

The meeting was called to order at 7:49 PM

Members present: Doug Dubitsky (Chair), Randy Godaire, Alan Burdick, Dave Garceau, Eric Beer.

Alternates seated: Ken Fortier for Peter Fiasconaro and Brandon Cameron for Helen Weingart.

Also present: Jay Gigliotti, Zoning Enforcement Officer (ZEO); Kathleen Scott, Recording Clerk.

Approval of minutes 7.11.19 Regular Meeting:

Motion to approve by E. Beer, seconded by B. Cameron. Correction to page 2 – Delete motion to table approval of the June’s public hearing minutes and delete motion to approve the June 13, 2019 public hearing minutes (they are addressed elsewhere in the minutes). All in favor as amended, motion carried.

Approval of minutes 6.13.19 Public Hearing:

Motion to approve by A. Burdick, seconded by E. Beer. Correction to page 3 – Delete – Some of the PZC members mentioned that there are fields and a pond adjacent to the property carrying sound up to 2000 feet or more. D. Garceau abstained. All others in favor as amended, motion carried.

Approval of minutes 7.11.19 Public Hearing:

Motion to approve by E. Beer, seconded by D. Garceau. All in favor, motion carried.

Citizens having new business: None

Old Business:

A. SP-19-103- 29 Pumpkin Hill Road, Adam Bernardin – Applicant/Owner, Assessor’s Map 75-60-5, Proposed Dog Care Facility per section 5.2.B.12

Discussion was held regarding Proposed Dog Care Facility at 29 Pumpkin Hill Road. The PZC has 65 days from today to make a decision. Information can be gathered from Town Counsel if necessary. The PZC has the authority to require renewal of the application for a special permit periodically (typically one year) with a renewable revision. Review of complaints, engineering, and the facility must remain the same to ensure that the special permit is in set boundaries.

Regulation 5.2.B.12. was presented for review. The applicant is complying with everything except 12a (asking for 3 more dogs) and 12b (shorter setback from the property line). The PZC has the discretion to look at special circumstances to determine if a lesser distance is acceptable. Randy Godaire would like to see the exact setback distance included. Eric Beer asked for clarification of the process to shut down if under violation and whether the zoning ordinance can be used for enforcement of violation.

The following will be checked on with the Town Attorney and/or ZEO:

- Can the zoning ordinance be used for enforcement on a special permit

- If re-application or renewal requirement is imposed, does the permit expire if not timely renewed
- Can the permit be revoked for non-compliance
- Verify if any license is required by the state
- Verify any health district requirements needed
- Verify actual setbacks of the property lines

If the special permit is approved, a list of conditions is needed. The following are proposed by the applicant:

- The applicant's dog care facility shall not accommodate more than fifteen (15) dogs including personal dogs.
- The applicant shall install a privacy fence to mitigate noise emanating from the dog care facility.
- The applicant shall plant evergreen shrubs and other forms of vegetation to function as noise buffers on the applicant's property.
- The applicant should release dogs into the outdoor section of the dog care facility in intervals to minimize any noise.
- The Chaplin Zoning Officer shall conduct a periodic visual inspection of the applicant's property to ensure compliance with the special permit conditions and the relevant sections of the zoning regulations.
- Must be in conformity with the drawing.

PZC members (no more than 3 members at a time) wishing to do a site walk, please coordinate with the Zoning Officer.

Motion to table discussion of the Proposed Dog Care Facility discussion until the next meeting, made by E. Beer, seconded by R. Godaire. All in favor, motion carried.

B. Discussion and Possible Action on Revisions to the following section of the Chaplin Zoning Regulations:

- **Home Occupations:** Tabled

Motion to table Old Business B and New Business A and B, made by B. Cameron, seconded by E. Beer. All in favor, motion carried.

New Business:

- A. Enforcement Complaint Policy:** Tabled

- B. Discussion of ByLaws:** Tabled

Correspondence:

- ZEO Jay Gigliotti reported that the Annual Report is due September 30th and will be presented at the next meeting for approval.
- Doug Dubitsky reported that an email was received regarding the dog kennel with no noise heard over the last month.
- Eric Beer asked about the POCD that will be on next month's agenda and include discussion of scheduling.

Report of the Zoning Officer:

ZEO Jay Gigliotti presented monthly report that is available at the Town Hall. Items requiring direction or action are as follows:

- 325 Phoenixville Road – no violation found.
- 80 Marcy Road – ongoing complaint, certified letters signed for, will set deadline of December 1, 2019 for compliance.
- 153 Chewink Road – there is progress on the cleanup, the property owner will be contacted to suggest hiring someone to clean up the property.
- Post Office – can't move forward until a hearing is held per the property owner's request.
- 45 Nollett Road – making progress and will be in compliance soon.
- Lanni Lane – not a zoning matter for use of Right of Way, no operation of business found at 16 Carefree Lane.

Items Pro Re Nata: None

Adjournment:

Motion to adjourn by E. Beer, seconded by B. Cameron. All in favor, motion carried.

The meeting adjourned at 10:02 PM.

Respectfully submitted by,
Kathleen Scott
Recording Clerk