

CHAPLIN PLANNING AND ZONING COMMISSION
CHAPLIN, CONNECTICUT

REGULAR MEETING MINUTES

Nov. 13, 2014

The meeting was called to order at 7:04 PM by commission chair Peter Fiasconaro. Regular members present were Doug Dubitsky, John Meyer, Alan Burdick, Randy Godaire, and Dave Garceau. Alternate member present was Cesar Beltran. Staff present was Zoning Enforcement Officer Jay Gigliotti. Unable to attend was regular member Eric Beer and alternate members Bill Ireland and Ken Fortier.

Seat Alternates: Cesar Beltran was seated for Eric Beer.

Approval of Minutes: October 9, 2014: John Meyer moved to approve the minutes of Oct. 9, 2014. Randy Godaire seconded the motion. The minutes should be amended to reflect First Selectman Bill Rose's discussion with Mr. Gigliotti should be noted under correspondence and included issues regarding PZC regulations that he fields questions about regularly, and he asked the board to address these regulations. It was the consensus of the board to pick an item to focus on at subsequent meetings and list them explicitly on the agenda. The board will address in-law apartments at the next meeting.

The minutes, as amended, passed with the following vote:

YES: P. Fiasconaro, J. Meyer, A. Burdick, C. Beltran, R. Godaire, and D. Garceau

ABSTAIN: D. Dubitsky

Citizens Having New Business: None

John Meyer moved to reorder the agenda so New Business will be conducted before Old Business. Cesar Beltran seconded the motion and it passed unanimously.

New Business:

- A. **#LP14-004:** Mr. Gigliotti explained the purpose of the application. He has conducted 2 site walks—1 on the property and 1 on the abutting road. Mr. Guay, the Public Works foreman has also been out with Mr. Gigliotti to review the road use. Applicant Nick Zito was in attendance to discuss the application details with commission. Mr. Gigliotti commented he had no concerns with this application, the site lines were all good.

John Meyer moved to approve the application #LP14-004. Dave Garceau seconded the motion and it passed unanimously.

- B. **Request for Bond Release:** Mr. Gigliotti distributed the bond release regulations. The commission and Zoning Enforcement Officer discussed the site plan and what was on record from the land records for this development—the Natchaug River subdivision, including correspondence listing outstanding issues the ZEO was directed to send at the last meeting, and the response from applicant's engineer. The commissioners and the ZEO discussed the current state of the site and any

remaining issues, as noted in the delivered letter. Commission members articulated concerns and questions regarding the current state of the development. Drawings meet conditions of subdivision regulations. RodericMcCorrison also submitted testimony on this issue. The bonds are expired, and conservation easements have been delineated since the date of letter. John Hodgkin's also presented testimony. Sam Schraeger (Mr. Hodgkin's attorney) will come before commission to discuss the issue which is outlined in section 8.04—bond release. After a lengthy discussion of outstanding issues, **Randy Godaire moved to table any action until the next meeting. John Meyer seconded the motion and it passed unanimously.** The commission seeks additional time for the town's attorney to review the issue and directed the applicants to generate as-builts for the common driveways.

Old Business:

A. Continued discussion of Revisions to Zoning Regulations:

First Selectman Bill Rose is continually getting questions about Section 8.6—accessory apartments and other issues. The commission reviewed regulations for accessory apartments. Mr. G distributed copy of current regulation. After a considered discussion of the current regulation the commission will review accessory apartment regulations from neighboring localities, as compiled by Mr. Gigliotti and Commissioner Dubitsky will also distribute a draft of a possible revision to the current regulation

Correspondence: None

Report of Zoning Officer:

Mr. Zitowas awarded a Logging Operation permit at this meeting, but towns cannot regulated logging operations through their planning and zoning commissions as per Connecticut General Statute §23-65k. Regulations must be revised to comply with state law. Mr. Zito is requesting a refund of the fees he's paid for this application since it shouldn't be regulated by the PZC. Until the regulations as revised, however, the applicant must comply. The fee paid was \$260–\$200 to Town of Chaplin, \$60 to State of CT. Per statute, the PZC can't regulate damage to wetlands, and current regulations only speak of damage to environment, not roads. The commission would like clarification from Town Attorney Dennis O'Brien, and the town cannot refund a state fee. This issue was brought to Mr. O'Brien's attention earlier this month. He is unaware of the refund request. **Doug Dubitsky moved to table discussion of the refund request until Town Attorney Dennis O'Brien can provide an opinion. John Meyer seconded the motion and it passed unanimously.**

Enforcement Issues:

- 262 Willimantic Road—unregistered motor vehicles and vehicles for sale. Mr. Gigliotti has walked the property, and all the vehicles have been registered, and he has seen no new cars at that location. The commission recommended the ZEO leave the enforcement action open for a little while longer.
- The remediation order on the Palmer Road property is almost complete.
- Tractors and Trimmers on Willimantic Road—the second entrance has not been closed off yet. The zoning permit requires zoning compliance, but the location is not yet in

compliance. The commission wants the second entrance closed, so the ZEO will send a letter to the owner.

- Ribbits—Should get a zoning permit application for the movement of the emergency light. *Peter Fiasconaro recused himself from this discussion.* The commission directed the ZEO to send correspondence requesting the owners submit a revised site plan, application for a zoning permit, or change the lighting fixture, and give the ZEO a permit plan and sketch of the changes.
- Zlotnick's —fuel prices will be displayed with a LED digital sign. The owner has filled out an application, so there is something on file. The owner will need a zoning compliance certificate.
- 189 England Road—Driveway bond issue. Holding \$2000. The driveway does not meet specifications. She took specs, gave it to driveway contractors, but it was not completed to be in compliance. The commission will not entertain a partial release.
- Annual Report distributed for review and approval before submission to Board of Finance. **Cesar Beltran moved to approve the annual report with noted corrections. Allan Burdick seconded the motion and it passed unanimously.**
- Due to a technical error, commission member email addresses need to be updated and reentered.

Items Pro Re Nata: None

Dave Garceau moved to adjourn at 9:59 PM. Alan Burdick seconded the motion and it passed unanimously.

Respectfully submitted,

Jennifer Nelson, Recording Clerk