

The meeting was called to order at 7:06 PM.

Members present: Doug Dubitsky (Chair), Pete Fiasconaro (Vice-Chair), Randy Godaire, Dave Garceau, Eric Beer.

Alternates seated: Ken Fortier seated for Helen Weingart and Brandon Cameron seated for Alan Burdick.

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

Approval of minutes 9.12.19 Regular Meeting:

Motion to approve by E. Beer, seconded by B. Cameron. Correction to Page 3, first paragraph should read – The Commission can either revise the regulations to allow those businesses or shut those businesses down. Correction to Report of the Zoning Officer – correct spelling of 153 Chewink Road. D. Garceau abstained. All others in favor as amended, motion carried.

Citizens having new business: None

Old Business:

A. SP19-103- 29 Pumpkin Hill Road, Adam Bernardin- Applicant/Owner, Assessor's Map 75-60-5, Proposed Dog Care Facility per section 5.2.B.12:

There has been much discussion on Special Permit #SP-103. Doug Dubitsky presented a Draft List of Possible Conditions (v3) for review. The possible conditions were reviewed by the town attorney with recommended revisions (revisions pertaining to policy should be decided by the Commission). The following items were discussed and revised to read the following:

#1 – Starting no later than thirty (30) days from issuance of the Special Permit, no more than fifteen (15) dogs shall be present on the premises at any given time, regardless of ownership.

#5 – The Special Permit shall be valid for one year from issuance and shall expire for all purposes on said anniversary if not renewed. Any application for a one-year renewal shall be filed with the Commission no less than (30) days prior to the expiration date. The Commission may deny, approve, or approve with conditions the one-year renewal of the Special Permit, and may hold a public hearing on the application at its discretion.

#6 – The Special Permit shall expire for all purposes upon the sale or transfer of the premises. Any application for a one-year renewal shall be filed with the Commission no more than thirty (30) days after the date of the sale or transfer of the premises. The Commission may deny, approve, or approve with conditions the one-year renewal of the Special Permit, and may hold a public hearing on the application at its discretion.

Motion to approve the Draft List of Possible Conditions (v3) presented by D. Dubitsky as amended with an amendment to #1 for a total of no more than fifteen (15) dogs on the property at any given time, by E. Beer, seconded by B. Cameron. The motion passed with the following vote:

Yes: E. Beer, B. Cameron, D. Garceau, K. Fortier.

No: R. Godaire, P. Fiasconaro.

D. Dubitsky finds that the Special Permit complies with the Plan of Conservation and Development (POCD) and that the vast majority of setbacks relates to state forests with no indication of any objections from the state.

Motion to approve Special Permit #SP19-103-29 Pumpkin Hill Road with conditions listed on Draft List of Proposed Conditions (v3) as amended, by B. Cameron, seconded by E. Beer. The motion passed with the following vote:

Yes: E. Beer, B. Cameron, D. Garceau, K. Fortier, D. Dubitsky.

No: R. Godaire, P. Fiasconaro.

B. Discussion & Possible Action on Revisions to the following sections of the Chaplin Zoning Regulations:

- Home Occupations

P. Fiasconaro contacted the DMV and spoke to an inspector who referred to statutes #14-52 and #14-58 for what's needed to obtain an auto repair license. The potential business needs to go through Planning & Zoning first (there is nothing currently in the regulations for an automotive repair facility in a Rural Agricultural Zone) then to the DMV. The inspector reported that the quality of life for neighbors may be impacted due to the property usually turning into a junk yard and is not recommended. There are many steps to obtain an auto repair license including required documentation for the storage and disposal of hazardous materials. There is a process for complaints through the DMV. D. Dubitsky will set up a meeting with a DMV representative and P. Fiasconaro at Norwich Tech to discuss the issue.

Motion to table discussion of Home Occupations – Auto Repair Facility, by E. Beer, seconded by D. Garceau. All in favor, motion carried.

New Business:

Randy Dominick addressed the Commission regarding enforcement at 80 Marcy Road that is listed as a business (Paul's Salvage and Welding). J. Gigliotti could not find a current license through the DMV. A Sales & Use Tax Certificate was issued in May 1980 for Paul Dominick (Randy Dominick's father who passed away in 1980). Documentation is needed for prior to 1980. Mr. Dominick requested a 6-month extension to the December 1, 2019 deadline that was assessed at the September meeting to clean up multiple unregistered vehicles, due to upcoming surgery.

Motion to extend deadline for enforcement on property at 80 Marcy Road to July 1, 2020, by R. Godaire, seconded by B. Cameron. All in favor, motion carried.

Correspondence: None

Report of the Zoning Officer:

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

- 153 Chewink Road – A meeting will be setup up with Doug Dubitsky, Jay Gigliotti and the property owner to discuss hiring someone to clean up the property.

- 184 Palmer Road – The property remains in non-compliance with no response from the property owner's sons who are residents on the property and responsible for the junk. No fines have been paid to date. Doug Dubitsky reported there is an option to go to court and obtain an order to clean the property at the owner's expense and recommends issuing a cease and desist order. J. Gigliotti will follow up with the Town Attorney.
- 262 Willimantic Road – A complaint was received regarding an automotive operation at this property. An inspection found the property with extensive zoning violations and a preliminary notice was sent to the property owner. The owner is in the process of evicting the tenant and will be requested to provide evidence of the eviction process to the Planning & Zoning Commission. P. Fiasconaro recommended contacting the Resident Trooper to shut the business down since according to state statute #14-52D, an unlicensed auto repair facility is guilty of a class B demeanor.

Motion to send letter initiating zoning ordinance and a cease and desist order with a thirty (30) day deadline to 262 Willimantic Road, by R. Godaire, seconded by E. Beer. All in favor, motion carried.

Items Pro Re Nata:

Items for the next agenda: Home Occupation – Automotive Repair License, ByLaws, and Plan of Conversation and Development.

Adjournment:

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

The meeting adjourned at 9:42 PM.

Respectfully submitted by,
Kathleen Scott
Recording Clerk