

Present: Chairman Todd Ouellette, Don Truskauskas, Anne Marie Buonocore and Land Use Coordinator Polly Redmond.  
Absent: Nancy LaGanga, Cory Iacino, Alternate Members Robert Lavoie, Glenn Bradley and Kevin Ferrarotti.

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

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

2. **APPROVE MINUTES OF PREVIOUS MEETING: 1/14/13**

Item is tabled until the next Zoning meeting due to lack of a quorum to vote.

3. **GREG MELE/BIRGE PARK COMMONS, LLC – REVISIT MOTION OF 1/14/13 MEETING ON APPLICATION FOR SIGNAGE, 178 & 182 BIRGE PARK ROAD AND DISCUSS SITE LIGHTING FOR PARKING LOT, 178 BIRGE PARK ROAD.**

Mr. Mele is present and expresses his appreciation for the opportunity to discuss signage again from the last meeting held. He explains that the proposed signs were to be backlit until the Zoning Commission instructed him to have them with exterior lighting. He notes that the Sunoco Station, located at 207 Birge Park Road, has an internally illuminated sign as does Tony's Package Store at 446 Birge Park Road. He also reminds the commission that the large sign out in front of 178 Birge Park Road, close to the street, was previously an internally lit sign the last time it was in use. Mr. Mele states he is present tonight to ask for modification of the commission's previous decision and allow internally lit signs. From a maintenance standpoint, it is his belief that internally lit signs are more efficient and easier to maintain. D. Truskauskas states that if the original sign close to the street was internally lit in the past, it could be a continued use of the sign. Mr. Mele agrees that it was but is unsure of whether there was any signage on the building itself but that, from a maintenance standpoint, he requests they be internally illuminated also. Chairman Ouellette states he sees no problem with light pollution emitting from the property with the use of an illuminated sign, including illuminated signs on the building, and agrees that the Sunoco Station does have backlit lighting for their sign which was approved by the Zoning Commission in 2009 with no special permit/exception required. D. Truskauskas **motioned to approve the signs as internally lit** (Zoning Regulation Section 11.2.2) as presented on the plan. A. Buonocore seconded the motion and it passed unanimously.

Site lighting for the parking lot is discussed at this time. Mr. Mele distributes lighting specifications done by SunValley Lighting and USArchitectural Lighting which are accompanied by a photometric layout with calculation summary of illuminance. Mr. Mele points out on the layout plan the locations of the proposed lighting with two lights on 14 foot poles to be located at the front entrance, two more lights on 14 foot poles to the south of the entrance, one on each side of the parking lot (north and south) and two Lithonia WST LED lights on the south side of the building over the garage doors. The property presently has a CL&P light fixture on the southerly portion of the entrance that might be deleted once the parking lot lighting is installed. There are LED fixtures in the overhang area that illuminate only the façade of the building. Those same LED fixtures will be brought around to the northerly side of the building to illuminate over the window areas. D. Truskauskas commends Mr. Mele on a good job in planning and designing the lighting that will keep the property well lit but not overly lit. D. Truskauskas **motioned to approve the site lighting plan**, seconded by A. Buonocore. Motion passed unanimously.

D. Truskauskas **motioned to add Discussion of Landscaping** for 178&182 Birge Park Road, Birge Park Commons, LLC, seconded by A. Buonocore. Motion passed unanimously.

Mr. Mele states that at a previous Zoning meeting, he was approved for rebuilding the existing footprint of the house on the property (to be demolished and rebuilt with additions) and was told that a landscaping plan was to be submitted along with a Zoning application for additions to the existing foundation. A landscaping plan was required due to the property abutting a residential zone. In reviewing Section 12 of the Harwinton Zoning Regulations, Mr. Mele expresses his confusion as to what is required because the regulation is not clear.

D. Truskauskas states that it is his understanding that regulations call for a 50 foot long buffer with 15 feet of trees having 30% evergreens planted. This prevents parking and storage in that area. This is just his interpretation. Mr. Mele points out that there is a ledge cropping along the north border making it difficult to plant trees and also notes that there is a State DOT Right of Way drainage ditch in that area as well. Chairman Ouellette states that the buffer is to provide a screen for sound, lighting and visibility from the residential neighbor and questions Mr. Mele as to the width of the DOT drainage easement with Mr. Mele stating he doesn't know but that there is a 24" RCP pipe installed along the northern border of the property. Chairman Ouellette states that the landscaper that Mr. Mele brings in will have to work with the topography. D. Truskauskas notes that Zoning Regulation 12.1.d allows for fencing and walls as an option as a supplement to existing or proposed plantings. Mr. Mele states that the commission could then be looking for roughly 15 feet of coverage and the other 35 feet can be lawn or natural brush? D. Truskauskas states this is how he reads it. Once the landscaping plan is complete, Mr. Mele will return with an application.

**4. RON VISINI – APPLICATION FOR SINGLE FAMILY DWELLING, LOT 2, MELNIC RESUBDIVISION, ORCHARD HILL ROAD.**

Mr. Visini is present. Site plans prepared by Berkshire Engineering, dated 12-20-12, titled Septic Design are reviewed. IWWC and TAHD approvals have been received. Driveway permit was taken out for culvert work in June 2010. D. Truskauskas **motioned** to approve the application subject to the as built providing house dimensions, seconded by A. Buonocore. Motion passed unanimously.

**5. SAMANTHA AND MARK TILLEY – APPLICATION FOR REINSTATEMENT OF HOME OCCUPATION PERMIT FOR BED & BREAKFAST, 33 SOUTH ROAD. PERMIT EXPIRED 2005.**

Ms. Tilley is present and states that she would like to reinstate her home occupation permit that lapsed in 2005. Discussion takes place on TAHD requirements for upgrades to kitchen to be able to serve meals to guests. If no upgrades are made, only Danish pastry type breakfasts could be served. D. Truskauskas notes that the Zoning Commission's previous approval was conditioned upon having "no meals served" and that this commission would probably have that same condition. D. Truskauskas **motioned** to accept the application and set it for public hearing for Monday, March 25, 2013 at 7:00 p.m. in the town hall, seconded by A. Buonocore. Motion passed unanimously. A \$300 fee is to be collected and Ms. Tilley was instructed on neighbor notification for the public hearing.

**6. BABAR ZARDAD – INFORMAL DISCUSSION ON USE OF PROPERTY LOCATED AT 165 LITCHFIELD ROAD (HOMETOWN PLAZA) AS A GAS STATION.**

Mr. Zardad, owner of 165 Litchfield Road and the five buildings situated on the lot is present to discuss the possibility of opening a gas station on the property. He explains that he would tear down the house which has frontage on Whetstone Road and replace it with a building for taking in payments for gasoline. The former True Value building would be demolished and the gasoline tanks would be placed in that area. LUC Redmond reads Zoning Regulation 9.8.1 which calls for a 500 foot separating distance from churches, schools, libraries, parks, playgrounds, theaters, hospitals, nursing homes, fire stations or buildings for public assembly. LUC Redmond has measured the distance to Bentley Drive (public assembly building) and found the distance to be approximately 87.2 feet from Mr. Zardad's property line and the distance to the Consolidated School's property line to be approximately 283 feet from Mr. Zardad's property line, therefore not meeting the 500 foot requirement. There is discussion on what is a service station with Mr. Zardad stating he believes it means servicing of cars only. LUC Redmond had found a definition of service station in Webster's Dictionary to be "1. A place providing maintenance service, parts, supplies, etc. for mechanical or electrical equipment 2. A place providing such service and selling gasoline and oil for motor vehicles; gas station." Mr. Zardad states that if he must, he would subdivide the property which would then give him the 500 foot separating distance with the newly created lot having frontage on Whetstone Road. He will pursue the idea of subdividing the property and obtain the necessary permits and approvals.

**7. CHRISTOPHER GLYNOS – INFORMAL DISCUSSION OF PROPERTY LOCATED AT 122 LITCHFIELD ROAD (POST OFFICE PLAZA). PROPERTY FORMERLY OWNED BY CARL COPPOLA. SIGN ADVERTISING SPACE FOR LEASE IS DUE FOR RENEWAL IN MARCH 2013.**

Mr. Glynos is present to discuss possible uses of the back property of 122 Litchfield Road that has frontage on Cemetery Road. He informs the commission that he is thinking of offering Dunkin Donuts their own building and questions the town's regulations on buildings with drive-thru windows. There is no regulation found in the Zoning Regulations relating to drive-thru windows. The building housed by Dunkin Donuts does have a grandfathered drive-thru window as it once was a bank. Mr. Glynos states that Litchfield Bank might be interested in moving into this plaza and take the space used by Dunkin Donuts. He thanks the commission for taking the time to discuss use options for this property.

Mr. Glynos is aware that the sign offering "Space for Lease" is up for renewal in March. D. Truskauskas **motioned** to allow LUC Redmond to sign off on the sign application allowing it to remain for an additional six months. A. Buonocore seconded the motion and it passed unanimously.

**8. DISCUSSION – ZONING REGULATIONS.**

Item is tabled until the next Zoning meeting on March 11, 2013.

**9. REVIEW 2013-2014 ZONING COMMISSION BUDGET.**

D. Truskauskas **motioned** to accept the 2013-2014 Budget as presented by LUC Redmond for \$6550.00 (\$200 less than last year's budget request), seconded by A. Buonocore. Motion passed unanimously.

**10. COMPLAINTS/ENFORCEMENT ACTIONS.** None

**11. ANY OTHER BUSINESS.** None

**12. CORRESPONDENCE.**

Notice of CT Federation of P&Z Agencies Annual Conference to be held on March 14, 2013 at Aqua Turf. Reservations accepted no later than March 12, 2013. Item will be brought back for discussion at the Zoning Commission's March 11, 2013 meeting.

Notice of CT Bar Association's CT Land Use Law for Municipal Land Use Agencies, Boards and Commission's workshop to be held at Wesleyan University on Saturday, March 16, 2013 from 8:30 a.m. to 4:30 p.m.

Registration is between 8:30 and 9:00 at the University. Items will be brought back for discussion at the next Zoning Commission's meeting March 11, 2013.

Notice of the Town of Thomaston's proposed text amendments to the Thomaston Zoning Regulations is distributed by LUC Redmond.

**13. INVOICES.**

A. Buonocore **motioned** to approve the invoice of ZEO Karen Nelson for 9 hours (\$315.00), seconded by D. Truskauskas. Motion passed unanimously.

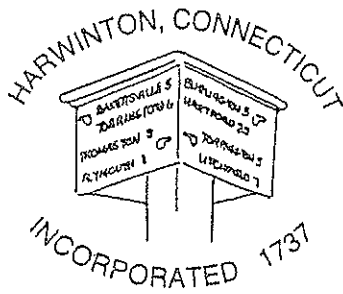
**14. ADJOURN.**

A. Buonocore **motioned** to adjourn the meeting at 8:25 p.m., seconded by D. Truskauskas. Motion passed unanimously.

Respectfully submitted,

Polly Redmond  
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT  
ON 2/28/2013 AT 12:23 PM  
ATTEST NANCY E. ELDRIDGE TOWN CLERK



## TOWN OF HARWINTON

HARWINTON, CONNECTICUT 06791

Tele: (860) 485-9051 • Fax: (860) 485-0051

### INLAND WETLANDS AND WATERCOURSES COMMISSION

TOWN HALL

7:00 P.M.

MONDAY

MARCH 4, 2013

### ORDER OF BUSINESS – AGENDA

#### SHOW CAUSE HEARING - continued

1. Open hearing – establish quorum.
2. Fred Pesce – after-the-fact activities of deposition of material and pollution into regulated areas without a permit, 529 Burlington Road.
3. Continue or close Show Cause Hearing

#### REGULAR MEETING

1. Open meeting – establish quorum.
2. Approve minutes of previous meeting: 2/4/13
3. Peter LeVasseur – Discussion/possible decision – application for 36' x 44' barn, 86 Gale Road.
4. Pete LeVasseur – application for pond maintenance, 86 Gale Road.
5. Michael Krayski – septic repair, 733 Hill Road.
6. Steve Latour, Berkshire Engineering for Elliot Cyr (property owner) and Wesley Cyr (applicant) – application for two lot resubdivision, 93 Oakwood Drive.
7. Discussion/possible decision - Fred Pesce Show Cause Hearing – Uphold, Modify or Withdraw Order, 529 Burlington Road.
8. Review 2012 Legislation & Regulation Advisory.
9. Any other business.
10. Complaints/Enforcement Actions.
11. Correspondence.
12. Invoices.
13. Adjourn.

Polly Redmond  
Land Use Coordinator

RECEIVED

FEB 28 2013

TOWN CLERK