

The meeting was called to order at 7:11 PM.

MEMBERS PRESENT: Doug Dubitsky (Chair), Pete Fiasconaro (Vice-Chair), Helen Weingart, Randy Godaire, Dave Garceau (virtually online), Alternate Bill Ireland.

MEMBERS ABSENT: Eric Beer, Alan Burdick, Alternate Ken Fortier.

ALTERNATES SEATED: Seat Bill Ireland for Alan Burdick.

ALSO PRESENT: Zoning Enforcement Officer (ZEO) Jay Gigliotti and Recording Clerk Kathleen Scott.

APPROVAL OF MINUTES 03.11.21 SPECIAL MEETING:

Motion to approve by H. Weingart, seconded by D. Dubitsky. Abstentions by R. Godaire, B. Ireland, motion carried.

CITIZENS HAVING NEW BUSINESS: None

OLD BUSINESS:

A. Plan of Conservation & Development:

The newest version of the draft POCD was emailed to Commission members. D. Dubitsky reported that some proposed revisions discussed last month and noted in the minutes are not in this version. The draft was reviewed with the following revisions: **Pg. 42** - identify number of Chaplin students at the Elementary School and Parish Hill; remove all the blank pages; **Pg. 56** - in the Appendix under Transportation, the map is missing Middle Road and Tutko Road and part of some street names are covered by numbers; **Pg. 55** - Ross Road is missing from the list of roads. Revisions discussed this evening will be emailed to Jim Larkin and the Board of Selectmen who have already received a copy of the newest version of the draft POCD for review. A draft POCD will be posted on the website 2-3 weeks prior to the Public Hearing that will be held on July 8th.

Motion to approve this version of the POCD with discussed changes to send to Public Hearing on July 8, 2021 made by R. Godaire, seconded by P. Fiasconaro. All in favor, motion carried.

NEW BUSINESS:

A. Connecticut General Statutes Sec. 8-24 Referral-Conveyance of Tutko Road Roadbed:

The referral before the Commission is for an opinion on the sale of the Tutko Road roadbed to property owner Plandome Capital LLC who owns the majority of the property on both sides of the road. H. Weingart recused herself and will not participate in the discussion or decision. The Town owns the Tutko Road roadbed and discontinued use of the road at a 2017 Town Meeting. There are two abutting property owners that have rights and access to this road - D. Weingart who has expressed concerns with being excluded from this and wants access to the area of Tutko Road that abuts his property; Ms. Baker who is not opposed to the sale of this roadbed). B. Ireland suggested splitting the road in the middle. P. Fiasconaro expressed concerns with not knowing the intent for the property from Plandome Capital LLC. D. Dubitsky suggested an opinion in favor of the Town selling the roadbed with the condition that the

current adjoining property owners be given the right of way over the portion of their property that abuts Tutko Road.

Motion to recommend to the Board of Selectmen in keeping with the Town's Planning & Zoning to approve the sale of the Tutko Roadbed with provisions for the two existing abutting property owners to have access for the length of their property line, made by R. Godaire, seconded by B. Ireland. Motion carried with the following vote:

YES: R. Godaire, B. Ireland, D. Garceau. NO: P. Fiasconaro. ABSTAIN: H. Weingart. Motion carried.

B. Discussion & Possible Action on State Mandated Zoning Legislation Resolution:

ZEO J. Gigliotti read a resolution passed by the Lebanon Planning & Zoning Commission opposing State Mandated Zoning Legislation (many towns in the area have passed a similar resolution). D. Dubitsky suggested drafting a similar resolution for Chaplin to be sent to all the State Legislators who are finished for the year on June 9th. There are 13 proposed Bills regarding State Mandated Zoning Legislation being pushed forward by Desegregate CT that are designed to take away local zoning control from towns and give to the state to allow for more low-income housing. One Bill would negate a town's Affordable Housing Plan (Chaplin does not have a plan but recently received grant funding to develop one) and establish a state-wide plan to assign affordable housing units to the towns. Another Bill would override local zoning and require zoning regulations to allow as of right 4-unit apartment buildings on every lot, eliminate pre-existing non-conforming uses and allow cluster housing with a minimum of 15-units. Preventing overcrowding, maintaining the character of the town and maintaining stable property values would no longer be a legal basis for zoning. Towns would be required to write these changes into their Zoning Regulations by July 2022 or they would become null and void. H. Weingart suggested including a statement on the issues that would be a potential damage to the town. A special meeting is needed to approve the resolution and will be held on May 21st at 7pm.

Motion for the Chair to draft a resolution from the Chaplin Planning & Zoning Commission opposed to the proposal for State Mandated Zoning Legislation and conduct a special meeting on May 21, 2021 at 7pm to approve the resolution, made by P. Fiasconaro, seconded by R. Godaire. All in favor, motion carried.

Pat Pogmore expressed concerns with the group that is pushing for the state mandated zoning legislation that would overrule the right to live where you want and paying for those rights. She suggested a group of towns or legislators develop their own legislation to fight these proposed bills and is willing to join. It may take a constitutional amendment to overrule this legislation referring to Home Rule (Article 10).

CORRESPONDENCE:

- A letter of resignation was received from member Alan Burdick who is moving out of state. The Commission commended him for his many years of service and he will be sorely missed.
- A letter was received from Chaplin Democratic Town Committee Chair Andrew Daniels asking the Commission to appoint a member to fill the Alternate vacancy.

The Town Attorney researched who is responsible to fill the Alternate vacancy. Since the seat remained vacant from the election, it is the charge of the Board of Selectmen to appoint a replacement to fill the vacancy. H. Weingart expressed concerns with the State Statute being different from the Town Ordinance that specifically states the Alternate position. A copy of the ordinance will be forwarded to the Town Attorney for an opinion. The Commission has 30 days from today to appoint a replacement to fill the full member vacancy.

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:

- 5 Zoning Permits issued.
- Permit ZP21-144 issued for 45 Natchaug Street.
- Permit ZP21-148 issued for 174 Willimantic Road - unauthorized second driveway (not at the traffic light) is noted in the permit. R. Godaire expressed concerns with safety and the state not following up on this issue and recommended checking with the Town Attorney.
- 153 Chewink Rd – Cleanup continues to progress at a slow rate with \$19,100 due in fines. It is up to the Board of Selectmen on how to proceed.
- 8 & 10 Park Drive – Received written complaint from neighbor regarding multiple unregistered motor vehicles, junk and debris. Preliminary letter was sent to the property owner.

Discussion was held whether the PCZ should move their meetings back to the Town Hall that will reopen to the public on May 24th followed by the Senior Center soon after. The Commission will move their meetings back to the Town Hall after the Public Hearing on the POCD.

Bill Ireland plans to sell a portion of his property on South Bedlam Road to an abutting property owner. He currently holds a Professional Engineer license and has asked to prepare a map for a lot line revision. The ZEO requires a survey by a Land Surveyor with a map to develop a deed for a lot line revision that is not in the regulations (the regulations only refer to a site plan). D. Dubitsky asked about the degree of accuracy needed from a Professional Engineer to file in the Land Records and suggested Bill Ireland draw up a map for review by the ZEO who will check with the Town Attorney regarding the degree of accuracy and whether it can be done by a Professional Engineer as opposed to a Land Surveyor.

ITEMS PRO RE NATA: None

ADJOURNMENT:

Motion to adjourn (9:58 PM) by P. Fiasconaro, seconded by H. Weingart. All in favor, motion carried.

Respectfully submitted by,
Recording Clerk Kathleen Scott