

**HARWINTON ZONING COMMISSION**  
**MONDAY, AUGUST 8, 2022**  
**TOWN HALL 7:00 P.M.**

Present: Chairman Daniel Thurston, Cynthia Kasey, Deborah Kovall, Theodore Root, Alternate Member Dave Foster, Alternate Member Michelle Whitford, Land Use Coordinator Polly Redmond and Zoning Enforcement Officer Don Truskauskas

Also Present: Michael D. Rybak and Michael D. Rybak, Jr.

Absent: William Ponte

**1. OPEN MEETING – ESTABLISH QUORUM.**

Chairman D. Thurston called the meeting to order at 7:00 p.m. Dave Foster is seated for William Ponte.

**2. APPROVE MINUTES OF PREVIOUS MEETING: 7/25/2022**

C. Kasey **motioned** to approve the minutes of the previous meeting with amendment to page 3, item 4 to add as a last sentence: **D. Foster seconded the motion and it passed unanimously.**

**3. PUBLIC COMMENT.**

None.

**4. DISCUSSION/POSSIBLE DECISION - ZONING COMMISSION INITIATED PROPOSAL TO AMEND THE ZONING REGULATIONS DATED 12-3-2021 TO CONSIDER EITHER PROHIBITING OR ALLOWING CANNABIS ESTABLISHMENT USES IN TOWN PER PUBLIC ACT 21-1.**

LUC Redmond drafted a proposed regulation and motion with review done by Michael Rybak and Michael Rybak, Jr. adding additional language. The Planning Commission has not given a report yet to the Zoning Commission, in accordance with CGS 8-3a, and requested at their July 13, 2022 meeting that a copy be sent to them of the Zoning Commissions draft decision giving indication on whether they wish to prohibit or permit cannabis establishments. Zoning Commissioners felt that by doing so, it would be a pre-determined decision while the public hearing was still open.

D. Kovall states that when the Planning Commission met on July 13, 2022, their meeting minutes reflected discussion held on personal opinions of the benefits allowing cannabis establishments and one member being against permitting them. They did not touch upon the Plan of Conservation and Development, which is what their report should be based on, finding consistency of the proposed regulation with the plan of development.

M. Rybak questions if the Planning Commission was noticed of this proposal and public hearing 35 days prior to the opening of the hearing as required by state statute with LUC Redmond stating they were noticed on April 22, 2022 but again, with no drafted document on whether the Zoning Commission was going to prohibit or permit cannabis establishments. M. Rybak states that if the Planning Commission is scheduled to meet in two days, on August 10, 2022, to discuss the proposed regulation and motion now drafted then the Zoning Commission should wait on making any decision in order to receive their report. C. Kasey **motioned** to continue discussion on the proposed motion and regulation at the next Zoning meeting on August 22, 2022. Motion seconded by D. Kovall and passed unanimously.

**5. COMPLAINTS/ENFORCEMENT ACTIONS.**

ZEO Don Truskauskas reports that the signs at the Sunoco Gas Station have been removed after he hand-delivered a letter to them on August 3, 2022 instructing them to do so.

He reports that a new home at 9 Plymouth Road was lacking silt fence and therefore a Certificate of Compliance was not issued. LUC Redmond just informed ZEO Truskauskas tonight that the property owner called that day stating that the silt fence is in and a ZEO inspection can be done next Monday.

**6. ANY OTHER BUSINESS.**

LUC Redmond reports that a site plan for 107 Davis Road has been submitted to the Land Use office showing the house to be 27.1 feet to the side property line with room to move it further in. She questions whether the Commission would like to see that done with ZEO Truskauskas stating that if the house were to be moved further within the building envelope it may cause the driveway to be steeper than the 10% grade it already will be. LUC Redmond will sign off on the application and site plan as is. The applicant has been informed that an as built will be required.

**7. INVOICES.**

None.

**8. ADJOURN.**

C. Kasey **motioned** to adjourn the meeting at 7:26 p.m., seconded by T. Root. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator

