

Present: Chairman Todd Ouellette, Anne Marie Buonocore, Don Truskauskas, Cory Iacino and Land Use Coordinator Polly Redmond

Absent: Nancy LaGanga, Alternates Robert Lavoie, Glenn Bradley and Kevin Ferrarotti

PUBLIC HEARING - continued

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman Ouellette called the hearing to order at 7:00 p.m. and a quorum was established.

2. SAMANTHA TILLEY – SPECIAL PERMIT APPLICATION TO REESTABLISH HOME OCCUPATION PERMIT, BED & BREAKFAST INN, 33 SOUTH ROAD.

Mrs. Tilley is present and submits receipts from certified mailings to neighbors within 200 feet of her property giving notice of this public hearing. She explains that this application is the same as the Bed & Breakfast application that lapsed in 2005. There will be three guest rooms and no food service. Mrs. Tilley expresses that in the future she would like to serve dinner to guests but TAHD would have to approve this type of operation and also the number of dinner guests. Upon questioning, Mrs. Tilley states that if she receives TAHD approval for ten guests, it would be contained to guests of the Bed and Breakfast Inn. If TAHD approves for twenty guests to dine, the dinners would be open to the public. Mrs. Tilley notes that there is screening of parking from the street and that there is ample parking available in the back of the property. Chairman Ouellette opens the floor for public comment at this time.

Ann Giordano Arnold, 47 South Road, speaks in favor of the Bed & Breakfast Inn application.

With no further comments from members of the public or commissioners, D. Truskauskas **motioned** to close the public hearing at 7:12 p.m.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Ouellette called the meeting to order at 7:13 p.m. Same quorum exists.

2. APPROVE MINUTES OF PREVIOUS MEETING: 4/8/13

D. Truskauskas **motioned** to approve the minutes of the previous meeting with the following amendments: Page 2, Item 4, last line should read: "D. Truskauskas seconded the motion and it passed unanimously." Also, Page 3, Item 10, line 5: omit the wording "remaining funds of a \$74,000". Line should read: "...purchase the property for \$20,000 will be obtained from a grant acquired under former..." C. Iacino seconded the motion and it passed unanimously with A. Buonocore refraining from vote due to her absence at the previous meeting.

3. TOWN OF HARWINTON – APPLICATION FOR MODIFICATION OF ZONING COMMISSION'S 11-13-12 SITE PLAN APPROVAL FOR CONSTRUCTION OF A 5000 SQUARE FOOT BUILDING TO BE USED BY THE HARWINTON EMERGENCY OPERATIONS CENTER AND THE HARWINTON AMBULANCE ASSOCIATION, 166 BURLINGTON ROAD, ASSESSORS MAP. NO. D6-03-03.

Peter Thierry is present to represent. Modified site plans by Brian Neff, dated 4-20-13 for removal of west driveway entrance per additional CT DOT requirement, addition of antenna and relocation of generator are reviewed. D. Truskauskas **motioned** to approve the application for modification, seconded by D. Iacino. Motion passed unanimously.

4. COLIN & JENNIFER DINWOODIE – APPLICATION FOR 18' X 24' BARN, 87 CEMETERY ROAD. REQUESTING WAIVER OF ENGINEERED PLAN.

No one is present to represent.

5. PETER LEVASSEUR – APPLICATION FOR 36' X 44' BARN, 86 GALE ROAD. REQUESTING WAIVER OF ENGINEERED PLAN.

Mr. LeVasseur is present and has written a letter requesting a waiver of an engineered site plan plotting the location of the barn. A copy of a property survey is available showing that the barn will be located 270 feet to the north property line, approximately 150 feet to the south side property line and approximately 120 feet to the back property line. IWWC and TAHD approvals have been received. Barn will be used for storage only and TAHD has conditioned "no water use fixtures or heat but okay for electricity". D. Truskauskas **motioned** to grant the waiver request of an engineered plan, seconded by C. Iacino. D. Truskauskas **motioned** to approve the application, seconded by D. Iacino. Both motions passed unanimously.

6. DISCUSSION/POSSIBLE DECISION – SAMANTHA TILLEY – SPECIAL PERMIT TO REESTABLISH HOME OCCUPATION PERMIT FOR BED & BREAKFAST INN, 33 SOUTH ROAD.

D. Truskauskas **motioned** to approve the application for Special Permit with the following conditions: that there be screened parking, no on-street parking shall be allowed, no meals shall be served to guests and that the application is for the operation of a Bed & Breakfast Inn only with no catering or events taking place. If catering and events are something that is planned for in the future, Torrington Area Health District approval would be required as well as Zoning Commission approval. Reason for approval is that it is a good fit for the neighborhood and community. C. Iacino seconded the motion and it passed unanimously.

D. Truskauskas **motioned** to add Roger Wasilonski, 51 Lenor Drive, to the agenda for application to construct 12' x 20' shed with a request for waiver of an engineered plan. A. Buonocore seconded the motion and it passed unanimously. Mr. & Mrs. Wasilonski are present. Copies of a site plan showing the area of activity are distributed to commissioners for review. The shed shall be located 40 feet from the side property line to the rear of the property. IWWC approval has been received. TAHD approval is outstanding. D. Truskauskas **motioned** to grant the waiver request of an engineered plan, seconded by C. Iacino. D. Truskauskas **motioned** to approve the application conditional upon TAHD approval, seconded by A. Buonocore. Both motions passed unanimously.

7. DISCUSSION – ZONING REGULATIONS.

Discussion tabled to the next Zoning meeting. Farm Ordinance is on the Town Meeting agenda tonight.

8. DISCUSSION – ZONING ENFORCEMENT OFFICER POSITION.

The Commission unanimously agreed that the Zoning Enforcement Officer position and the Land Use Coordinator position should be joined into one position and that the position should be made full-time. A letter stating this shall be sent to the Board of Finance.

9. COMPLAINTS/ENFORCEMENT ACTIONS.

The Land Use Coordinator is in receipt of a complaint from Paul Matthews, 136 Clearview Avenue, who states that business is being conducted on neighboring property of Brent Lafferty, 128 Clearview Avenue, on Saturday afternoons, evenings and on Sundays with trucks entering and exiting the property and heavy equipment being operated.

On August 9, 2004 the Zoning Commission approved the application by Brent Lafferty for a commercial building with conditional hours of business operation being 7:00 a.m. to 5:00 p.m. Monday through Friday and 7:00 a.m. to 1:00 p.m. on Saturday with no Sunday hours permitted. LUC Redmond will send a letter to Mr. Lafferty informing him of the complaint and a reminder to keep permitted hours.

10. ANY OTHER BUSINESS.

Discussion on lack of attendance by members of the board takes place. Commissioners would like to see increased attendance by alternate members as some meetings barely meet a quorum. Letters will be sent to the alternate members reminding them of the importance of their attendance.

11. CORRESPONDENCE.

Atty. Steve Byrne has forwarded material from the CT Federation of Planning & Zoning Agencies Annual Conference. Presentation material concerns the potential legal liability of commission members for decisions they make as members of a land use agency.

Correspondence from TAHD dated 4/17/13 giving a reminder that Home Town Plaza, 157 Litchfield Road, has septic issues that TAHD is still reviewing. Anybody interested in renting out the vacant unit should be directed to TAHD.

12. INVOICES

None.

13. ADJOURN.

C. Iacino **motioned** to adjourn the meeting at 7:50 p.m., seconded by D. Truskauskas. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 4-25-13 AT 11:34Am
ATTEST NANCY E. ELDRIDGE TOWN CLERK