

HARWINTON ZONING COMMISSION
MONDAY, JANUARY 9, 2023
TOWN HALL 7:00 P.M.

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

Absent: Theodore Root

PLEDGE OF ALLEGIANCE

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman D. Thurston called the meeting to order at 7:00 p.m. All regular members present are seated with Alternate Member Dave Foster seated for Theodore Root.

2. APPROVE MINUTES OF PREVIOUS MEETING: 12/12/2022

D. Foster **motioned** to approve the minutes of the previous meeting, seconded by W. Ponte. Motion passed unanimously with C. Kasey refraining from vote due to her absence at the previous meeting.

3. PUBLIC COMMENT. None.

4. JON TRUSKAUSKAS – APPLICATION FOR SINGLE FAMILY DWELLING, 10 WEINGART ROAD.

Mr. Truskauskas is present. Revised plans prepared by David Hughes, P.E., L.S., titled Improvement Location Survey – Proposed, Lot #1 Field Stone Estates, Sheets C1, C2 and C3, revised 12/21/22 are reviewed. IWWC and TAHD approvals have been received. Mr. Truskauskas states that he will be using an existing driveway created by Eversource that they used as a right of way but is no longer using. He explains that David Hughes, P.E., L.S., told him the driveway location was part of the subdivision approval process and that it is B&B Boys, LLC (the developers) obligation to obtain a permit to install the 10-foot apron in the driveway. LUC Redmond will speak with Public Works Director David Bousquet regarding this as Mr. Truskauskas now owns the property and undoubtedly owns the obligation. C. Kasey **motioned** to approve the application, seconded by W. Ponte. Motion passed unanimously.

5. COMPLAINTS/ENFORCEMENT ACTIONS. None.

6. ANY OTHER BUSINESS.

Zoning Enforcement Officer D. Truskauskas informs the Commission that he met with Matthew Cassina out at the 495 Burlington Road property where Mr. Cassina wants to place a 45' x 60' temporary building. A location was found and agreed upon that meets the required setbacks.

Land Use Coordinator P. Redmond informs the Commission that Picket Brook Property, LLC's Modification of Zoning Permit No. 6205 is up for annual review and renewal according to the Zoning Commission's approval on January 8, 2022. Commissioners ask that the leases be checked in the land records to be certain they remain in effect and they will review again in January 2024.

Land Use Coordinator P. Redmond received notice from DEEP stating that Harwinton is in violation of the Connecticut Forest Practices Act (FPA), CGS 23-65k, with respect to Harwinton Zoning Regulation Section 8.6 Erosion and Sediment Control Plan. After their review it was found that Harwinton is regulating forest practices and that the Town of Harwinton is not a named municipality that is authorized to regulate forest practices pursuant to CGS Section 23-65k. It is requested that the following current wording found in Zoning Regulation Section 8.6 be removed: "*or where any Timber Harvest Permit has been obtained from the State*", as no such permit exists.

Land Use Coordinator P. Redmond has written a letter to First Selectman Michael Criss asking that a new line item be put in the FY 23-24 Budget for Land Use Commissions/Outside Consultant Services. This will allow Land Use Commissions to collect a Surcharge Fee in connection with Ordinance 102, Section 4, that would be held in escrow and any unused portion be returned to the applicant.

7. **INVOICES.**

D. Kovall **motioned** to approve the invoice of ZEO D. Truskauskas for 29 hours, 82 miles, seconded by C. Kasey. Motion passed unanimously.

8. **ADJOURN.**

W. Ponte **motioned** to adjourn the meeting at 7:20 p.m., seconded by C. Kasey. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator