

HARWINTON ZONING COMMISSION MEETING
MONDAY, JANUARY 27, 2014
TOWN HALL 7:00 P.M.

Present: Chairman Todd Ouellette, Anne Marie Buonocore, Don Truskauskas, Cory Iacino, David Mathes, Alternate Member Lynne Steincamp and Land Use Coordinator Polly Redmond

Absent: Alternate Member Joseph Marzullo

Also Present: Town Attorney Michael D. Rybak

PUBLIC HEARING

1. OPEN PUBLIC HEARING – ESTABLISH QUORUM.

Chairman Ouellette called the meeting to order at 7:00 p.m. All regular members present are seated.

2. PRESENT AND CONSIDER ZONING COMMISSION INITIATED ZONING REGULATION AMENDMENTS TO ZONING REGULATIONS DATED 9-17-12.

Secretary Don Truskauskas reads the call to hearing as published in the Republican-American on January 16, 2014 and January 24, 2014. Chairman Ouellette recognizes items in the file as being

1) Planning Commission review comments, 2) Zoning Commission's Statement of Purpose, 3) Notifications to the Board of Selectmen, Planning Commission, Harwinton Town Clerk, Town Attorney Michael D. Rybak, Richard Lynn, Director, Litchfield Hills Council of Elected Officials, and Members listed on the Registry Notice. Also noted in the file are emails from Michael D. Rybak dated December 24, 2013 and January 24, 2014 giving his initial comments on the proposed Zoning Regulation amendments. Chairman Ouellette reads the Planning Commission's report dated January 22, 2014 into the record.

Going through each of the proposed amendments, Chairman Ouellette refers to the first proposal, which is to add wording to the definition found in Section 2.3 - Accessory Building or Use. The additional wording:

Accessory buildings for Agricultural uses are permitted in the absence of a principal building is explained to provide opportunity for barns and other types of agricultural structures to be allowed on lots that have no principal use in order to store farm equipment and farm products. Current Zoning Regulations state that "No accessory building or use shall be established in the absence of a principal building or use."

Atty. Rybak first explains to Commissioners that when Regulations are amended, the Commission is acting in a Legislative capacity and when doing so, it affects every property and individual in town. He warns the Commission to consider each amendment very carefully. With that said, he gives his opinion that allowing accessory structures on properties with no principal use fosters homesteading and agricultural use. To allow a structure to be built to store tools, etc. before building a house is okay. LUC Redmond clarifies that the proposed amendment was thought to be for only allowing accessory buildings that are for agricultural uses to prevent accessory structures becoming habitable structures. Commissioner D. Truskauskas questions Atty. Rybak on whether there would be any problem with allowing accessory structures absent of any principal use regardless if they are for agricultural use or not with Atty. Rybak stating that any approvals for accessory buildings can be conditioned that they are "not to be used for residential or business purposes."

Chairman Ouellette opens the floor for public comment.

Elizabeth O’Connell, 34 Millbrook Lane, questions whether cars could be stored in accessory buildings with Chairman Ouellette replying, yes, as long as they are owned by the property owner.

All Commissioners are in favor of removing the agricultural aspect of accessory buildings and allowing any type of accessory building to be constructed without a principal use with conditions placed on approvals that they are not to be used for residential or business purposes.

Atty. Rybak notes that with the implementation of this regulation it would solve issues within the Lake Harwinton Association area where property owners have homes on small lots and who also own lots across the street which would allow for garages to be built on them.

The definition found in **Section 2.3 – Garage, Public** is proposed to be amended to read as follows: A building other than a private garage used for the maintenance and repair of motor vehicles or for the storage of five or more vehicles *not owned by the property owner*. Chairman Ouellette explains that this amendment is to clarify public vs. private garage and that current regulations state that over five (5) vehicles would constitute a public garage. This amendment would allow car collectors to store their own vehicles on their property.

The Planning Commission questioned what defined a “vehicle” and also asked what Zoning Regulation one would refer to if there are more than five (5) vehicles and would that trigger a Special Permit application for commercial use? The Planning Commission noted that there are no Zoning Regulations that refer to *Public Garages* and that listed definitions are usually noted elsewhere in the regulations.

Commissioner D. Truskauskas acknowledges that there is not a regulation for Public Garage and questions the reasoning for having a definition if the Commission does not regulate.

Chairman Ouellette opens the floor for public comment.

Betsy Selfo, 591 Litchfield Road, questions what if those five vehicles were commercial vehicles with Chairman Ouellette stating that it may then constitute operating a business out of the building in which an application would have to be brought before the Commission.

Atty. Rybak questions if the Commission is intending to delete the definition and that he sees no harm in deleting it if it is not being used elsewhere in the Zoning Regulations.

All Commissioners are in favor of deleting the definition for Garage, Public.

The Zoning Commission is also proposing to add definitions for *Height, Low Impact Development, Livestock* and *Poultry*.

Section 4.1e – Permitted Uses in Residential Zones is being amended to add new wording that allows for *recreational use, including ATV’s or Snowmobiles, as long as there is no commercial aspect to the operation.*

The Planning Commission is **opposed** to this regulation amendment believing that to allow *buildings* for any and all recreational use is too broad a regulation allowing applicants to state their purpose as “recreational”, whether it would be or not. The Planning Commission has no problem with the *use* of recreational activities such as ATVs and Snowmobiles in residential zones and believes it is an already permitted use without having to regulate.

Chairman Ouellette explains that the town has received complaints of ATV and Snowmobile use and the Zoning Regulations do not specifically state they are allowed. He goes on to explain that ATVs are not only used for recreational use but are used for farming purposes and snow plowing. It is the Zoning Commission's Statement of Purpose that it is a right to be able to use your property for recreational purposes.

Chairman Ouellette opens the floor for public comment.

Elizabeth O'Connell, 34 Millbrook Lane, states that a neighbor of hers had a dirt bike and rode it all over neighboring yards. She believes this type of activity borders on nuisance.

Chairman Ouellette states that the Torrington Area Health District regulates noise and hours of operation for noise producing activities.

George Werner, 591 Litchfield Road, states that there are certain noises that are from proper equipment used for construction or landscaping and that type of noise is acceptable as they usually aren't in use during late evening hours. To allow for ATV and Snowmobile use to emit noise until 10:00 p.m. or later because it is a permitted use in the Regulations is not a proper acceptable noise.

Commissioner D. Truskauskas notes that he had received more complaints of noise when he was building his house than from when his kids are riding ATVs in the yard.

Elizabeth O'Connell, 34 Millbrook Lane, questions how the town can set perimeters because all day noise from ATVs and Snowmobiles is not acceptable.

Commissioner L. Steincamp states for the record that Commissioner Truskauskas' opinion is not her opinion regarding this subject.

Commissioner A. Buonocore states that she respects the Zoning Commission's goals for recreation for everyone but that she also does not agree with this proposed regulation and will not be supporting it for noise and safety reasons.

LUC Redmond questioned whether the use of ATVs and Snowmobiles could be moved to Section 4.2b Special Permits but to specifically state that these two types of recreational uses are exempt from obtaining a Special Permit. By doing so, it would take the allowance for building construction, alteration or relocation out of the proposal. Atty. Rybak states that he agrees with the Planning Commission's comment regarding this regulation proposal but that Section 4.2b is for ongoing activities such as racetracks, etc. and not for the individual ATV use. He adds that complaints of ATV use are not something that an enforcement officer can issue a Cease and Desist Order on to stop the use. The matter usually falls under a civil use where a call to the Area Health District or the police is made.

Elizabeth O'Connell, 34 Millbrook Lane, questions whether there can be minimum acreage requirements such as there are for horses and whether it is possible to state a minimum acre or setback requirement? She reiterates that without perimeters most people would consider this noise a nuisance.

Michael Orefice, 231 Lead Mine Brook Road, addresses the Commission and notes that he is the Chairman of the Planning Commission whereas that Commission has discussed this proposal and made their review comment. The Planning Commission wasn't clear on why ATVs and Snowmobiles were being singled out as permitted recreational uses and that their uses are already permitted without having a Zoning Regulation stating so. With the Zoning Commission giving reason for implementing this Regulation by stating "that it wasn't specifically permitted in the Regulations makes it prohibited", Michael Orefice states that bicycle riding in one's driveway isn't specifically permitted either and does that then mean it is prohibited? It is the Planning Commission's belief that once the town opens the door to recreational uses in residential zones, it is opening the town up to many activities including construction of buildings for any use as long as it's called "recreational".

Elizabeth O'Connell, 34 Millbrook Lane, agrees that this Regulation would allow anything as long as it was presented as recreational.

Atty. Rybak notes that at one time remote airplanes were considered annoying. The Commission is almost begging for problems by putting in and listing what is and what isn't permitted. If the Commission is talking about clubs, he agrees to regulate, but if not, they shouldn't propose a regulation for these uses.

Chairman Ouellette questions Atty. Rybak if he believes ATV and Snowmobile use on private property is a permitted use without a regulation with Atty. Rybak stating, yes.

Section 4.3 Special Permit Uses in the LHC – Lake Harwinton Charter Zone and the LHA – Lake Harwinton Area Zone shall have the additional wording that *"Approval from the Lake Harwinton Association is required before Zoning Commission approval is received."*

Atty. Rybak cautions that this can't be enforced and that it is just a strong suggestion that Lake Association approval be received prior to Zoning approvals.

Section 4.4 RSA – Retail Service Zone A shall have *Standards and Requirements* added that are identical to the Standards and Requirements found in the Light Industrial Service Zone A Regulation.

Section 4.5.12b Sign and Parking Requirements (LI-A Zone) *deletes the regulation stating "Internally illuminated signs shall not be permitted" and adds wording that states "Illuminated signs may be permitted subject to review by the Zoning Commission..."*

Chairman Ouellette states the reason for this amendment is that illuminated signs are historically found in the Industrial and Retail Zones.

Commissioner D. Truskauskas states that he is not in favor of this proposed amendment.

Atty. Rybak recommends that the Commission review the Town of Washington's Zoning Regulations concerning lighting of retail property. He points out that the two retail zones on Route 118 do not have proper lighting to make it so it is not visible off premises.

Chairman Ouellette opens the floor for public comment.

Elizabeth O'Connell, 34 Millbrook Lane, questions what the intention is of allowing illuminated signs with Chairman Ouellette stating that they require less maintenance and are less obtrusive.

Commissioner A. Buonocore agrees that the Commission should review the Town of Washington's regulations on lighting and further review this proposed Regulation.

Section 4.5.13e Additional Required Information (LI-A Zone) *adds wording found in State Statute 8-7d regarding time frames and extensions.*

Section 4.8.2e Standards and Requirements/Parking and Sign Requirements (RS-B Zone) *adds wording found in the LI-B Zone for Parking and Sign Requirements.*

Section 5 Lot Area and Other Dimension and Space Requirement Table Footnotes

The Zoning Commission is proposing to delete the following:

Item 1: *Deleting 'Rear Lot' requirement for a Special Permit* for the reason that the Zoning Commission has not approved a rear lot by Special Permit in a number of years.

Item 5: *Deleting the wording as it does not make sense to the Commission to keep it in the Regulations.*

Section 6: *Deleting the wording for the reason that the Buildable Lot Area requirement was deleted from the Zoning Regulations by Public Hearing in 2012.*

Atty. Rybak agrees that it is reasonable to delete the Rear Lot requirement for Special Permit as the Planning Commission regulates rear lots against their Planning Regulations and also against the Zoning Commission's Regulations that are identical in allowance of percentage of rear lots.

Section 6.4 Rear Lots *takes the exact wording from Rear Lots found under Special Permits, Section 9.6 and places it under Section 6 Supplementary Regulations.*

The Zoning Commission has not approved a rear lot by Special Permit in a number of years.

Section 6.5.2 Driveways and Accessways *is amended to provide for Shared Driveways to serve up to two (2) lots by Special Permit* for the reason that in light of implementing Low Impact Development into the Regulations in 2011, the Zoning Commission supports any proposal to reduce impervious surfaces that is in keeping with LID.

Atty. Rybak states that this Regulation is legally permissible. He notes that lots must have safe access to emergency vehicles and cautions that shared driveways can create combative neighbors when one neighbor leaves and maintenance of the driveway may suffer. Zoning Regulation 6.5.3 calls for all lots to have a corridor of land for location of driveway regardless of the layout of a shared driveway and Regulation 6.5.2 calls for deeds that include wording for appropriate easements to pass, to install utilities, to grade, drain and maintain among other requirements.

Section 6.5.4 Driveways and Accessways shall be amended to *omit the requirement for Cross-Sections* for driveways in excess of 200 feet or in excess of 10% grade.

Section 6.5.6 Driveways and Accessways shall be amended to add wording that driveways in excess of 10% grade shall be paved where erosion could enter "onto Town, State or neighboring property" replacing the wording, "out into highway."

Section 6.6 Keeping of Animals is being amended to *delete all regulations pertaining to keeping of animals and replacing with regulations that follow generally accepted agricultural practices* for the reason that the Zoning Commission wishes to encompass all animals and rely on generally accepted agricultural practices and inspection and approvals by the Commissioner of Agriculture or his/her designee.

Commissioner L. Steincamp expresses her concern with factory farms to be allowed as generally accepted agricultural practice and that the Town of Harwinton may want more than State Regulations to govern. She has concerns over strains on groundwater, etc. as Harwinton is a residential area and not primarily an agricultural area.

Commissioner D. Truskauskas notes that the current Zoning Regulations never had regulations on anything but horses and that he is in favor of more agriculture in town.

Atty. Rybak states that Regulations were brought in to address specific problems with keeping of animals, mostly on smaller parcels of land and specifically where horses were kept. On the other extreme, what Commissioner Steincamp is talking about concerning factory farming, he believes that will probably not happen in Harwinton. Atty. Rybak does state that having no rules in the Regulations concerning keeping of animals and depending solely on the State Regulations may or may not be problematic.

Commissioner A. Buonocore states her belief that the Commission should further review amendments to Section 6.5 Keeping of Animals.

Section 6.17 Fences shall be amended to *add information on obtaining a building permit when fencing is six feet or higher.*

Section 6.20 Use of Home for Personal Business shall be being amended to delete the restriction that no clients shall come to the home and *allowing for two (2) clients to come to the home* for the reason that the Zoning Commission found this to be more business-friendly and would also allow for types of home-based businesses such as counseling.

Atty. Rybak states that this is a good change to the Regulation and good for professional businesses working out of the home.

Chairman Ouellette opens the floor for public comment.

Mary Ellen Connors, 36 Village Lane, refers back to allowing recreational vehicles in residential zones and with the noise that it brings, makes it harder to conduct business from the home.

Section 8.1 Site Plan and Erosion and Sedimentation Control Plan shall be amended to give the *Land Use Coordinator the authority to sign off on structures and not just decks measuring under 200 square feet.*

Section 8.5.16 gives *notification on contacting the Zoning Enforcement Officer* for silt fence inspections.

Section 8.6.1 gives *notification on contacting the Zoning Enforcement Officer* for silt fence inspections.

Section 9.1 Procedures for Special Permits shall be amended to be more clear on neighbor notification for Public Hearings by *deleting the 200 foot neighbor notification requirement* and replacing it with the word *adjacent neighboring property*. The Zoning Commission is also proposing to delete the Regulation requiring neighbor notification by *return receipt mail* and replacing it with requiring only *certified mail*.

Chairman Ouellette opens the floor for public comment.

George Werner, 591 Litchfield Road, opposes this amendment and states that neighbors that are not adjacent to a subject property requiring a Special Permit may be affected by an activity and should be made aware of Special Permit applications.

Town Atty. Michael Rybak suggests staying consistent with the 200 foot notification requirement.

Section 9.3 Accessory Apartments will be amended to *amend the title and adding notation that accessory apartments are not to be used for income generating purposes*.

Section 9.3.2 Accessory Apartments is being *deleted as Fire Marshall nor Building Official signoff is required stating all safety codes have been met*.

Section 9.3.4 Accessory Apartments clarifies that *two parking spaces are required for the principal occupants and two parking spaces for the accessory apartment are required*.

Section 9.6 (OLD): Deleting Rear Lots listed under Section 9.6 as it has been relocated to Section 6.4.

Section 9.6 (NEW): RESTAURANT, GRILL, TAVERN, PACKAGE STORE OR OTHER BUILDING OR ESTABLISHMENT SELLING OR SERVING ALCOHOLIC LIQUOR.

The Zoning Commission is proposing to *delete the 1000 foot setback requirement for establishments selling or serving alcoholic liquor and proposing a regulation that allows selling and serving of alcoholic liquor anywhere within the town as long as compliance with State of CT liquor laws are followed* for the reason that the Zoning Commission does not see the reason behind the 1000 foot radius and that the State of CT does not regulate distance requirements. The Zoning Commission realizes that many restaurants and businesses are located in those areas where schools, churches, library, etc. are located but also believes that it would be more business-friendly to not restrict liquor consumption to certain areas.

The Planning Commission's final comment on this proposed amendment is that the Zoning Commission should seek the advice of Town Counsel of the proposed amendment to delete all distance requirements.

Commissioner A. Buonocore states she is not in agreement with this proposed amendment and has done some research that shows higher rates of crime and violence with the increase in number of bars and taverns in a town.

Commissioner D. Truskauskas notes that the Liquor Control Commission has strict Regulations on where Package Stores can be opened for business and the number of them allowed depends on the town's population.

Town Atty. Michael Rybak reads his email of 1/24/14 that was sent to the Zoning Commissioners and LUC Redmond. It reads:

A uniformly enforced 1,000 foot separating distance for building or land used for a restaurant, grill, tavern, package store or other building or establishment selling or serving alcoholic liquor from the property line of the town, a church, school, library, park or playground, or a municipal boundary line, is permitted under state law under CGS §30-44 and §30-46, and is a reasonable, proper and constitutional use of the police power of zoning according to numerous legal sources, including the last time the U.S. Supreme Court addressed the issue in *Larkin v. Grendel's Den, Inc.*, 459 U.S. 116, 121, 123-24 (1982). See also, R. Fuller, Conn. Land Use Law & Practice §4:36 (3d ed.); McQuillin Mun. Corp. §24:175, §26:201 (3d ed.); 1A Ordinance Law Annotations Alcoholic Beverages §61 (2013). This issue came up a few years ago when the pizza restaurant next to the Post Office (then known as Patella's) requested a variance for a wine and beer only restaurant permit under CGS §30-22(c) within 1,000 feet of the town hall and Consolidated School properties, and was denied by the Zoning Board of Appeals. The proposed zoning regulation amendment is somewhat misleading. The State of Connecticut Liquor Control Division has *no minimum separating distance* under CT statutes and regulations (other than for involuntary relocation of a permit establishment). Therefore any repeal of Section 9.6 of the Harwinton Zoning Regulations in reliance on state law *would result in no separating distance* between a package store or full service restaurant, and the Consolidated School, town hall property, the three churches, and the recreation/conservation area. Is that what the Zoning Commission or the Planning Commission wants for the small town community center of Harwinton?

Town Atty. Michael Rybak states that he will leave this decision up to the Zoning Commission but cautions that if the proposed amendment is adopted, other Regulations must be in place for types of establishments selling alcohol and that Regulations on entertainment should also be addressed.

Chairman Ouellette opens the floor for public comment.

Elizabeth O'Connell, 34 Millbrook Lane, questions what the benefit is of deleting distance requirements.

Chairman Ouellette states that businesses are in what is basically the "center" of town and the Commission believes that by allowing restaurants to sell alcohol would bring people to town to support existing businesses. Right now, Harwinton is just a drive-thru town. He refers to the Town of Burlington that has a thriving business base and that people are drawn to that town to shop and dine.

Elizabeth O'Connell, 34 Millbrook Lane, states her belief that most people in Harwinton would be okay with restaurants not serving alcohol. She addresses the Commissioners stating they are representatives of the town who have to ask themselves, "What is the right direction for this town?"

Town Atty. Michael Rybak states that perhaps the Zoning Regulations should specify, as they do in the Town of Bantam, that serving of alcohol is by Special Permit for restaurants who shall not serve alcohol exceeding 6% alcohol content. He adds that the Regulations cannot regulate live entertainment but can limit what can be served and when. He questions why the proposed amendment came about as the Regulations concerning selling/serving alcohol and distances for doing so have always been in the Zoning Regulations.

Michael Orefice, 231 Lead Mine Brook Road, states that if the Zoning Commission eliminates all distance requirements then they will need to define restaurants, taverns, grills, etc.

Town Atty. Michael Rybak states that Package Stores are different classifications under the Liquor Control Act and can be conducted without problems. He adds that towns have to have Zoning rules on selling/serving alcohol and that the State Liquor Commission requires Town Official signoff on locations.

Chairman Ouellette questions whether Zoning Regulations can exclude entertainment with Atty. Rybak replying that he is not sure if that can be done. He does urge the Commission to tread lightly on amending this Regulation.

Commissioner D. Truskauskas questions whether the Commission can eliminate this proposed amendment and propose new Regulations under Special Permits to address selling and servicing of alcohol.

Mary Ellen Connors, 36 Village Lane, questions the Commission on how this proposed amendment would make the Town of Harwinton better?

Commissioner L. Steincamp believes it to be a fine thing to maintain the 1000 foot separating distances.

Commissioner D. Mathes agrees that perhaps more work needs to be done on this proposal.

Commissioner C. Iacino states that with this proposed amendment, it allows for established businesses to come to town.

Commissioner D. Truskauskas states that some restaurants in town do sell alcohol (Landing Zone, Edison Grille) because they meet distance requirements, or received variances, and he would like to see all restaurants being able to do the same.

Town Atty. Michael Rybak states that if it is the intent to allow just beer and wine to be sold at restaurants, the Commission has to be very specific in their Regulations.

George Werner, 591 Litchfield Road, states that he believes the Zoning Commission is lowering the bar for the Town of Harwinton.

Elizabeth O'Connell, 34 Millbrook Lane, asks the Commissioners to look at what could be the worst-case scenario with what is being proposed.

Section 9.9 Special Exceptions. The Zoning Commission has decided *they will not add a Regulation for Special Exceptions.*

Section 11.1.3 Signs. The Zoning Commission is *allowing for contractor's signs to be displayed for thirty (30) days following completion of a project.*

Section 11.1.5 Signs. The Zoning Commission is *allowing for signs for agricultural farms to be twelve (12) square feet.*

Section 11.3 Permitted Signs for Uses in Zones Requiring Site Plans. The Zoning Commission has decided to *delete this section* because the remaining sign regulations cover all other zones in town.

Section 12.1 Landscape Buffer Requirements. This Regulation is *being reworded* to add clarity. Town Atty. Michael Rybak states this is an improvement.

Section 13.3.2 Restrictions on Non-Conforming Lots. The Zoning Commission is *amending the time frame for restoration from two (2) years to five (5) years* for the reason that it may take more time for a resident to rebuild their home after catastrophe.

Commissioner A. Buonocore questions why five years was chosen and not three or four.

Commissioner D. Truskauskas states that the additional three years would allow for insurance claims to go through and any other obstacles that may occur.

Town Atty. Michael Rybak suggests that the two years remain but perhaps add the following wording, “but may be extended to a total not to exceed five (5) years.”

The Zoning Commission will continue discussion on this amendment.

Section 14 Excavation, Grading, Filling or Removal of Earth

Section 14.1 General. The proposed amendment shall *increase the amount of cubic yards from 50 to 100.*

Section 14.2 Exceptions. *The Zoning Commission shall include Section 14.2.5 to read as follows:*

14.2.5 Fill for septic systems are exempt at any limit.

*This was discussed and agreed upon at the Zoning Commission’s 1-13-14 meeting.

Section 14.2.1 is being amended to read: Excavation *and/or grading for site improvements including* the foundation/basement of a building or alteration of a structure for which a *Zoning* permit has been issued.

**new wording is in italics.*

Omitting the minimal amount of 50 cubic yards.

The Zoning Commission believes that 100 cubic yards is a more reasonable amount for excavation, grading, filling or removal of earth. Any amount exceeding 100 cubic yards shall require a Special Permit.

Section 14.4.5 allows for *the Zoning Commission to decide to allow onsite crushing of material in any zone providing the material will be used on the site it originated and was crushed on* as this eliminates trucks entering and exiting the property to take material in or out.

Town Atty. Michael Rybak questions what onsite crushing is about and believes it could become a problem in residential neighborhoods.

Commissioner D. Truskauskas states that if onsite crushing is allowed when developing a site, it leads to less truck traffic.

Town Atty. Michael Rybak questions if there would be regulations on noise and dust pollution and whether the Zoning Regulation that allows for processing stone or gravel materials (listed under LI-A Zone, Section 4.5) applies to crushing. Chairman Ouellette replies, yes, those Regulations would apply to crushing. Atty. Rybak states that the Commission should make certain a site does not become a permanent crushing site.

Commissioner D. Truskauskas states that this would be allowed by Special Permit that would allow for conditions to be placed on approvals.

3. **CONTINUE OR CLOSE HEARING.**

With no further comments by the Commission or from the public, Commissioner D. Truskauskas **motioned to continue the Public Hearing to Monday, February 10, 2014 at 7:00 p.m. in the town hall**, seconded by A. Buoncore. The motion passed unanimously.

The Public Hearing adjourned at 9:13 p.m.

REGULAR MEETING

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

Chairman Ouellette called the meeting to order at 9:14 p.m. All regular members present are seated.

2. **APPROVE MINUTES OF PREVIOUS MEETINGS: 12/9/13 AND 1/13/14**

D. Truskauskas **motioned** to approve the minutes of 12/9/13, seconded by C. Iacino. Motion passed unanimously with Chairman Ouellette, A. Buoncore and L. Steincamp refraining from vote due to their absence at the 12/9/13 meeting.

D. Truskauskas **motioned** to approve the minutes of 1/13/14, seconded by D. Mathes. Motion passed unanimously with C. Iacino refraining from vote due to her absence at the 1/13/14 meeting.

3. **DISCUSSION/POSSIBLE DECISION - PROPOSED ZONING REGULATION AMENDMENTS.**

No discussion.

4. **COMPLAINTS/ENFORCEMENT ACTIONS.**

None.

5. **ANY OTHER BUSINESS.**

None.

6. **CORRESPONDENCE.**

None.

7. **INVOICES.**

None.

8. **ADJOURN.**

C. Iacino **motioned** to adjourn the meeting at 9:20 p.m., seconded by D. Mathes. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT

ON 1-30-14 AT 12:13 PM

ATTEST NANCY E. ELDRIDGE TOWN CLERK