

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

MEMBERS PRESENT: Chair Doug Dubitsky, Vice-Chair Ken Fortier (online), Pete Fiasconaro, Dave Garceau, Alternate Peter Haines, Alternate Bob Dubos.

MEMBERS ABSENT: Helen Weingart, Randy Godaire, Eric Beer, Alternate Bill Ireland.

ALTERNATES SEATED: Peter Haines seated for Eric Beer; Bob Dubos seated for Helen Weingart.

ALSO PRESENT: Zoning Enforcement Officer (ZEO) Jay Gigliotti, First Selectman Juan Roman and Recording Clerk Kathleen Scott.

APPROVAL OF MINUTES 02.08.24 REGULAR MEETING:

Motion to approve by P. Fiasconaro, seconded by P. Haines. Corrections: Under Citizens Having New Business (J. Patel) should read – (Jay reported May 2021 ZBA approval of 17ft setback for an area along Lynch Road – must maintain all other setback requirements); (concrete wall around it with concrete foundation or concrete sonotube with immoveable object made from building materials – staircase would be a structure).
Motion carried with one abstention by B. Dubos.

CITIZENS HAVING NEW BUSINESS:

Robert Maclure with his mother Joan Maclure of 80 Marcy Road expressed concerns about being assessed penalties for the condition of their yard while doing business as Paul's Welding & Salvage since 1955 (presented receipts for the business including Airgas). They are working on cleaning up the property that is difficult due to illness, surgeries, and the driveway being washed out by runoff from state property during heavy rain (Doug will contact the state about resolving the water problem). Many vehicles have been removed in the past 3 months - working with a company for removal of the remainder (hopefully by summer).

- D. Dubitsky asked if there is anything that establishes the business in the past (not required to save paperwork after 5 years) and noted the regulation against junkyards went into effect in August 1980 - need to establish existence prior to that (paperwork sent to the ZEO several years ago).
- J. Gigliotti reported deadline for compliance (April 2022) came and went. They were served Section 7 Notice under the ordinance for total fines due for continued non-compliance and detailed procedures for requesting a hearing to appeal (appeal received and sent to attorney with argument of not being subject to fines as an existing business). There is also a cease-and-desist order in place (everything stops with goal to address compliance issue).
- D. Dubitsky asked if the Commission could put a stay on the fines for a couple months to allow getting the property cleaned up (within the Commission's purview).
- B. Dubos asked if state permit is needed for a salvage operation and noted the property was always known as Paul's Salvage back in the 70s when he was Fire Chief.

OLD BUSINESS: None

Motion to add 80 Marcy Road – New Business B to the agenda, by P. Haines, seconded by B. Dubos. All in favor, motion carried.

NEW BUSINESS:

A. CT DEEP Correspondence RE: Sec. 8.11

Notice received from DEEP Division of Forestry that Chaplin Zoning Regulations are in violation of state law for regulating forest practices (previously changed regulation to eliminate regulating forest practices due to being under the jurisdiction of Inland Wetlands – logging trucks have to post a bond for damage to the road). D. Dubitsky suggested amending the regulation that makes it clear it's not just logging (Jay presented proposed revision to 8.11 for review – will discuss at the next meeting).

B. 80 Marcy Road:

Discussed pausing enforcement to allow cleanup and setting benchmarks each month on progress (Jay presented photos as of March 12th and indicated there has been some progress). Juan Roman suggested requiring a percentage of the existing fines as an incentive to keep motivated (would be better to put money into cleanup).

- P. Fiasconaro asked if the property is being taxed commercial (all unregistered motor vehicles and other property taxed as personal property – not zoned commercial).

Motion to give a stay on fines for 80 Marcy Road until the June meeting and must provide a certain amount of progress each month to the ZEO with receipts for removal of junk, vehicles and equipment (stay will be lifted if no progress made), by P. Haines, seconded by D. Garceau. All in favor, motion carried.

CORRESPONDENCE:

- Letter received from CT DEEP regarding regulating forest practices.
- Letter received from Joan McClure regarding appeal of the Commission's decision.

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:

No permits issued.

811 Phoenixville Road – Property owner notified about unregistered vehicles and responded that vehicles owned by another person whose phone number is not in service (Jay asked about continuing followup or issuing notice of violation). Peter Haines suggested taking the next step of the ordinance with notice served by a Marshal. P. Fiasconaro asked if the vehicles could be considered abandoned (statutory procedure exists - property owner would need to initiate).

Motion for the ZEO to take the next step of the ordinance with a 2-month deadline for cleanup served by a Marshal, by P. Haines, seconded by B. Dubos. All in favor, motion carried.

111 Chewink Road – Complaint received about multiple unregistered vehicles, junk, metal building, multiple covered structures (possible setback issue), potential business with wrecker equipment and box container. There is no evidence of permits, previous approvals or any business – can't find contact number for owner (would like to send preliminary notice - consensus to move forward with preliminary notice).

ITEMS PRO RE NATA:

B. Dubos asked about house trailer on North Bedlam Road that burned down being replaced with a modular (has to be a similar size).

ADJOURNMENT:

Motion to adjourn (9:10 PM) by B. Dubos, seconded by D. Garceau. All in favor, motion carried.

Respectfully submitted by,
Recording Clerk Kathleen Scott