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Posted 11/20/08

TOWN OF BARKHAMSTED

PLANNING AND ZONING COMMISSION

MINUTES OF WORKSHOP MEETING

THURSDAY, OCTOBER 23, 2008

1. CALL TO ORDER

Chairman Christina Lavieri called the meeting to order at 7:00 p.m. Members present were James Hart, John Polderman, Janet Bailey and Sharon Neumann-Lynes, and alternate, Storm Connors and Todd Beland (7:15pm). Selectman Donald S. Stein was also present, as well as guest, Bob Petricone

2. GUEST, BOB PETRICONE FROM LITCHFIELD HOUSING TRUST

Bob Petricone the Vice President of the Litchfield Housing Trust spoke to the commission regarding their formation of the 501c3, Not for Profit Moderate Income Housing. They have been in existence for 20 years and have built 45 houses, with two more under construction. 43 of the houses are presently owner occupied, two are rental units.

Some of the regulations they have to maintain the income limits in the houses are; (1) you cannot

add on or expand to the house at any time; (2) no second mortgages; and (3) must split any gain on the sale with the Trust.

The Town of Litchfield has a Special Exception Cluster Housing regulation that requires reduced acreage. The Trust also maintains a land use for the life of the ownership of the home.

3. DISCUSS OPEN SPACE REGULATIONS.

Hart feels that our present “Open Space regulations” are un-American. He feels that a taking of 10% of the property owners land is not fair. The commission discussed this and felt this should possibly go to a public hearing. More discussion will take place at the next meeting.

4. DISCUSS UPDATING ROAD ORDINANCE.

Hart had spoken to Rich Novak regarding forming a committee to evaluate the road ordinance and possibly updating same. Rich Novak, Public Works Foreman agrees with this idea and also endorses a “loop” style cul-de-sac and placing a time frame on road bonds. The commission also discussed the possibly of roads being approved by the Board of Selectman and not a Town Meeting. Further discussion will take place at the next meeting.

5. APPROVAL OF MINUTES:

Hart made a motion to approve the minutes of September 25, 2008, seconded by Polderman and

unanimously approved.

6. CORRESPONDENCE: Selectman, Don Stein's letter regarding the proposed Private Road regulations was read and will be discussed at the next meeting.

7. ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE SAID

MEETING:

None

8. PUBLIC COMMENT:

Tim Grohowski asked what the history was regarding the Open Space regulations and if they had ever been used? No one on the commission knew if it had ever been enforced.

Hart made a motion to adjourn at 8:55 pm, seconded by Bailey and unanimously approved.

Respectfully submitted

James Hart - Secretary

TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
THURSDAY, NOVEMBER 13, 2008

Acting Chairman James Hart called the meeting to order at 7:03 p.m. Members present were Sharon Neumann-Lynes, John Polderman, Janet Bailey and Alternate, Todd Beland (7:10 pm). Acting Chairman Hart sat Beland for Lavieri.

NEW APPLICATIONS: None

PUBLIC HEARINGS:

A. Andrew W. Mason Associates, Inc., applicant/owner, Lot No. 6 Hampton Woods, Gavitt Road. Resubdivision to 8 lots.

The public hearing opened at 7:05 pm. Joseph Green was present for the applicant, from Robert Green and Associates, Engineers. Mr. Green stated that they had FVHD approval as evidenced

by the letter in the file. The applicant had received approval from the Inland/Wetlands commission on November 4, 2008. The road proposed will be 1200 feet long and DOT is still reviewing the application. All noticing requirements have been met and certified receipts were turned in. The applicant had also presented Draft Easements for the detention pond and smaller drainage maintenance easement, and a proposed Quit Claim Deed for the fire cistern.

The commission members questioned Mr. Green on the size of the homes being built. He stated that applicant would not be building the homes, just selling lots. Commission also questioned whether solar access was addressed. Mr. Green stated solar access was addressed.

Mr. Jacobowski a neighboring property owner questioned if the road was cutting into ledge. Mr. Green stated there would be no cutting into ledge for the road.

Neumann-Lynes made a motion to close the hearing, seconded by Polderman and unanimously approved. The hearing was closed at 7:30 pm.

PENDING APPLICATIONS:

A. Andrew W. Mason Associates, Inc., applicant/owner, Lot No. 6 Hampton Woods, Gavitt Road. Resubdivision to 8 lots.

Neumann-Lynes made a motion to approve the 8 lot resubdivision (Kelsey Court), based on oral and written testimony, with the conditions as noted below, seconded by Polderman.

Applicant had requested, in writing, a waiver of the sidewalk requirements.

Polderman made a motion to amend the approval motion to include the waiver of the sidewalk requirement, seconded by Bailey and unanimously approved.

Bailey made a motion to amend the approval motion to include an approval by the Board of Selectman for the Easement on Lot 6-8 for the maintenance of the storm drain and the Easement on Lot 6-4 for the 20,742 square foot detention basin, and the approval by the Board of Selectman of the Quit Claim Deed for the fire cistern, seconded by Neumann-Lynes and unanimously approved.

Polderman made a motion to amend the approval motion to include a condition that the Board of Selectman set the amount and form of the performance bond for the construction of the road, seconded by Bailey and unanimously approved.

Hart wanted it noted on the record again that he opposes the requirement for the fire cistern and feels it taxes the wrong person.

The vote for approval of the original motion was unanimous.

DISCUSS OPEN SPACE AND ROAD ORDINANCE:

This discussion was tabled until the next meeting.

APPROVAL OF MINUTES:

Polderman made a motion to approve the minutes of October 9, 2008, seconded by Neumann-Lynes and unanimously approved. Bailey abstained.

CORRESPONDENCE: Reviewed; no action taken.

ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE SAID

MEETING:

Hart asked staff to provide board members with the Freedom of Information pamphlets at the next meeting.

The board reviewed the meeting dates for 2009 and Bailey made a motion to approve the 2009 meeting dates, seconded by Polderman and unanimously approved.

PUBLIC COMMENT:

Scott Johnstone from the Conservation Commission made an observation regarding the approval of the 8 Lot resubdivision and the paving of steep driveways and preventing runoff from these driveways into the Town Road.

Neumann-Lynes made a motion to adjourn at 8:45 pm, seconded by Polderman and unanimously approved.

Respectfully submitted

James Hart - Secretary