

**HARWINTON ZONING COMMISSION
TUESDAY, OCTOBER 15, 2019
TOWN HALL 7:00 P.M.**

Present: Cynthia Kasey, Dan Thurston, Matthew Szydlo, Deborah Kovall, Alternate Member Don Truskauskas, Alternate Member Theodore Root, ZEO Troy LaMere and LUC Polly Redmond

Absent: Chairwoman Michelle Rewenko

Also Present: Michael D. Rybak

1. OPEN MEETING – ESTABLISH QUORUM.

Acting Chair Cynthia Kasey called the meeting to order at 7:00 p.m. All regular members present are seated with Alternate Member Don Truskauskas seated for Michelle Rewenko.

2. APPROVE MINUTES OF PREVIOUS MEETING: 7/8/19 AND 9/23/19

D. Thurston **motioned** to approve the minutes of 7/8/19, seconded by D. Kovall. Motion passed unanimously with D. Thurston, D. Kovall and C. Kasey voting. All other refrain from vote due to their absence at the 7/8/19 meeting.

D. Truskauskas **motioned** to approve the minutes of 9/23/19 with amendment to Page 1, Item 2, last line to read: "...Jones, replying **no** (delete the word "yes"), they will **be gravel**. Amendment to Page 2, Item 2, Line 7, to read: "...Sediment & Erosion Control Notes and Details **and Photometric Details/Calculation Notes prepared by Langlais Group, 4/3/19, Sheet 11.**" D. Kovall seconded the motion and it passed unanimously with D. Thurston refraining from vote due to his absence at the 9/23/19 meeting.

3. PUBLIC COMMENT.

None.

4. NEAL GORNEAULT – APPLICATION FOR 36' X 12' RUN-IN SHED, 361 HARMONY HILL ROAD. PROPERTY OWNED BY LYNETTE PIERS.

No one is present to represent.

D. Truskauskas recuses himself from the following application. Alternate Member T. Root is seated.

5. RANDY BELL – APPLICATION FOR 15' X 28' GARAGE BAY, 51 HARWINTON HEIGHTS ROAD. REQUEST FOR WAIVER OF ENGINEERED PLAN.

Mr. Bell is present and provides a copy of a 1990 site plan prepared by Oswald Blint, Hartford, CT (Map 904 in the Land Records) where he has sketched in an existing garage built in 1992 and the proposed attached 15' x 28' garage bay. The addition will be 55 feet from the north side property line and 90 feet to the back property line. Inland Wetland Agent approval has been received. TAHD approval is outstanding with Mr. Bell stating he has been in touch with them. M. Szydlo **motioned** to accept the request for a waiver of an engineered plan and to approve the application pending TAHD approval, seconded by T. Root. Motion passed unanimously. A fee of \$180.00 is to be collected once TAHD approval is received.

D. Truskauskas is reseated at this time. T. Root is unseated.

6. DISCUSSION/POSSIBLE DECISION - BUMPER BROOK ESTATES, LLC – APPLICATION FOR SPECIAL PERMIT AND SITE PLAN APPROVAL FOR CONSTRUCTION OF 36 UNIT ELDERLY HOUSING COMPLEX, TWENTY-FOUR BUMPER ROAD, ASSESSORS MAP NOS. A8-03-03, A8-03-04 AND A8-03-06.

*D. Thurston has been sent the audio recording of the 9/23/19 Zoning meeting.

Commissioners and Atty. Rybak review a Draft decision letter with recommended changes to be made by LUC Redmond. D. Truskauskas **motioned** to continue discussion on this matter at the next Zoning meeting scheduled for October 28, 2019, seconded by M. Szydlo. Motion passed unanimously. Commissioners and Atty. Rybak will be sent copies of the revised Draft.

7. COMPLAINTS/ENFORCEMENT ACTIONS.

ZEO Troy LaMere informs Commissioners that he has written a Cease and Desist Order for activities at 508 Hill Road which will be reviewed by Atty. Rybak. Additional information that ZEO LaMere has tonight will be sent to Atty. Rybak including ZEO Reports and photos of the property.

D. Truskauskas **motioned** to add to the agenda **Gerald Michaud, 6 Wilson Pond Road – application for 20' x 34' inground pool, request for waiver of engineered plan**, seconded by D. Kovall. Motion passed unanimously. LUC Redmond is representing. A site plan dated 6/7/90 prepared by DiCara Land Surveying for previous owners, new house construction, is provided that shows a 16' x 36' inground pool that was never constructed with the house. IWWC and TAHD approval has been received. Soil and erosion permit is on file. Fee has been paid. D. Truskauskas **motioned** to grant the waiver request for an engineered plan and to approve the application, seconded by M. Szydlo. Motion passed unanimously.

8. ANY OTHER BUSINESS.

LUC Redmond informs the Commission that **Ronald Wilcox, 156 Orchard Hill Road**, wishes to live in the existing house on the property located at 156 Orchard Hill Road while building a new home in the back of the property. Once the new house is complete, and before any Certificate of Occupancy is issued, the old house will be demolished. Commissioners agree that this can be done and Mr. Wilcox should make application for construction of the new home before this Commission.

LUC Redmond informs the Commission that **Denice Capitani, 68 South Shore Drive**, is asking permission to live in an RV on the property for 8 weeks out of the year in the summer while they are back in CT to allow them to live on the property while they work on their house to make it habitable. Commissioners disagree with this saying that it does not comply with Zoning Regulation 6.9.

9. CORRESPONDENCE.

Letter from Atty. Steven Byrne dated 10/1/19 is received regarding pending litigation.

10. INVOICES.

D. Kovall **motioned** to approve the invoice of ZEO Troy LaMere for 4.5 hours and mileage, seconded by M. Szydlo. Motion passed unanimously.

11. ADJOURN.

M. Szydlo **motioned** to adjourn the meeting at 8:30 p.m., seconded by D. Truskauskas. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT

ON 10-22-19 AT 8:55am

ATTEST TOWN CLERK

James J. Bryan