

**TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
THURSDAY, AUGUST 13, 2009**

Chairman Christina Lavieri called the meeting to order at 7:00 p.m. Members present were James Hart, Sharon Neumann-Lynes, John Polderman, and Wayne Renfrew.

PUBLIC HEARINGS: NONE

NEW APPLICATIONS: NONE

PENDING APPLICATIONS:

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

The commission read the attached report from Rista Holda, Zoning Enforcement Officer regarding the above application. Hart made a motion to approve the application, as per oral and written testimony as presented at the hearing, with three conditions, as follows:

1. The large tree at the end of the driveway shall be taken down to improve the sight line;
2. The only equipment allowed on site, for business use, may not exceed, at any time, the equipment listed on the application, i.e. the number and size excavator (or similar), 1 wood chipper (or similar), 3 plows, 2 trailers, 3 sanders and miscellaneous small equipment such as walk behind mowers, trimmers. All small equipment and tools must be stored completely within the garage;
3. All fertilizer, chemicals or other hazardous materials are prohibited from being stored on site, with the exception of regular household use;

as suggested in the report from the Zoning Enforcement Officer, dated August 13, 2009, seconded by Polderman.

After a brief discussion regarding the driveway, Hart amended the motion to add condition No. 4, as follows:

4. Applicant must finish the driveway and pave apron, as per driveway specifications. The driveway must then be approved and inspected by the appropriate Town officials;

Seconded by Polderman.

Hart further amended the motion to add condition No. 5, as follows:

5. All the above work requested (item # 1 and item #4) must be completed by November 15, 2009.

Seconded by Polderman.

The vote for the second amendment was unanimous in favor of same. The vote for the first amendment was also unanimous in favor of same. The vote for the original motion was unanimous in favor of the motion. The motion with all the amendments passed.

DISCUSSION OF OPEN SPACE REGULATIONS

Hart feels the open space regulation is an uncompensated taking of property by the government.

Neumann-Lynes spoke in favor of keeping the open space regulation or having something similar like a development tax on each lot. Neumann-Lynes gave copies to each commission member of the New Hartford version of open space regulations. These were also discussed.

The other members of the board present that evening, (Polderman, Renfrew and Lavieri) were all against the open space regulation. The consensus was to move forward with a proposed change to remove the open space regulation and send this to Marty Connor to write.

APPROVAL OF MINUTES

Motion made by Hart and seconded by Polderman to approve the July 9, 2009 minutes, as written. The vote was unanimous.

CORRESPONDENCE:

Reviewed; no action taken

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

The commission wanted staff to keep track of the other proposed amendments to the regulations, i.e. Cluster Housing, Affordable Housing, rear lot amendments and I-3 changes on Route 44. Staff will also ask Marty Connors to work on the new Shared Driveway regulations, with a limit on the length and a condition that no lot could be formed by the new regulations that was not already a building lot. The Shared Driveway regulation should also be a Special Exception.

Staff also advised the Planning and Zoning Commission that Selectman Donald S. Stein was withdrawing the application from the Town for the amendment to the zoning regulations adding an ED Zone (Economic Development Zone), which was scheduled for public hearing on August 27, 2009.

PUBLIC COMMENT:

Tim Grohowski stated he likes the new proposed Shared Driveway regulation with the stricter conditions.

Hart made a motion to adjourn at 8:35 pm, seconded by Polderman and unanimously passed.

Approved _____ Date _____
James Hart-secretary