

ZONING COMMISSION MEETING
MONDAY, MAY 9, 2016
TOWN HALL 7:00 P.M.

Present: Chairman Don Truskauskas, Alternate Member Daniel Thurston, Alternate Member Deborah Kovall, Zoning Enforcement Officer David Perkins and Land Use Coordinator Polly Redmond

Absent: David Mathes, Steve Maston, Michelle Rewenko and Alternate Member Brooke Cheney

PLEDGE OF ALLEGIANCE

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Truskauskas called the meeting to order at 7:00 p.m. Alternate Members present are seated for absent Regular Members.

2. APPROVE MINUTES OF PREVIOUS MEETING: 4/25/16

Tabled until next meeting due to lack of a voting quorum.

3. PUBLIC COMMENT. None.

4. DOUG CARTONA – APPLICATION FOR 16' X 45' DECK, 12 ROCKY ROAD WEST. REQUEST FOR WAIVER OF ENGINEERED PLAN.

Mr. & Mrs. Cartona are present and provide a site plan dated 12/30/86 prepared by Bill Schultz from when they applied to construct their home. The deck is shown on the site plan, never built, and now proposed to be larger. IWWC and TAHD approval has been received. D. Kovall **motioned** to grant the request for waiver of an engineered plan, seconded by D. Thurston. D. Thurston **motioned** to approve the application, seconded by D. Kovall. Both motions passed unanimously.

5. HARWINTON ECONOMIC DEVELOPMENT COMMITTEE – INFORMAL DISCUSSION ON DRAFT WORDING THEY ARE PROPOSING TO HOME OCCUPATION ZONING REGULATION.

Tom Schoenemann, Chairman, Economic Development Committee and John DiCarlo, Vice Chairman, Economic Development Committee are present to discuss the draft Home Occupation regulation. LUC Redmond had originally drafted the new wording for home occupations and the EDC suggested minor changes such as allowing up to three clients to come to the home business and to allow for two nonresident (of the premises) full or part time employees working on the premises.

T. Schoenemann states that the EDC is trying to support home occupations that do not violate the current regulations. He notes that the EDC had put together a business directory and half of the businesses in that directory are home occupations; using the home as a business under Zoning Regulation 6.19, no outward appearance of a business being operated. Some businesses though are in violation of the Zoning Regulation because they do have clients coming-in for such types of businesses as music lessons, tutoring and counseling. J. DiCarlo states that these activities are already happening with no complaints coming in to the Land Use office. D. Kovall states that she likes the two-tier setup of Minor Home-Based Business and Major Home-Based Business; that it makes it very clear as to the type of home occupation taking place. J. DiCarlo notes that this proposal to amend the Home Occupation Zoning Regulation is not an urgent one but they are asking Zoning to consider the proposal if they are thinking of amending other sections of the Zoning Regulations. He adds that if it does go to public hearing, a representative from the EDC will attend to answer any questions the public may have.

6. REVIEW TAX EXEMPTION APPLICATION FROM TURBOKITS, 271 LITCHFIELD ROAD, IN ACCORDANCE WITH ORDINANCE 149.

Tom Schoenemann and John DiCarlo are present to represent for the Economic Development Committee. An email from T. Schoenemann was received in the Land Use office stating that the EDC approved the tax abatement with the condition that all Zoning Regulations have been met. Chairman Truskauskas states that he is unsure that the procedure has been applied correctly with J. DiCarlo stating that the Zoning Commission is to review and comment as a “check and balance” to be certain no violations exist and the use of the property is a conforming one. D. Kovall **motioned** that the Zoning Commission finds no violations for the use of the property located at 271 Litchfield Road and proposes that the Board of Selectmen move forward with the tax exemption application.

7. DISCUSSION – VACANT POSITION OF REGULAR ZONING COMMISSION MEMBER.

D. Thurston **motioned** to set a Special Meeting for May 23, 2016 at 6:55 p.m. to appoint a new Regular Member to the Commission to fill the vacancy left by Joseph Marzullo with term ending 11/7/17. Motion seconded by D. Kovall and passed unanimously.

8. COMPLAINTS/ENFORCEMENT ACTIONS.

ZEO David Perkins informs the Commission of actions he has taken including a notice letter sent to Jennifer Joseph for construction of a deck without a permit, 204 Scoville Hill Road, a letter written to Mrs. Nedley, 40 Harmony Hill Road, in response to her complaint of light pollution from her neighbors at 36 Harmony Hill Road, investigation of a DEEP email received stating that 124 Highview Drive resident is accepting large dump truck loads of stumps and that the resident is burying them in the yard. ZEO Perkins states that in fact, the resident receives cord wood and cuts it up for burning. ZEO Perkins apprises the Commission of the matter between the Damianis, 15 Knoll Drive, and Lisa Cheney, 7 Knoll Drive. The Damianis wish to install a fence on their property and will do so with their approval from the Lake Harwinton Association.

9. ANY OTHER BUSINESS.

LUC Redmond explains that a potential buyer of 320 Scoville Hill Road came to the Land Use office questioning the use of the property which has two houses on it. One house, built in 1950, is 922 square feet and the second house, built in 1958, is 1498 square feet. The Assessors street card notes that the “2nd house is 322 Scoville Hill Road on same lot as 320 Scoville Hill Road.” The interested buyer wants to know if the two homes are legal non-conforming as the Zoning Regulations call for one principal use per lot. The Zoning Commission determines that the two homes can both be lived in as primary residences as they have for years.

10. CORRESPONDENCE. None.

11. INVOICES.

D. Thurston **motioned** to approve the invoice of ZEO David Perkins for 12.25 hours, seconded by D. Kovall. Motion passed unanimously.

12. ADJOURN.

D. Kovall **motioned** to adjourn the meeting at 8:05 p.m., seconded by D. Thurston. Motion passed unanimously.

Respectfully submitted,

Polly Redmond, Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 5-11-16 AT 10:30 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK