

ZONING COMMISSION MEETING

MONDAY, MAY 14, 2012

TOWN HALL 7:00 P.M.

Present: Anne Marie Buonocore, Todd Ouellette, Don Truskauskas, Alternate Members Robert Lavoie and Glenn Bradley and Land Use Coordinator Polly Redmond

Absent: Chairman Peter Brazaitis, Nancy LaGanga and Alternate Member Kevin Ferrarotti

PUBLIC HEARING - continued

1. OPEN HEARING – ESTABLISH QUORUM.

Acting Chairman A. Buonocore called the hearing to order at 7:00 p.m. All members present are seated.

2. CONSIDER PROPOSED AMENDMENTS TO THE ZONING REGULATIONS DATED 3-1-11, SECTION 2.3 DEFINITIONS, SECTION 6.5 KEEPING OF ANIMALS, SECTION 11 SIGNS AND SECTION 17 INVALIDATION.

Acting Chairman Buonocore reads the report of the Planning Commission giving favorable recognition.

D. Truskauskas **motioned** to continue the hearing to the next meeting date of May 29, 2012 to allow input from the Economic Development Committee and the Agriculture Council. R. Lavoie seconded the motion and the hearing adjourned at 7:07 p.m.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Acting Chairman Buonocore called the meeting to order at 7:07 p.m. All members present are seated.

2. APPROVE MINUTES OF PREVIOUS MEETINGS: 4/23/12 AND 4/18/12 SPECIAL MEETING (SITE WALK).

T. Ouellette **motioned** to approve the minutes of 4/23/12, seconded by D. Truskauskas. Motion passed unanimously with T. Ouellette, D. Truskauskas and G. Bradley voting. A. Buonocore and R. Lavoie absent at previous meeting and refrain from voting. Approval of minutes of the 4/18/12 Special Meeting are tabled until a quorum of that meeting is present.

3. DAN GERVAIS – RENEWAL OF 2005 APPROVAL FOR BUILDING #6, 133 CLEARVIEW AVENUE.

Mr. Gervais is present. Site plans by Berkshire Engineering dated 3/30/12 for new storage building are reviewed. TAHD and IWWC approvals have been received. LUC Redmond informs the commission that there was a 2005 Zoning approval for Buildings 6 & 7 and that Mr. Gervais only built Building 7. Engineered plans at that time were drawn by Allied Engineering and the five year completion date has since expired. The application before the commission tonight could actually be considered an extension of a previous approval. D. Truskauskas **motioned** to approve the application for Building 6 as an extension of a previous approval, seconded by R. Lavoie. Motion passed unanimously.

4. ANDREW & GINA GOLDSTEIN – APPLICATION FOR 36' X 40' BARN, 330 NORTH ROAD.

Mr. and Mrs. Goldstein are present. Plans by David J. Little, L.S. titled Zoning Location Survey, dated 4/19/12 are reviewed. TAHD and IWWC approvals have been received. The barn will be for keeping of animals and meets the 50 foot setback required in Section 6.5 of the Zoning Regulations. The barn shall be 60 feet from the front yard property line and will require an as built once construction is completed. R. Lavoie **motioned** to approve the application with the condition that an as built be provided once construction is complete, seconded by D. Truskauskas. Motion passed unanimously.

5. DANIEL & MARGARET TYLUTKI – APPLICATION FOR 16' X 32' INGROUND POOL, 190 WEINGART ROAD. REQUEST FOR WAIVER OF ENGINEERED PLAN.

Mr. Philip Bregonzio, Dolphin Pools representative, is present for the Tylutkis who have given written approval to represent them. A sketch of the pool location showing it to be located 50 feet from the south property line (side), 100 feet from the north property line (side) and 50 feet from the rear property line is reviewed. TAHD approval is outstanding. D. Truskauskas **motioned** to approve the request for a waiver of an engineered plan, seconded by T. Ouellette. T. Ouellette **motioned** to approve the application with the condition that TAHD approval is received, seconded by R. Lavoie. Both motions passed unanimously.

6. GRJH, INC./SUNOCO GAS STATION – APPLICATION FOR MODIFICATION OF APPROVED SITE PLAN, 207 BIRGE PARK ROAD. CORRECT AND ABATE NOTICE ISSUED BY ZONING ENFORCEMENT OFFICER.

No one is present to represent.

7. DISCUSSION/POSSIBLE DECISION – CONSIDER PROPOSED AMENDMENTS TO THE ZONING REGULATIONS DATED 3-1-11, SECTION 2.3 DEFINITIONS, SECTION 6.5 KEEPING OF ANIMALS, SECTION 11 SIGNS AND SECTION 17 INVALIDATION.

No discussion.

8. DISCUSSION – TOWN CENTER/BUSINESS ZONE.

D. Truskauskas states that the commission is looking for input from the Economic Development Committee and the Planning Commission to discuss with this commission on possible Zoning regulations for a town center/business zone. He states the commission is looking for information on types of businesses that could possibly fit in the areas of the gateways into town. There is mention of possibly creating the business zone on Route 118 at Clearview Avenue or Route 222/Hill Road and continue it east instead of at the gateway into town from the west. T. Ouellette notes that this is a big project and he would like to see a meeting with the EDC, Planning and Zoning to discuss further. Residents of Route 118 are present and would like to have the opportunity to voice their concerns over past Zoning Commission discussion of creating the business zone at the gateway into Harwinton from the west. Acting Chairman Buonocore reminds the residents present that this is only in the early stages of discussion and that the commission is waiting for input from the EDC who is coming up with suggestions for the town. Mike McGoff, 580 Litchfield Road, refers to the EDC minutes of 5/2/12. He states he is opposed to the possibility of a Town Center/Business Zone at the gateway into Harwinton on Route 118. In referring to the Zoning Regulations, he states that it is his belief that the Retail Service zone is similar to a Business Zone and that new businesses will only increase taxes and traffic in town. He notes that the majority of uses after Route 222/Hill Road to the west on Route 118 are residential.

D. Truskauskas notes that the Town Center/Business Zone was not going to mirror the Retail Service zone and that the commission was trying to come up with a new zone.

Another resident present asks that the commission please consider the residents of Route 118 and now that discussions are taking place to possibly change the zone, it is no longer just a thought but could become a reality to which he is opposed to. There are four other residents of Route 118 present that do not speak. The matter will be placed on the next meeting agenda for May 29, 2012 if there is any information received from the Economic Development Committee.

9. COMPLAINTS/ENFORCEMENT ACTIONS.

ZEO Karen Nelson's report of May 20, 2012 has been received by commissioners who would like more information from the ZEO on the matter mentioned of keeping of chickens on an undersized lot on Scoville Road as well as information concerning TARGA and site stabilization.

10. **ANY OTHER BUSINESS.**

None.

11. **CORRESPONDENCE.**

Correspondence from Atty. Byrne dated 5/4/12 in the matter of Lucas v HZC has been received. Zoning Commissioners would like to have Atty. Byrne attend their 5/29/12 meeting to discuss pending litigation under Executive Session. LUC Redmond will send a request to the Board of Selectmen and the Board of Finance asking their approval to have Atty. Byrne attend their next Zoning meeting. This procedure is now required as stated in the Board of Selectmen's minutes of 4/17/12. LUC Redmond will compose a letter of request and send it to the Board of Selectmen and the Board of Finance as well as call Atty. Byrne to find out his availability to attend the 5/29/12 Zoning meeting.

12. **INVOICES.**

Invoice of Atty. Steve Byrne dated 5/1/12 in the matter of Lucas v HZC in the amount of \$375.00 is received. R. Lavoie **motioned** to approve the invoice, seconded by T. Ouellette. Motion passed unanimously. Invoice of ZEO Karen Nelson received for 21.5 hours (\$752.50) is received. D. Truskauskas **motioned** to approve the invoice, seconded by R. Lavoie. Motion passed unanimously.

13. **ADJOURN.**

R. Lavoie **motioned** to adjourn the meeting at 8:18 p.m., seconded by D. Truskauskas. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED

MAY 17 2012

TOWN CLERK