

**Town of Chaplin
Planning and Zoning Commission
Regular Meeting Minutes AMENDED
September 13, 2018
Chaplin Town Hall**

MEMBERS PRESENT: Chairman Doug Dubitsky, Helen Weingart, Randy Godaire, Alan Burdick

ALTERNATES SEATED: Bill Ireland for Eric Beer

ALSO PRESENT: Jay Gigliotti, Zoning Enforcement Officer (ZEO), Elizabeth Marsden, Recording Clerk

CITIZENS PRESENT: Bill Rose, Dick Weingart, Bob Mott, Julius Giaccone, Ellen Mott, Juan Velasquez and Dorcas Velasquez

MEETING WAS CALLED TO ORDER AT 8:07 pm

APPROVAL OF MINUTES of August 9, 2018 Regular Meeting: H. Weingart moved to approve the minutes, A. Burdick seconded the motion, B. Ireland abstained, all others in favor, motion carried.

D. Dubitsky invited a motion to move New Business to before Old Business, A. Burdick so moved, R. Godaire seconded the motion, all in favor, motion carried.

CITIZENS HAVING NEW BUSINESS: None

NEW BUSINESS: A. ZP18-093- Robert Mott- Owner/ Applicant, Marcy Road, Assessor's Map 8-40, Application for Site Plan Approval in accordance with Zoning Regulations Section 8.12, proposed SFR on lot located within the Flood Plain.

The ZEO stated that the applicant has submitted a revised site plan (stamped and signed) based on Commission discussion and comments from the August, 2018 meeting.

Demian Sorrentino, a Certified Planner and Soil Scientist from Boundaries LLC in Griswold, CT, introduced himself and distributed the plan for construction of a new

residence in the A-6 flood zone adjacent to the Natchaug river. During a detailed presentation, he addressed the issues on the site plan which he has modified to meet the Commissions expectations/concerns.

The ZEO stated that he worked with Demian and the property owner on the plan modifications, and he feels confident that the plan meets zoning regulations. He had received a proposal from Towne Engineering (the firm Chaplin uses) to review the prior plan and that would have cost \$1,900.00, and now that the plan has been modified, the ZEO guessed that a review may not substantially change the (modified) plan as presented. Mr. Sorrentino stated that Boundaries, LLC is a full-service surveying and engineering firm and that he, and the licensed land surveyor of record, and the professional engineer in his office all had input into the plan, and he is confident that the plan meets all the requirements for construction in a flood zone as well as all regulations.

The Commission discussed the issue of requiring additional review by the town's engineering firm, which would be the customary step, although it is not required. They concluded that the modified plan and the additional step of an "as-built" plan would ensure that the completed construction was in compliance.

D. Dubitsky invited a motion to remove the requirement that the applicant obtain a second review of the modified plan by the town of Chaplin's engineering firm. B. Ireland so moved, R. Godaire seconded the motion, all in favor, motion carried.

D. Dubitsky invited a motion that as a condition of approval, the requirement that the applicant provide an as-built drawing signed and sealed by a licensed engineer or a licensed surveyor showing all the elevations shown on the plan signed on 9/13/18, including the building, the well, and septic system. B. Ireland so moved, H. Weingart seconded the motion, all in favor, motion carried.

The Commission then discussed the maintenance of the water collection ditch, so in case it fills in, it will no longer be in compliance. Everyone agreed that was the case, and would carry over to future owners.

D. Dubitsky invited a motion to approve the application ZP18-093, drawing dated 9/6/18. B. Ireland so moved, with the previously approved condition, A. Burdick seconded the motion, all in favor, motion carried.

R. Godaire made a motion to move the ZEO report before old business, A. Burdick seconded the motion, all in favor, motion carried.

REPORT OF THE ZONING OFFICER: 153 Chewink Road home junkyard issue, the ZEO stated that it is not in compliance and won't be in compliance by the deadline 9/30/18. He stated that the abutting property owner said he will pursue legal options, he feels that not enough is being done and not quickly enough. The owners are steadily making progress but doing all the work themselves as stated in previous Commission meetings.

Juan Velasquez, owner of the property, reiterated that he is doing all the work himself and that is why it is taking so much time, as he has stated several times before at previous meetings.

Dorcas Velasquez stated as she previously has stated, that she wants to finish the work, it is stressful and hard work and she has health problems so she can't do as much as she used to and asked for an extension through summer of 2019.

The Commission members suggested that having a scrapyard CONTRACTOR come in and take everything would be the most expeditious solution, but the owners believe that they would receive a bill for that. The ZEO said that it is likely they would be billed for this, but getting a quote would be a good idea. It was also suggested that the owners consider putting a Craigslist ad up for free scrap and see if a lot of it would be removed for free that way.

The discussion confirmed that the owners were given a 10 month extension from December 2017 to September 2018. D. The ZEO stated that 40 percent of the junk and debris has been removed and only a few cars remain. The Commission discussed that zoning enforcement action has been in effect since January 2017 and earlier by previous zoning officer(s).

They also discussed extensions and getting estimates for having scrap and junk removal companies come in and take away everything, and also the fact that other violators have been fined for failing to meet their deadlines. The maximum fine is \$30/day and the Commission has the flexibility to set fines lower and for different amounts of time based on the facts of any given situation. They weighed the cost of fines vs. hiring someone to remove everything quickly to get into compliance.

It was also suggested that the town could clean up the site and the resultant fees to do that would result in a lien on the property, and when the property is sold, the town could collect the funds.

D. Dubitsky invited a motion to give the owners another extension from the current deadline of 9/30/18 to the date of the next meeting (October 11), at which time the owners will provide 3 estimates for remediation of scrap and any toxic discharged materials on the property, and there must then be set a date of compliance. No fines will be assessed until after the October 11 meeting, but if estimates for remediation are not brought by October 11, full fines will begin to be assessed that day. R. Godaire so moved, H. Weingart seconded the motion, all in favor, motion carried.

The ZEO gave the rest of his report, and the members discussed it. The report is available for inspection at town hall.

A notable case concerns 36 Tower Hill Road, a driveway permit issued in 2011 which required two trees be removed which are in the driveway sightline. The two trees have never been removed; this case has been discussed at previous Commission meetings. The town has posted the trees for removal, to which the owners appealed to the town tree warden. The appeal will be heard during the next PZC meeting in October and there will be a deadline after the hearing is held, assuming that the tree warden rules that the trees must come down. The driveway apron was also installed and the owners want their driveway bond returned. The ZEO believes that a condition of the bond being returned includes the removal of the trees, and if the town returns the bond without the trees being removed, it will erroneously release the condition that the trees be removed.

The ZEO wants the PZC to clarify the above. The ZEO added that a sightline study was never actually done by a L.S. or a P.E., and perhaps if the owner wants to provide such a study, that could then be considered. The previous ZEO at the time of the application based his recommendation on the tree removal by visual observance. The Commission discussed that only one condition of the driveway permit -- the apron, not the tree removal -- has been met. They also discussed that the owner could submit a revised site plan, possibly including a sightline study as mentioned above. The property owner is requesting a letter from the ZEO stating why the bond cannot be returned until the conditions are met. The PZC did not believe there was a need for a motion to that effect, it was simply the ZEO notifying the owner of the regulation interpretation.

The ZEO discussed requiring a higher bond for logging operations due to road damage during a recent logging operation. He suggested that this might be something the PZC would consider during fee schedule revisions. No Commission action was taken on this issue at this time.

A. Burdick made a motion to table the rest of the agenda until the October meeting, H. Weingart seconded the motion, all in favor, motion carried.

ADJOURNMENT:

R. Godaire made a motion to adjourn, A. Burdick seconded the motion, all in favor, motion carried. The meeting was adjourned at 10:25 pm

Respectfully submitted,
Elizabeth Marsden, Recording Clerk