

**TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
THURSDAY, AUGUST 12, 2010**

Chairman Christina Lavieri called the meeting to order at 7:05 p.m. Members present were John Polderman, Sharon Neumann-Lynes and Gregory Gordon. Also present was Rista Malanca the Zoning Enforcement Officer and Debra Brydon Staff Secretary.

5. PENDING APPLICATIONS:

A. Regional Refuse District No. 1, applicant/owner, 31 New Hartford Road, Parcel "D". Application for zone change from I-1 to I-3

Chairman Lavieri addressed the comments made at the Public Hearing regarding concerns about the noticing procedure, which was all done properly and according to statutes; concerns about the well water, which is not the Planning and Zoning's concern and will be reviewed by RRDD # 1, DEP and the EPA; financial benefits to the Town and RRDD # 1, also not a concern of the Planning and Zoning Commission; whether RRDD # 1 was obtained by eminent domain, which it was not; and whether other parcels in Town could be rezoned to I-3. The Planning and Zoning Commission cannot forbid the use of the I-3 zone. Any change in zone would have to come before the commission at a Public Hearing. Neumann-Lynes questioned whether this opened the door for private roads and shared driveways. Right now this is only allowed in the I-3 zone.

Polderman made a motion to approve the application, as it is consistent with the Plan of Conservation and Development, with an effective date for approval the day after the publication of the Notice of Decision, seconded by Gordon and unanimously approved.

APPROVAL OF MINUTES:

Gordon made a motion to approve the minutes for July 8, 2010, as presented, seconded by Neumann-Lynes and unanimously approved, with Polderman and Neumann-Lynes abstaining.

CORRESPONDENCE: Reviewed; no action taken.

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

The Planning and Zoning Commission members all agreed that the commission should join the Northwest Planning Collaborative and try a membership for one year.

Rista Malanca also advised the commission that she is having the Flood Plain Regulations reviewed by DEP.

PUBLIC COMMENT:

Scott Johnstone from Conservation Commission felt Chairman Lavieri's comments were good, but still does not understand the "cart before the horse" type decision on the RRDD # 1 application to change from I-1 to I-3, without doing any feasibility studies. The commission explained that this was not their job. The applicant will take care of this before any applications come for subdivision approval, if ever.

Polderman made a motion to adjourn at 7:45 pm, seconded by Neumann-Lynes and unanimously passed.

Approved _____ Date _____
James Hart-secretary