

**TOWN OF BARKHAMSTED  
PLANNING AND ZONING COMMISSION  
MINUTES OF REGULAR MEETING  
THURSDAY, FEBRUARY 12, 2009**

Chairman Christina Lavieri called the meeting to order at 7:06 p.m. Members present were James Hart, Sharon Neumann-Lynes, John Polderman, and Alternates, Todd Beland and Storm Connors. Lavieri sat Beland for Bailey.

**PUBLIC HEARINGS:**

**A. Bement, John and Maria, 40 Fuller Road. Application for Special Exception for Accessory Apartment.**

Maria Bement presented the return receipts and pictures of the posted signs. Mrs. Bement testified that the accessory apartment was 1,334 square feet and the residence was 4,529 square feet. Mrs. Bement testified that there was a separate entrance to the apartment and separate parking area. Staff reported that the accessory apartment meets all the zoning requirements.

Joe Ganem, a neighbor, spoke in favor of the accessory apartment.

Hart made a motion to close the public hearing at 7:15 pm, seconded by Polderman and unanimously approved.

**NEW APPLICATIONS:** None

**PENDING APPLICATIONS:**

**A. Bement, John and Maria, 40 Fuller Road. Application for Special Exception for Accessory Apartment.**

Hart made a motion to approve the application, based on oral and written testimony, for an accessory apartment, seconded by Neumann-Lynes and unanimously approved.

Hart spoke about revisiting the regulations for accessory apartments and felt it should be “two stages”. One, if there were no exterior modifications, then just an application with administrative review. Two, if there were exterior modifications, then an application for a Special Exception would be needed.

## **DISCUSSION WITH FIRST SELECTMAN, DONALD S. STEIN, REGARDING PRIVATE ROAD REGULATIONS**

The commission continued to review Selectman Stein's memo of October 20, 2008 regarding the proposed Private Road, Shared Driveway and Common Driveway regulations. The construction details of the private road were discussed, as well as the common interest ownership act (COIA). The commission will continue discussing these proposed regulations at the next workshop.

### **Approval of minutes:**

Neumann-Lynes made a motion to approve the minutes of January 8, 2009, seconded by Hart and unanimously approved.

### **Correspondence:**

Chairman Lavieri read a letter dated February 3, 2009 from Andrew Mason requesting a 90 day extension for filing mylars for the Kelsey Court subdivision. Hart made a motion to approve the extension of an additional 90 days, for filing the mylars, seconded by Neumann-Lynes and unanimously approved.

### **Any other business legal and proper to come before said meeting:**

Mr. Stein spoke about the Economic Development zone at R.R.D.D. Tom McGowan is working on the proposed regulation changes and the Board of Selectman will be making the application. Hart advised the commission that pursuant to the Town Attorney's legal opinion, he will not be present at the public hearing for these regulation changes.

### **Public Comment:**

Linda Ganem spoke regarding the Private Road regulations and feels that the association set up pursuant to COIA cannot compare to a condo association with hundreds of people. The Private Road would only have six families and there was more room for problems when someone does not pay the association dues. Storm Connors asked for documentation from other Towns regarding their feelings on Private Roads.

Tim Grohowski asked for Don Stein's input on reviewing other Town's opinions and regulations. He also asked if Selectman Stein was in favor of the proposed regulations. Selectman Stein stated he would have to wait to see the final draft of the proposed regulations.

Hart made a Motion to adjourn at 9:05 pm, seconded by Neumann-Lynes and unanimously passed.

Approved \_\_\_\_\_ Date \_\_\_\_\_  
James Hart-secretary