

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

**MEMBERS PRESENT:** Doug Dubitsky (Chair), Pete Fiasconaro (Vice-Chair), Helen Weingart, Randy Godaire, Ken Fortier.

**MEMBERS ABSENT:** Dave Garceau, Eric Beer, Alternate Bill Ireland, Alternate Dan Pearce, Alternate Peter Haines.

**ALTERNATES SEATED:** None

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

**APPROVAL OF MINUTES 08.12.21 REGULAR MEETING:**

**Motion to approve by P. Fiasconaro, seconded by H. Weingart.** Correction to Old Business #A should read – The Commission discussed Scott Mathies statement at the Public Hearing about revision to mapping.

**Motion carried with abstentions by K. Fortier and R. Godaire.**

**CITIZENS HAVING NEW BUSINESS:** None

**OLD BUSINESS:**

**A. Plan of Conservation & Development:**

ZEO J. Gigliotti presented the Commission with the most recent version of the POCD dated 8/30/21 that includes changes made to date. D. Dubitsky commended Jim Larkin for his work on the POCD that looks great and asked the Commission to review the draft again closely for any further corrections. ZEO J. Gigliotti commended the Commission for all their hard work on this project.

**B. HB6107-Accessory Apartment Op-Out Requirements:**

Discussion was held at the last meeting regarding the statute that requires towns to allow as of right accessory apartments in every district with no additional parking. There are op-outs that allow maintaining control over accessory apartments (the Commission recently updated regulations for accessory apartments). D. Dubitsky expressed some confusion with what the actual statute provides and will confirm (does not appear to be the same bill he voted on).

**NEW BUSINESS:**

**A. SP21-158-Town of Chaplin, Special Permit Application for Fire Department Message Board per Zoning Regulations Sec. 5.11:**

J. Gigliotti presented special permit application from the First Selectman Bill Rose (with help from Attorney Dennis O'Brien) for a message board for the Fire Department in the Municipal Adaptive Reuse Overlay District to display community events and emergency information. The proposed use is an accessory use for the Fire Department. Part of the funding is coming from a STEAP Grant. The LED lighting will be controlled remotely through a computer program. The programable sign is two sided and will display temporary messages for a specific amount of time. It doesn't comply with sign regulations for

size but the regulations allow the Commission to use their discretion for larger signs. A Public Hearing needs to commence within 65 days after the permit application is accepted. A special meeting to review and deliberate the application will be held on September 23<sup>rd</sup> at 6pm.

**B. Special Permit Annual Renewal – SP19-103:**

Special Permit SP19-103 - 29 Pumpkin Hill Rd Dog Kennel is up for annual renewal. No complaints have been received to date and the owner has complied with all 15 conditions on the original permit.

**Motion to approve renewal of Special Permit SP19-103, made by R. Godaire, seconded by K. Fortier. All in favor, motion carried.**

**C. Planning & Zoning Commission FY 2020-2021 Annual Report:**

ZEO J. Gigliotti presented the FY 2020-2021 Annual Report for review that is due by September 30<sup>th</sup> (the Commission made some minor revisions).

**Motion to approve the Planning & Zoning FY 2020-21 Annual Report as amended, made by H. Weingart, seconded by K. Fortier. All in favor, motion carried.**

**CORRESPONDENCE:**

Correspondence was received from Jocelyn Bennett of Singleton Rd regarding complaints received about her property (she was asked to come to tonight’s meeting to respond). J. Gigliotti reported that an application from Ms. Bennett for a change to the zoning regulations to allow primitive campground was denied in March of this year and many complaints have been received regarding the rental and use of her property.

Ms. Bennett responded that the complaints coming from a neighbor (lives a half mile away) regarding noise, fireworks and cars on her property are false. She also expressed concerns with the false complaint of a big boom on her property that was investigated by the state police with nothing found. No complaints were received for the 3 years prior to a July 4, 2020 event that had too many people. There is no campground but a barn on her property is rented out through Airbnb. D. Dubitsky responded that most of what she spoke of doesn’t apply to Planning & Zoning who handles zoning violations. Some complaints have been reported directly to the First Selectman that the Commission may not be aware of. Disputes with neighbors are a civil matter and fireworks and noise complaints are a police matter. Airbnbs fall within the jurisdiction of Planning & Zoning and the Commission needs to consider whether to regulate them (there are other Airbnbs in town). H. Weingart expressed concerns with the advertising for the property on Airbnb that lists camping for 16-30 people (bring a tent to camp in the barn or outside), spending time around the campfire and going to local swimming hole at Diana’s Pool where no swimming is allowed (these activities may go against activities for primitive campground that was denied). Ms. Bennett was asked whether she is doing an Airbnb like others in town or moving towards a primitive campground that would be a zoning violation and is encouraged to review her advertising for any prohibited activities. J. Gigliotti expressed concerns regarding determining whether a property is being used as a primitive campground.

**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:

- 1 permit was issued.
- 161 England Road – A garage was built with no permits and received approval from the health district. The Inland Wetlands Commission denied the application due to lack of response from the applicant (request to flag the property for wetlands to identify potential impacts was ignored). No zoning permit

or building permit can be issued. D. Dubitsky suggested checking to see if the applicant is actively working with the Inland Wetlands Commission to reapply. If not, a cease-and-desist order would be issued.

- 153 Chewink Road – Cleanup of the property continues at a slow rate with fines continuing to mount (\$22,370) and is still non-compliant. The next step would be to put a lien on the property. D. Dubitsky and the ZEO will meet with the owner to discuss the next steps. If nothing happens, the Commission will discuss and vote to recommend a lien to the First Selectman.

**ITEMS PRO RE NATA:** None

**ADJOURNMENT:**

**Motion to adjourn (9:02 PM) by R. Godaire, seconded by K. Fortier. All in favor, motion carried.**

Respectfully submitted by,  
Recording Clerk Kathleen Scott