUBLISHED IN THE REPUBLICAN AMERICAN 11/12/18.
- J) IWWC DECISION LETTER FROM LAND USE COORDINATOR POLLY REDMOND TO APPLICANT'S ATTORNEY, WILLIAM J. TRACY, FUREY, DONOVAN, TRACY & DALY, DATED 11/13/18.
- K) LETTER FROM LAND USE COORDINATOR POLLY REDMOND TO ATTY. WILLIAM TRACY DATED 2/6/19 REGARDING OUTSTANDING W.M.C. CONSULTING ENGINEERS INVOICES (INVOICES INCLUDED IN LETTER) IN RELATION TO W.M.C.'S INLAND WETLANDS REVIEW.
**IWWC DECISION WAS CONDITIONAL UPON WMC INVOICES BEING PAID BY APPLICANT.*
- L) LETTER FROM WPCA DATED 1/9/19 REQUESTING 8-24 REFERRAL FROM HARWINTON PLANNING COMMISSION TO EXTEND SEWER SERVICE.
- M) PLANNING MINUTES OF 2/13/19 – FAVORABLE REFERRAL GIVEN TO EXTEND SEWER SERVICE.
- N) LEGAL NOTICE OF HARWINTON PLANNING COMMISSION'S 8-24 REFERRAL PUBLISHED IN THE REPUBLICAN AMERICAN 2/15/19.
- O) LEGAL NOTICE OF ZONING PUBLIC HEARING – PUBLISH DATES: 3/1/19 AND 3/8/19

- P) LETTER FROM LAND USE COORDINATOR POLLY REDMOND TO CITY OF TORRINGTON, CITY CLERK, DATED 2/13/19 GIVING NOTICE OF THE APPLICATION.
- Q) LETTER FROM LAND USE COORDINATOR POLLY REDMOND TO HARWINTON VOLUNTEER FIRE DEPARTMENT DATED 2/14/19 REQUESTING THEIR REVIEW OF SITE PLANS.
- R) LETTER FROM LAND USE COORDINATOR POLLY REDMOND TO HARWINTON WESTSIDE FIRE DEPARTMENT DATED 2/14/19 REQUESTING THEIR REVIEW OF SITE PLANS.
- S) LETTER FROM LAND USE COORDINATOR POLLY REDMOND TO BILL BALDWIN, FIRE MARSHAL, DATED 2/14/19 REQUESTING HIS REVIEW OF SITE PLANS.
- T) LETTER FROM LAND USE COORDINATOR POLLY REDMOND TO DAVE BOUSQUET, HIGHWAY SUPERVISOR, DATED 2/14/19 REQUESTING HIS REVIEW OF SITE PLANS.
- U) REVIEW REPORT FROM HARWINTON VOLUNTEER FIRE DEPARTMENT, WILLIAM BUYS, FIRE CHIEF, DATED 2/26/19.
- V) REVIEW REPORT FROM HARWINTON WESTSIDE FIRE DEPARTMENT, SCOTT KELLOGG, FIRE CHIEF, DATED 3/4/19.
- W) REVIEW REPORT FROM DAVE BOUSQUET, HIGHWAY SUPERVISOR, DATED 3/11/19
- X) CURRENT VERSION OF CGS 8-3(g) SITE PLANS.
- Y) CURRENT VERSION OF CGS 8-3c SPECIAL PERMITS

Exhibit List and exhibits remain on file in the Land Use Office. Chairwoman M. Rewenko reads into the record **Exhibit U**, review report from Harwinton Volunteer Fire Department, William Buys, Fire Chief, dated 2/26/19. Chief Buys writes that he has concerns on whether there is sufficient fire apparatus access throughout the complex for pumpers, ladder trucks and tankers. He also expresses concern for having adequate parking during all seasons, during the holidays, and when people have events in their apartments. He points out the possibility of having signs posted for no parking on one side of the driveway and deeming that side a Fire Lane but expresses concern over who will enforce this on a private property. His final concern was regarding the parking spaces and notes that if there were more spaces it could alleviate the driveway parking. He suggests making islands between buildings B and E, buildings E and G, buildings G and I, and buildings C and D smaller to add more parking spaces to help with access throughout the development.

Chairwoman M. Rewenko reads into the record **Exhibit V**, review report from Harwinton Westside Fire Department, Scott Kellogg, Fire Chief, dated 3/4/19. Chief Kellogg writes of his concerns with the radius of the driveway at the entrance to the complex and that he believes it should be increased to allow for fire apparatus traveling northeast on Twenty-four Bumper Road the ability to turn into the driveway for Building “A”. Eliminating the proposed island at the entrance way might accomplish this ability to access Building “A”. He points out the paved area at the north end of the complex and that he would prefer this to be a cul-de-sac that would allow fire apparatus and ambulances to turn around without backing. He questions if there are future plans to expand the size of the complex and if so, an additional fire hydrant and gate valve should be placed at the north end of the complex to support any future expansion.

Chairwoman M. Rewenko reads into the record **Exhibit W**, review report from Highway Supervisor Dave Bousquet, also signing the letter as Deputy Chief, Harwinton Volunteer Fire Department. Mr. Bousquet writes that an engineer will need to confirm that the sight line at the intersection of Twenty-four Bumper Road and the entrance of the private road within the complex meets the current regulations for visibility and safety. The proposed work area will have a smooth finished grade, suitable to the point where grass could be planted so the sight line can be easily mowed. He notes that boundary monuments shall be installed to easily identify the Town’s boundary line and that once the proposed private road is built, the property where this sight line improvement is

made should have a sight line easement granted to the Town of Harwinton and so recorded on the property deed and site plan. The easement should also prohibit the planting or construction of anything in this area other than mow-able grass. Mr. Bousquet also refers to the amount of parking spaces available on the site and expresses concern that during the holidays and special family events, the parking spaces will be filled and cars will be parked along the roadway within the complex; a roadway that measures 22 feet wide that if cars were to park on both sides would leave, at best, the bare minimum to get a fire truck or ambulance through. He suggests increasing the parking ratio to 2 spaces per unit and that this would add an additional 18 parking spaces to the project. To accomplish this, reduction of the grass islands in front of Buildings A, B, C, D, E, G and I would be required.

Exhibits X and Y are acknowledged as being part of the record.

Site plans provided by the applicant, prepared by R.R. Hiltbrand Engineers & Surveyors, includes a Cover Sheet, revised 11/5/18, Property/Topographic Survey (prepared by Dufour Surveying, dated 10/26/16) Site Layout Plan (Sheet L), revised 11/5/18, Site Grading & Drainage Plan (Sheet G), revised 11/5/18, Site Utilities Plan (Sheet U), revised 11/5/18, Sediment & Erosion Control Plan (Sheet S&E), revised 11/5/18, Profiles (Sheet P), revised 11/5/18, Details (1 of 3) (Sheet D1, D2 & D3), Revised 11/5/18 and Sediment & Erosion Control Details (Sheet S&E Details), Revised 11/5/18.

W.M.C. Consulting Engineers are in the process of reviewing these site plans and preparing a report for the Commission.

Atty. Tracy acknowledges Robert Hiltbrand, R.R. Hiltbrand Engineers and Surveyors, and Scott Bayne, S&W Custom Home Builders, being present in the audience tonight. Atty. William J. Tracy submits receipts of certified mailings (**Exhibit Z**) giving notice to neighbors within 200 feet of the property lines of the application and this public hearing. He also requests that copies of floor plans and elevations (Sheets A1 – A6) of the proposed project, submitted with the application, be made part of the record. These will be marked as **Exhibit A1**. (*Note: these copies were prepared for a project titled “Apple Orchard Hollow Condominiums, Lake Ave, Bristol, CT”, a project Scott Bayne was involved in and are dated 3-15-10.)

Atty. Tracy states that the applicant is awaiting Harwinton Water Pollution Control determination scheduled for 3/12/19. The vote of the WPCA is required before the Zoning Commission can decide on this application; therefore a continuation of this public hearing will be requested. Requesting a continuation will also give his client an opportunity to address Exhibits U, V and W and time to receive and review W.M.C. Consulting Engineers’ report. Atty. Tracy notes that the Planning Commission gave a favorable 8-24 Referral to the WPCA that is part of the exhibit list.

Atty. Tracy states that there are two things being presented to the Commission tonight; one is a Special Permit application requiring a public hearing and the second is the Site Plan approval that does not require a public hearing. He informs the Commission that the parcels (three separate parcels as shown on the site plans) have been joined by deed with language in the deed that it’s a single parcel. The parcel contains 7.97 acres overall and is divided by two municipalities, Torrington and Harwinton, an R-10 zone in Torrington and a Town Residential zone in Harwinton. Atty. Tracy confirms that this proposal for elderly housing is in compliance with Zoning Regulation 9.9 and reviews the site plan requirements found in Section 9.9 against the plans provided. He notes the following:

Section 9.9.1 is in compliance in that the elderly housing has four dwelling units.

Section 9.9.2 is in compliance in that for 36 units, 54 parking spaces would be required and there are 58 proposed.

Section 9.9.3 is in compliance in that there is public water and sewer, with WPCA meeting tomorrow night.

Section 9.9.4 is in compliance in that the plans show a separating distance of 31 feet between buildings and one having a 34 foot separating distance. The coverage ratio, using just the Harwinton land, the 36 units is within the ratio regulated. If Torrington land was permitted to be used, the number of units would be 52 but there is no room on this site to do anything more due to the location of the detention basin at the north end of the site and the wetlands on the property.

Section 9.9.5 is in compliance in that active recreation is provided by a walkway including the driveway, sidewalks and a loop around the basin at the north end of the property. Atty. Tracy notes that his client, who developed the Apple Orchard Hollow Condominiums in Bristol, an elderly housing complex, has experienced that with this type of facility, the people who get together at Apple Orchard Hollow like to walk in the driveway in groups so they can all walk abreast. The proposed walkway in this project is essentially level and unobstructed and will provide an exercise route for the age group of the housing and for persons of differing abilities. Passive recreation will exist in connection with the preserved wetlands along the western boundary which affords habitat for many songbirds of different varieties and other wildlife. The area will provide an opportunity for bird watching by those with an interest.

Section 9.9.6 asks that the interior walks be sufficiently wide for the fire apparatus if the structures aren't being served by the driveway and that with this project, the driveway is a center drive serving both buildings on either side so the fire department will have access to all of the buildings without having to be on the sidewalks.

Section 9.9.7 is in compliance in that the area to the northern side is already vegetated 30-80 feet deep and will serve as a buffer. The area along Andrews Street is more vegetated and the slope up towards Route 8, the Inland Wetlands Commission asked for specific plantings there though a band of trees is there already.

Section 9.9.8 is in regards to public sewer systems to be approved by the Harwinton WPCA and that will be forthcoming.

Section 9.9.9 is in compliance in that the units are well above the 570 square feet of habitable floor area with 1,050 square feet being proposed.

Atty. Tracy was notified by LUC Redmond of her review of the plans with additions or changes that should be made including locating the dumpster on the site plan, locating the recreation area in connection with Zoning Regulation 9.9.5 and 9.9.10c. Also that the Zoning Table on Sheet L should be amended to read that the zone is in a TR Zone and the setbacks should be corrected to correspond with the TR zone setbacks. LUC Redmond questioned whether there is compliance with Zoning Regulation 9.9.7 for a buffer strip among other items that W.M.C. Consulting Engineers will have to report on.

Atty. Tracy submits for the record a copy of his responses to LUC Redmond's review (**Exhibit A2**) that states the location of the dumpster is being located at the end of the driveway. That active recreation is provided by a walkway including the driveway, sidewalks and a loop around the basin at the north end of the property and passive recreation will exist in connection with the preserved wetlands along the western boundary. Atty. Tracy reported that the plans have been amended concerning the Zoning Table to read that the zone is in a TR Zone and that the setbacks have been corrected. (**Note: the plans presented tonight have not been revised.*) Atty. Tracy's response states that in reference to the buffer requirement of Zoning Regulation 9.9.7, there is a fifteen (15') foot wide buffer strip of existing vegetation that exists on the north, south and west sides of the site, parallel to the property lines as required. Mixed planting, as approved by the Inland Wetlands and Watercourses Commission, will be planted along the east property line. Existing vegetation along the street line will be retained to the extent shown on the site plan. The east, south and west property lines are also street lines.

Atty. Tracy refers to site plan specifics that include a landscaping plan and he now asks Robert Hiltbrand, R.R. Hiltbrand Engineers & Surveyors, to discuss the site plans at this time. Mr. Hiltbrand states in addition to what Atty. Tracy commented on, he notes that the site slopes from the east to the west and that the buildings will be built as walkouts and will be built to actually traverse the land to eliminate a large amount of grading. They will actually use the lower set of buildings as walkout basements. As noted by Atty. Tracy, there is a sister project in Bristol that they've built over the last couple of years that is full, and these buildings, the way they are framed and the foundations are done, each unit is a handicapped accessible unit without steps to the front door and they will all have handicapped access for all the units so the sidewalk will go right to the front door. Regarding the fire department comments on water, Mr. Hiltbrand states that the project is proposing to extend the water into the project and providing a fire hydrant at the entrance of Twenty-four Bumper Road and a hydrant on the north end of the site at the turnaround. The drainage system is a combination of an infiltration system for the roof areas and traditional catch basin system in the parking lot that goes to a multi-level detention basin that offers another level of water quality and outlets into a grass swale that eventually works its way to the wetlands. W.M.C. Consulting Engineers has reviewed this and already commented and deemed it an adequate stormwater system for the project. Mr. Hiltbrand states that the previously mentioned elderly housing complex in Bristol has two parking spaces per unit that aren't all being used and that the parking issue for the Harwinton elderly housing is not as big an issue as everyone thinks. He notes that he drove through Wintergreen Housing here on Bentley Drive before coming to tonight's meeting and reports that for the 20 units in that complex there are 30 parking spaces and 50% of those spaces were open at 6:45 p.m. on a Monday night.

Commissioner D. Truskauskas questions if there will be no storm water running out onto Twenty-four Bumper Road, that there are catch basins out at the entrance? Mr. Hiltbrand responds stating that the stormwater will go back into the site and that regarding question of sight lines, Twenty-four Bumper Road is straight and consistently down gradient so the sight lines are good in this area. They are also providing a wide radius at the entrance and adding an island in the center of the entrance for fire trucks and any other trucks entering the property.

Commissioner M. Szydlo has concerns over trucks turning into Building A and that the fire department had those same concerns. R. Hiltbrand states that he will take a look at this but that a fire truck would probably stop and park on the straight-away and not have to turn in. He states he will get the radius of the turn and do a check.

Commissioner T. Root questions if there is a site lighting plan with Mr. Hiltbrand stating one will be created and provided. Commissioner D. Truskauskas questions if a photometric plan will also be provided with Mr. Hiltbrand stating, yes. Commissioner D. Truskauskas asks if the back trail path will be gravel with Mr. Hiltbrand stating, yes.

Commissioner T. Root questions the fire trucks having to back out with Mr. Hiltbrand stating that there is a K-turn at the end of the driveway that they could turn around in. Commissioner D. Truskauskas questions if the trash service will be private with Mr. Hiltbrand replying, yes, it will be. Commissioner M. Szydlo questions if the utilities will be underground with Mr. Hiltbrand replying, yes.

Commissioner D. Truskauskas asks if the applicant has anything in writing from the Torrington Water Company regarding the water line with Atty. Tracy stating they can get a document from them and will provide it to the Commission.

Atty. Tracy states that this application brings a housing opportunity to town that there is a need for. There are three buildings situated on Garden Lane that are rental units but are not age-restricted. There are other scattered rentals in town and then there are the 55 and older communities on Hannah Way and Oak Meadow but they are privately owned with pricing compatible to the town's homes. These proposed units provide an opportunity for residents to stay in town and adds to the orderly development of the town. Atty. Tracy speaks of the location of the project and that he believes it blends in with the surrounding R10 zone in Torrington.

Atty. Tracy refers to Zoning Regulation 9.1.1b regarding access for fire protection and notes that Westside Fire Department on Scoville Hill Road is a half mile from this site. Two hydrants within the complex are being proposed and there is public water available so response time would be good. Atty. Tracy refers to Zoning Regulation 9.1.1c regarding the streets being adequate to carry prospective traffic and that provision is made for entering and leaving the property with no undue hazard to traffic or undue traffic congestion created. He states that Twenty-four Bumper Road is a straight, down-gradient road built in 1966 and revamped with the creation of Route 8. The sight lines are good and the road is lightly travelled. In regards to Zoning Regulation 9.1.1d that calls for the lot to be of sufficient size and adequate shape and dimension to permit the conduct of the proposed use and placement of buildings, other structures and facilities, Atty. Tracy states that the lot size and shape are in compliance with this regulation. Zoning Regulation 9.1.1e regarding landscaping being provided to protect the neighborhood and adjacent property is in compliance and has been discussed previously at this hearing.

Atty. Tracy submits for the record a copy of Proposed Restrictions on Use, Alienation and Occupancy (**Exhibit A3**) that has restrictions on who can occupy the units and age restrictions and basically a management plan. He also submits for the record a Bond Estimate (**Exhibit A4**) for erosion control noting that a copy will be sent to W.M.C. Consulting Engineers.

Commissioner M. Szydlo questions die-off of vegetation with Atty. Tracy stating that the existing vegetation will promote regeneration.

Atty. Michael D. Rybak addresses the Commission at this time stating that this hearing is on a Special Permit and Site Plan approval and that the Site Plan is an aid in deciding on the Special Permit. When a hearing is held the Commission should have in their record the report of the Planning Commission on extension of utilities and the report of the Inland Wetlands Commission and any conditions that have been placed on their approval of the application. The report of the Torrington Water Company and the Harwinton WPCA decision should be made part of the record. Atty. Rybak notes that the yardstick for any decision is the Zoning Regulations for Special Permits and also Zoning Regulation 9.9. If someone states that two parking spaces should be provided, the regulations require one and a half, and the Zoning Commission can't change that or require more than what is required in the regulations. The Zoning Commission can go the Fire Departments and ask, other than parking, what are the public safety requirements they need for public safety, for instance, turning radius for the fire trucks, trucks coming down the hill of Twenty-four Bumper Road, and turning into the complex with the fire trucks. The Commission needs something from the applicant that states the trucks can be accommodated. He notes that the direction of the fire trucks will come down Twenty-four Bumper Road. Also, the Highway Supervisor is correct in asking for a sight line easement; that the town needs this right. As a side note, Atty. Rybak states that he didn't hear anything about a street light at the entrance to the complex.

Commissioner D. Thurston refers to the east side of the property that has a high elevation and questions whether there is a provision for runoff from this hill. Mr. Hiltbrand states that the slope has benches in it that has been reviewed by the Harwinton Inland Wetlands Commission. These benches will catch the water runoff and there is an underdrain system to catch water coming out of the slope. Commissioner D. Truskauskas questions if the infiltrators for roof runoff will go into the catch basins with Mr. Hiltbrand stating there is a perforated 15 inch pipe being shown on Sheet G that will catch roof runoff. Commissioner D. Truskauskas questions whether Drainage Calculations were submitted with Mr. Hiltbrand stating that there was and that they were submitted with the IWWC application and sent to W.M.C. Consulting Engineers. Atty. Tracy adds that W.M.C. Consulting Engineers spent over sixty hours in their review of these plans for the Inland Wetlands and Watercourse Commission. Commission T. Root questions whether Eversource has reviewed these plans with Mr. Hiltbrand stating, no, they won't get involved until an approval has been received.

Chairwoman M. Rewenko opens the floor to public comment at this time.

Mike Godburn, 132 Pierce Street, Torrington, expresses that there are worse things that can go on this site but for the past 32 years he has lived on Pierce Street there has been water issues. He digs out a ditch after every storm and is concerned with the proposed hardscape that it will cause a bigger problem. Mr. Hiltbrand states that the infiltration and outlet structure will allow water out gradually and that water will actually be taken away from the drainage ditch; no water will be added to it. Mr. Godburn questions if there is a proposal for a buffer between the property and Pierce Street. R. Hiltbrand states that the area that is located in Torrington will be the buffer and that the distance from the nearest proposed building to Mr. Godburn's house will be approximately 200 feet. Mr. Godburn asks for clarification that there will then be no plantings with Mr. Hiltbrand stating there will only be natural vegetation.

Tim Flynn, 3 Park Drive, Torrington, states he is the property owner on the south side of Twenty-four Bumper Road. He is looking at the area where he comes out of his driveway and asks that no parking be allowed on the street. It is suggested that perhaps the Torrington Police need to address the posting of a "no parking" sign.

Nicole Cyr, 162 Pierce Street, Torrington, CT, states that she can see the area looking out of her window. She states that her backyard floods with water after rains and it is a concern to her about increased water from this project. She also has concerns over how close the walking path is to her house and asks whether there will be a privacy fence installed near the path.

R. Hiltbrand states that there is a 50 foot buffer that will be left in place with Ms. Cyr stating that there is nothing there right now; no buffer. She is concerned that this complex is what she will see all day long and expresses concern about the resale value of her home. R. Hiltbrand states that he can take a look at this. Ms. Cyr again states that there is no buffer and no trees between her home and the property where this complex will be built. Atty. Tracy states that along her property line there is a ditch created by the State of CT. The closest building within this project will be 200 feet to Ms. Cyr's house and the walking trail will be 50 feet from her house. The Inland Wetlands Commission approval was to keep the wetland area undisturbed. Atty. Tracy states that this more than satisfies the 50 foot buffer requirement of the Zoning Regulations.

Atty. Tracy requests that this public hearing remain open for W.M.C. Consulting Engineer comments to come in and to allow them to address the comments made by the fire departments as well as other comments made tonight. Commissioner D. Truskauskas notes that in reviewing the site plans, he sees only a 30 foot buffer to the property line with Atty. Tracy stating that the regulations call for 15 feet of buffer.

Commissioner D. Truskauskas suggests the applicant reach out to the fire departments again and ask for their comments on anything else they may have concerns over other than parking. R. Hiltbrand agrees to get these issues addressed and will set up a meeting with them.

Commissioner D. Truskauskas questions Atty. Michael Rybak on whether the Town of Harwinton would provide for signs on the road with Atty. Rybak stating that they should.

Atty. Michael Rybak states that the Zoning Commission does have some flexibility regarding buffers as found in Zoning Regulation 9.9.7 where 15 feet of buffer is mentioned and does state that “it shall be maintained in order to protect adjacent property and the neighborhood in general from detriment.” Zoning Regulation 9.9.10h also states, where applicable, the plans shall show, “Proper provision for the protection of existing residences and districts through the use of landscaping, fencing or buffering, subject to the Commission’s approval, and planting and landscaping around buildings and parking areas as required by the Commission.” Atty. Rybak does add that the Zoning Commission cannot go against what the Inland Wetlands Commission approved and that any conditions they place on the application must be in the Zoning Regulations and that reasons for any decision must be given. As a final comment, Atty. Rybak states that the intersection and the turning radius must be addressed with the fire departments.

3. CONTINUE OR CLOSE HEARING.

D. Thuston **motioned** to continue the public hearing to Monday, March 25, 2019 at 7:00 p.m. in the town hall, seconded by M. Szydlo. Motion passed unanimously.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairwoman M. Rewenko called the meeting to order at 8:25 p.m. All regular members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETING: 1/28/19 AND 2/11/19

D. Kovall **motioned** to approve the minutes of 1/28/19, seconded by C. Kasey. Motion passed unanimously with D. Thurston refraining from vote due to his absence at the 1/28/19 meeting.

D. Kovall **motioned** to approve the minutes of 2/11/19, seconded by C. Kasey. Motion passed unanimously with M. Szydlo refraining from vote due to his absence at the 2/11/19 meeting.

3. PUBLIC COMMENT. None.

4. DISCUSSION/POSSIBLE DECISION - BUMPER BROOK ESTATES – APPLICATION FOR SPECIAL PERMIT AND SITE PLAN APPROVAL FOR CONSTRUCTION OF 36 UNIT ELDERLY HOUSING COMPLEX, TWENTY-FOUR BUMPER ROAD.

No discussion.

5. SCOTT KENNISTON – INFORMAL DISCUSSION ON USE OF PROPERTY, 122 LITCHFIELD ROAD, POST OFFICE PLAZA.

Mr. Kenniston is present to discuss the possibility of creating a recreational ropes course and disc golf course, and perhaps a miniature golf course also, on the property to the west of the Post Office building and to the rear of the property that has frontage off Cemetery Road. Trees and ledge on the property will not be

disturbed and wetlands will not be altered. Mr. Kenniston explains that there will be a recreational zip line that will be supported by poles in the ground or possibly even by using the trees on site. The property is located in a Retail Service Zone B where the regulation (Section 4.8) does not specifically permit outdoor recreation. D. Truskauskas questions if there will be an office building with bathrooms proposed with Mr. Kenniston answering, yes. Mr. Kenniston was under the impression that a site plan he is in possession of that shows two proposed commercial buildings and a proposed home, prepared by Rotondo Engineering for a previous owner, was approved by the Zoning Commission but it was not. The property owner at the time did not follow through with subdividing of the land or changing the zone to allow for residential use. D. Truskauskas notes that recreational use is not a permitted special permit use under the Retail Service Zone B Regulations but the Regulations can be amended if Mr. Kenniston wishes to make an application to amend them to add outdoor recreational use. In the meantime, D. Truskauskas suggests that he appear before the IWWC for discussion of regulated activities. LUC Redmond will place with item on the 4/1/19 IWWC meeting.

C. Kasey **motioned** to add to the agenda: **Nathan Sornborger, 261 Woodchuck Lane – application for 16' x 24' shed. Request for waiver of engineered plan.** Motion seconded by M. Szydlo and passed unanimously.

Mr. Sornborger is present and provides a photo of an aerial view of his property showing structures on the property. The shed will have no plumbing and will be placed on piers. TAHD approval and IWWC approval has been received. M. Szydlo **motioned** to grant the request for waiver of an engineered plan, seconded by D. Kovall. M. Szydlo **motioned** to approve the application, seconded by C. Kasey. Both motions passed unanimously.

6. COMPLAINTS/ENFORCEMENT ACTIONS. None.

7. ANY OTHER BUSINESS. None.

8. CORRESPONDENCE.

Alternate Zoning Commission Member Nancy Schnyer has submitted her resignation letter from the Commission.

9. INVOICES. None.

10. ADJOURN.

C. Kasey **motioned** to adjourn the meeting at 9:00 p.m., seconded by D. Thurston. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 3-18-19 AT 10:55am
ATTEST TOWN CLERK

James Boyer