

**TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
THURSDAY, FEBRUARY 14, 2013**

Acting Chairman Jim Hart called the meeting to order at 7:00p.m. Members present were Gregory Gordon, John Polderman and alternates, Tim Grohowski and Al Neumann. Also present was Debra Brydon, Zoning Enforcement Officer.

NEW APPLICATIONS: None

PUBLIC HEARINGS:

Proposed Amendment to add new Article IV, Section 193-30 G; amend Article IV, Section 193-28, Table of Area and Dimensional Requirements and amend Article II, Section 193-27C, Table of Uses by zone, Business and Industrial Zones

Debra Brydon read the legal notice into the record. Acting Chairman Hart read the amendment to Article II, Section 193-27C “Table of Uses by zone, Business and Industrial Zones” which would include “Sales and storage of contractor equipment”, “contractor storage yard, including outside storage”; “Storage”; and “Wholesale business” all by Special Exception (SE) in the B1, B2, I1, I2, and I 3 zones. The only comment was from Storm Connors questioning why you needed a Special Exception for these amended uses.

The second amendment to Article IV, section 193-28, “Table of Area and Dimensional Requirements” to reduce the minimum rear yard setback to forty (40’) feet in the RA-22 zones was discussed. Dan Lamont does not feel we need to reduce the rear yard setbacks to forty (40’) feet. Paul Hart questioned why the rear yard setbacks were set at fifty (50’) feet. Acting Chairman Hart stated that this was discussed by commission and no one knows. Paul Hart is in favor of this amendment. Storm Connors does not understand why we even need setbacks and is also in favor of this proposed amendment.

The third amendment was to Article IV, Section 193-30G. This amendment would reduce the minimum rear yard and minimum side yard requirements by 50% for property owners abutting State Forest land and land owned by The Metropolitan District Commission.

Chris Martin from the State of Connecticut, DEEP division asked “Why does ownership of property dictate the setback?” He referred to Section 8-2 of the Connecticut General Statutes pertaining to uniformity. He felt it was unfair to MDC and the State. It raises a yellow caution flag. Debbie Brydon read a letter into the record (see attached) from Carol Youell at MDC. Andy Hubbard a forester from MDC was present and also discussed the problem with abutters straying onto MDC land with fences, swing

sets and pools. Bill LeGeyt, Chairman of ZBA stated that all the forests should be named, such as “Enders” and “Tunxis” or the regulation should just say “State forest lands”. He also felt people could apply for variances. Dan Lamont, ZBA board member, felt this proposal was a “systematic reduction of the zoning regulations”. Paul Hart stated he borders People’s State forest and supports the regulation change. Khea Cook, Chairman of the Conservation Commission likes the uniformity and said good setbacks make better neighbors. Katherine Hart is in favor of not over regulating the homeowner.

The Public hearing closed at 7:32 pm.

PENDING APPLICATIONS: None

APPROVAL OF MINUTES:

Gordon made a motion to approve the minutes from January 10, 2013, as presented, seconded by Grohowski and unanimously approved, with Al Neumann abstaining.

CORRESPONDENCE: Reviewed; no action taken.

ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE SAID MEETING:

Zoning Enforcement Officer, Debra Brydon advised the commission of an illegal structure on an illegal lot on Case Road and further discussed a subdivision on Goose Green Road from 1986, where the mylar was never filed and is now null and void.

PUBLIC COMMENT: None

Polderman made a motion to adjourn the meeting at 7:45 pm, seconded by Gordon and unanimously approved.

James Hart
Secretary