

**CHAPLIN
PLANNING AND ZONING COMMISSION
*Amended Regular Monthly Meeting *Minutes
~~*Minutes of a Business Meeting~~
Chaplin Town Hall, 7:00 P.M.
January 12, 2017**

Call to order at 7:23 p.m.

Members present: Chairman Doug Dubitsky, Dave Garceau, Helen Weingart, Vice-Chairman Peter Fiasconaro, Eric Beer

Members Absent: Alan Burdick, Randy Godaire, Bill Ireland, Brandon Cameron

Alternates Seated: Ken Fortier for Randy Godaire

Also present: Walter Landon, Matt Maynard, Joseph Boucher, Daniel Cates, Douglas Cates, Jay Gigliotti, Zoning Enforcement Officer (ZEO), Elizabeth Marsden, Recording Clerk

Chairman Dubitsky asked for a ***motion*** to move New Business to the top of agenda in order to expedite citizens' business before approval of minutes. H. Weingart so moved, D. Garceau seconded the ***motion***, and it carried unanimously.

New Business:

1. SUB16-070 – Proposed 3-Lot Subdivision. Land owner Walter Landon, South Bear Hill Road – Assessor's Map 91-27-1. Property is 9.50 acres and located in the RAR Zoning District.

Matt Maynard and Joseph Boucher of Towne Engineering presented a site plan and description of proposed subdivision. Plan includes 2.5 acres of open space. All lots have frontage on South Bear Hill Rd. One has frontage on Rt 6. All lots have individual wells/septic and individual driveways. The Chaplin Wetlands Commission and Health Dept approvals are in place as well as all other required regulatory agencies' approvals. ZEO stated that the plan exceeds all conservation easement requirements and application is complete. Commission may vote on this application tonight.

D. Garceau moved to approve **SUB16-070**. P. Fiasconaro seconded the ***motion*** and it carried unanimously.

P. Fiasconaro moved to hear the business of the next citizen in attendance prior to the rest of the agenda. D. Garceau seconded the ***motion*** and it carried unanimously.

2. Daniel and Douglas Cates wish to cut a small lot out of an existing family property on Phoenixville Road and are here to inquire about the process prior to submitting a formal application. They have been working with ZEO on this, and they presented their site plan to the Commission. Daniel wishes to build a house on the subdivided lot and intends to live there himself. ZEO advised Daniel that he should submit a letter of intent and to inquire about waivers to normal Planning and Zoning application requirements due to the nature of this very small noncommercial subdivision.

Commission members discussed the fact that the existing regulations are not written to address this situation. Daniel Cates said he finds the regulation much more difficult and expensive than he expected. H. Weingart suggested that the Commission identify requirements which are critical to this situation and waive what isn't critical.

Chairman said that if there is any "shall" language related to any of the requested waivers, the issue would have to be referred to ZBA; he suggested that ZEO identify where this is the case so they can address these issues. E. Beer asked whether it might be easier to change the regulation to address this type of situation, and the Commission discussed this idea.

Chairman proposed that the Cates family work with ZEO on the list of desired waivers, and to identify the regulations not currently applicable to their situation. Continuing the Commission's discussion, H. Weingart offered to do research and E. Beer suggested they call the exception a "family" subdivision. Chairman stated that during the February PZC meeting they could draft changes to the regulation and schedule a public hearing for March to change this regulation. The Commission concurred that this is the best course of action.

Approval of September 8, 2016 minutes: Approval of these minutes had been tabled due to Chairman's notes missing, and he wanted to compare his marked-up notes to the minutes. The Chairman wants to recreate the missing markups using the audio of the meeting; however he suggested that Commission review, amend and approve the minutes regardless. He invited Commission discussion on this.

H. Weingart moved to table the approval of the September minutes, E. Beer seconded, ***motion*** carried unanimously.

Approval of October 13, 2016 minutes:

Language was amended under Old Business and under Section 8.8, Open Space Subdivisions. H. Weingart moved to approve October minutes as amended, D. Garceau seconded, E. Beer abstained, all others in favor, ***motion*** carried.

Old Business:

Discussion and Possible Action on Changes to Zoning Regulations:

Chairman said he and ZEO recently discussed with First Selectman: logging regulations, accessory apartments, and dog kennel regulations.

The Commission continued to discuss possible changes to regulations, specifically covering dog kennel regulations and the Route Six Business District.

Correspondence: ZEO reported there is no correspondence to discuss at this time and Chairman asked about a letter from Board of Finance requesting a budget. ZEO said that letter was received in October. ZEO said he will only place items on the agenda if he anticipates discussion of them at the current month's meeting.

Report from Zoning Officer

Zoning Permits Issued:

LG16-062 Tower Hill Rd, 17 acre timber harvest on 37 acres. 8/11/16
ZP16-063 280 Bedlam Rd, New SFR Modular Structure. 9/6/16
ZP16-064 19 Bolduc Ln, New SFR on existing N/C Lot. 9/20/16
ZP16-065 80 Chappell St, 12' x 35' Addition to rear of SFR. 9/27/06
ZP16-066 35 Bolduc Ln, 10' x 26' Addition to existing detached garage. 10/4/16
ZP16-097 97 Bedlam Rd, 36' x 24' Metal Agricultural Barn. 10/11/16
ZP16-069 20 Carefree Ln, 12' x 20' Storage Shed. 11/8/16

Chairman asked about the logging operation on Lynch Rd, ZEO said the logger obtained a IWWC permit but never followed up with PZC permit. ZEO said the operation is very well run. Chairman said that, because the town has been notified that local PZC regulation of logging violates state law, PZC will not pursue any enforcement action. As mentioned in a previous meeting, the PZC regulation regarding logging will be stricken due to its conflict with state statute.

Enforcement Actions:

18 Bedlam Road. ZEO reports that all outstanding items have been addressed; he recommends a motion to release from Zoning Enforcement Ordinance Action.

E. Beer moved to release 18 Bedlam Road from Zoning Enforcement Ordinance Action, seconded by D. Garceau, ***motion*** carried unanimously.

80 Marcy Road, automotive parts and other junk, owners are working toward compliance and have removed a lot of material. They are past the November deadline delivered by ZEO, therefore, ZEO would like to give them a new deadline of June. Complainant was an abutting neighbor who has now moved away.

H. Weingart moved to extend the deadline for 80 Marcy Rd to June 13, 2017, seconded by P. Fiasconaro, ***motion*** carried unanimously.

29 Pumpkin Hill Road still under enforcement, pending new PZC kennel regulation.

153 Chewink Road still working with owner, many unregistered motor vehicles.

169 Chewink Road still working with owner, unregistered motor vehicles and automotive repairs being done on property.

48 Cross Road, existing deck and above-ground pool, permitted by IWWC post-construction, but owners were advised to work with PZC on rear setback issue. No building permit was issued either. Chairman advised ZEO to wait to see if property owner comes in to discuss this, as he had said he would. Commission also discussed the regulation regarding setback; the regulation is unclear.

336 S. Bear Hill Road, large horse barn which may have setback violations and zoning violations. E. Beer said Commission should be sure the property's file reflects this; assessor already has been in touch with owner. Owners are selling the house.

35 Shuba Lane, all outstanding items have been addressed, allegations of illegal apartment were false, ZEO recommends a motion to rescind Zoning Enforcement Ordinance Activities.

E. Beer moved to rescind 35 Shuba Lane from Zoning Enforcement Ordinance Activities, seconded by K. Fortier, ***motion*** carried unanimously.

ZEO mentioned that this was only a partial list of enforcement activities; the aforementioned cases were the ones for which he needed releases and Commission input.

Items pro re nata: None.

Approval of 2017 Meeting Schedule:

E. Beer moved to approve the 2017 Meeting Schedule, seconded by D. Garceau, ***motion*** carried unanimously.

Adjournment:

P. Fiasconaro moved to adjourn, seconded by E. Beer, ***motion*** carried unanimously.

Meeting adjourned at 10:28 p.m.

Respectfully submitted,

Elizabeth Marsden
Recording Clerk