

**TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
THURSDAY, SEPTEMBER 11, 2014**

Chairman Christina Lavieri called the meeting to order at 7:00p.m. Members present were Sharon Neumann-Lynes, Greg Gordon, John Polderman, James Hart and alternates, Tim Grohowski, Al Neumann and Tom Andersen Also present was Debra Brydon, Zoning Enforcement Officer.

The commission members asked staff to amend the agenda to show the Caracciolo application is for a Special Exception for a "Country Inn" and also include it under Public Hearings as the hearing was not closed at the last meeting. Staff will make these corrections.

NEW APPLICATIONS: None

PUBLIC HEARINGS:

**A. CARACCIOLO, JOHN L. and OLGA, applicant/owners, 364 Park Road.
Application for Special Exception for Country Inn**

The public hearing was re-opened at 7:05. Mr. Caracciolo presented his survey to the commission members showing the side and rear yard setbacks from the accessory structure with the addition of the country inn. The side yard setback was 64.23 feet which meets the regulations for 40'. The closest rear yard setback was 42.39 feet, which meets the new rear yard setback of 40'. A letter was read from Attorney Norman E. Rogers, Jr. stating that the applicant's intention was to merge the two lots for a total of 10.78 acres. The commission asked if a Certificate of Occupancy was ever given to the past owners (Rick Harden). Staff researched and found no Certificate of Occupancy, as there was never a permit pulled for the accessory structure, which was built around 1991. The neighbors, Pam and Eugene Allen were present and asked that a fence be put in place along the boundary lines on the side and rear of the property in the back corner near the accessory structure housing the Country Inn. Mr. Caracciolo apologized again for turning the accessory structure into a Country Inn without any permits. He stated that the new septic tank was being installed that week and that he would be merging the two lots as soon as the mortgage on the second lot was paid off in April of 2015, and asked any commission members to please come view the Country Inn and his property. The public hearing was closed at 7:43 pm.

PENDING APPLICATIONS:

**A. CARACCIOLO, JOHN L. and OLGA, applicant/owners, 364 Park Road.
Application for Special Exception for Country Inn**

Hart made a motion to approve the application for Special Exception for Country Inn, as per oral and written testimony presented at the hearing, with the following conditions:

1. That a fence be installed and maintained. The fence will be approved by the Zoning Enforcement Officer as to the length and design;
2. The two abutting pieces of property owned by John and Olga Caracciolo must be merged and the deed and map recorded on the Land Records by June 1, 2015;
3. There shall be no further expansion or enlargement of the accessory structure for Country Inn purposes beyond the 28% already in place;
4. The Country Inn shall be limited to only three (3) occupants and no public events will be allowed, i.e. weddings, parties, etc.;
5. The Building Official shall enforce the State of Connecticut Building Codes presently in place when issuing the Certificate of Occupancy for the Country Inn; and
6. The Accessory building must have installed a sprinkler system per NFPA 2010 codes; and
7. Full cut off lighting is required.

The motion was seconded by Polderman. The commission discussed at length all the conditions and will vote on each condition individually. Polderman made a motion to table the vote on the motion until the next meeting, seconded by Neumann Lynes and unanimously approved.

APPROVAL OF MINUTES:

Hart made a motion to approve the minutes of July 10, 2014, as presented, seconded by Polderman and unanimously approved.

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

Debbie Brydon presented the quote from the Northwest Conservation District for \$1,175.00 to update the zoning map. Staff advised the commission that they have a little over \$2,000.00 in the capital projects account. The commission approved moving forward with hiring NCD (Northwest Conservation District) to update the zoning map.

Chairman Lavieri also reported on the progress with the IHZ (Incentive Housing Zone) Grant. The focus of the study will be on three pieces of property, 104 Old New Hartford Road, 380 New Hartford Road and 390 New Hartford Road. Martin Connor will be drafting IHZ regulations for properties with sewers, and without sewers.

CORRESPONDENCE: Reviewed; no action taken

PUBLIC COMMENT:

Khea Cook thanked the Planning and Zoning Commission for doing a thorough review of the Caracciolo application and being open-minded.

Hart made a motion to adjourn the meeting at 8:45 pm, seconded by Polderman and unanimously approved.

James Hart
Secretary