

**TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF WORKSHOP MEETING
THURSDAY, JUNE 25, 2009**

CALL TO ORDER

Chairman Christina Lavieri called the meeting to order at 7:00 p.m. Members present were James Hart, John Polderman, and alternate, Todd Beland. Chairman Lavieri sat Todd Beland for Wayne Renfrew. (7:10 pm)

Modification of Subdivision approval for Kelsey Court by Andrew W. Mason Associates, Inc.

Robert Green was present to discuss the changes made to Kelsey Court, which were reviewed by the Town Engineer, Edward Sweeney. Staff was present at the meeting with the engineer and confirmed the changes to Sheet 17 of 24 of the plans, as revised on June 23, 2009. Staff confirmed that the proper changes were made to the plans, as per Town Engineer's request. Hart made a motion to approve the modification of the road design, based on review of submitted plans by Town Engineer, Edward Sweeney, seconded by Polderman and unanimously approved.

PUBLIC HEARINGS:

A. Scanlon, Robert D., applicant/owner, 46 Taylor Road. Application for Special Exception for Home Occupation

The legal notice was read into the record. Robert Scanlon was present and submitted the return receipts for the notifications to abutting neighbors. Mr. Scanlon's letter dated April 19, 2009 was read into the record and is attached. Pictures of the property were presented showing the location of the trucks. A letter from Mr. and Mrs. David Slemmer dated June 24, 2009 was read into the record and is attached. Each question was answered. Mr. Scanlon stated there would be no more trucks than listed on the application. There would be absolutely no storage of hazardous materials. Everything is off site. No repairs to trucks on site, all off site. Only two trucks out in the morning and back in the evening. Possibly one more truck in the middle of day to switch equipment. If application is approved, there will be no expansion or increase in vehicles. No employees travel daily to the site. Tom Fritch, an abutting neighbor, asked if the property were sold, could the new neighbors have a similar business. The answer is yes. The Special Exception, if approved, would run with the land, but the new owners could not intensify the use.

A letter from David and Marianne Fazzina, abutting neighbors was also read into the record, against the application and is attached. Neighbors questioned the sightlines when trucks were exiting the property. Also truck traffic startles the Fazzina's horses. Molly

Sexton Read spoke in favor of the application. She has noticed a reduction in the traffic, but would not like to see the business intensified.

The public hearing was closed at 8:00 pm.

NEW APPLICATIONS:

A. Optiwind, Corp/Regional School District No. 7, applicants, Regional School District No. 7, owner, 100 Battistoni Drive, Winsted. Application for Special Exception for Energy Generation Facility (Wind Turbine).

Zoning Enforcement Officer, Rista Holda stated the application was complete and they had gone before the Inland/Wetlands Commission and have permission, if no wetlands. The soil scientist report stated “no wetlands”. Hart made a motion to accept the application and set for public hearing for July 23, 2009 at 7:00 pm in the Barkhamsted Elementary School, seconded by Polderman and unanimously approved.

PENDING APPLICATIONS:

A. Scanlon, Robert D., applicant/owner, 46 Taylor Road. Application for Special Exception for Home Occupation

Zoning Enforcement Officer, Rista Holda stated the commission could not get side tracked with problems from the old subdivision with the driveway and drainage. The commission is concerned with safety exiting the driveway. The decision was tabled until the next meeting scheduled for July 9, 2009 at 7:00 pm.

B. Barkhamsted Planning and Zoning Commission, applicant. Application for amendments to Zoning Regulations to add Shared Drive Regulations and Private Road Regulations to serve Estate Lots.

Chairman Lavieri read a letter from Tom McGowan. See attached. The commission discussed the proposed Shared Driveway regulation and the public feedback. The commission was confused with the reasons why the Conservation Commission was against the Shared Driveway and Private Road proposed regulations. The commission felt they could have done a better job presenting the proposed regulations. Staff felt the Shared Driveway regulation is needed, as there are many pre-existing, non-conforming lots that will be developed with shared driveways and right now we have no regulation to enforce proper compliance. Rista Holda felt that if the proposed regulation was a Special Exception and the length of the driveway was limited, with an approval from the Fire Chief as far as safe access, that it would be a good regulation. Discussions on the proposed regulations will continue at the next meeting.

DISCUSSION OF OPEN SPACE REGULATIONS: Tabled until next meeting.

APPROVAL OF MINUTES:

Hart made a motion to approve the minutes of May 28, 2009, as presented, seconded by Beland and approved, with Polderman abstaining.

CORRESPONDENCE:

Chairman Lavieri asked the members, if possible, to attend the next Land Use Training Class in Torrington on September 26, 2009.

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

Rista Holda advised the commission of two matters requiring their attention. The first was Jim and Judy Yoakum's property at 77 East River Road. Tree cutting and landscaping has been done right down to the river and Rista had sent them a letter asking them to appear before the Planning and Zoning Commission.

Rista also asked the commission if Ken Ransom could appear informally with questions regarding the possible regulation changes needed to run a tubing business in Riverton. The commission stated he could come in for a very informal discussion. Mr. Ransom would like some guidance before he spends money on a planner to write the regulations that would be necessary to allow a tubing business.

PUBLIC COMMENT:

Khea Cook, a friend of Mr. Ransom's confirmed the fact that he is hesitant to spend the money on a planner without some guidance.

Scott Johnstone spoke regarding the Yoakum property and clear cutting down to the river. He spoke about the negative impacts on the river and the health of the river and fish when it is not protected by the regulations regarding the Farmington River Overlay. Khea Cook asked who had the responsibility to enforce our regulations. The commission stated that our Zoning Enforcement Officer, Rista Holda had the power to enforce the regulations.

Ed Dodge found it amusing that the taxpayers paid for a consultant to support regulations (Shared Driveway/Private Road) that were opposed by the taxpayers.

Hart made a motion to adjourn at 9:15 pm, seconded by Polderman and unanimously approved.

Respectfully submitted

James Hart - Secretary