

**TOWN OF BARKHAMSTED  
PLANNING AND ZONING COMMISSION  
MINUTES OF WORKSHOP MEETING  
THURSDAY, SEPTEMBER 25, 2014**

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

**NEW APPLICATIONS:**

**A. VANBERKUM, BRUCE, applicant/owner, 79 East River Road.  
Application for Special Exception for Accessory Apartment**

Staff advised commission that the applicant had applied to the State as well as FVHD for a new septic system as this accessory apartment would be in a new detached garage and required State approval.

Neumann-Lynes made a motion to accept the application and set for Public hearing for October 23, 2014, seconded by Hart and unanimously approved.

**3. PUBLIC HEARINGS:**

**A. SZYPULSKI, THEODORE H., applicant/owner, 73 W. West Hill Road.  
Application for Special Exception for a Tower**

Ted Szypulski was present and passed pictures around showing what the ham radio tower would look like and the specifications for wind rating and wind loads. The tower is 70 feet in height and resembles a flag pole. It is over 150 feet from the side yard. He advised the commission that when the tower was not in use, it would be in the down position.

Rick Wallace, a resident of W. West Hill Road who lives near the applicant stated that he had no objection to the ham radio tower and they were an asset to the Town.

Karen Nicoletti, also a neighbor stated she had no objection as well and she drove a tractor trailer and was a CB user. She also stated what an asset a ham radio tower operator was for the Town.

Dr. Douglas Girard from New Hartford stated how valuable ham radios are in an emergency. Dr. Girard is also a ham radio enthusiast.

Lani Finch, daughter of Frank and Margaret Finch passed out a two page letter asking for a compromise in the ham radio tower height. The Finches live across the road from the

Mr. and Mrs. Szypulski. They asked for a 55 foot retractable tower to be bracketed to the side of the Szypulski barn. They also stated they felt that the ham radio antennas already in place on the Szypulski property might be causing interference with their WiFi reception.

They asked if the applicant had considered other locations. Mr. Szypulski stated that the ham radio will perform better, with better reception, at the 70' height. Also the topography of his property was difficult. Mr. and Mrs. Szypulski and other neighbors stated they did not have any problems with internet reception.

Mrs. Szypulski stated that her husband had been a ham radio user since he was 15 years old, and he just wanted to enjoy his hobby.

The commission further questioned the applicant on tower height, property lines and internet reception. The public hearing was closed at 7:45 pm.

#### **4. PENDING APPLICATIONS:**

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

The commission discussed the motion that was made at the last hearing:

“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.”

Each condition of this motion was discussed.

The first condition was amended to include “location”. The second condition was amended to read as follows: “The applicants must demonstrate that they have a 5 acre parcel by providing a copy of the recorded deed and map to the Zoning Enforcement Officer.” The third and fourth conditions stay in. Conditions 5 and 6 will come out, as they do not pertain to zoning regulations. The sixth condition remains the same.

Hart made a motion to amend the original motion as follows:

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, location and design. The purpose of the fence is to stop trespassing onto the neighbor’s property;
2. The applicants must demonstrate that they have a 5 acre parcel by providing a copy of the recorded deed and map to the Zoning Enforcement Officer.
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. Full cut off lighting is required.

The amended motion was seconded by Gordon and unanimously approved.

**SZYPULSKI, THEODORE H., applicant/owner, 73 W. West Hill Road.  
Application for Special Exception for a Tower**

The public hearing is closed. This application will be discussed by the commission at the next regular meeting of October 9, 2014 at 7:00 pm at the Barkhamsted Town Hall.

**APPROVAL OF MINUTES:**

Hart made a motion to approve the minutes from August 28, 2014, seconded by Andersen and unanimously approved.

**CORRESPONDENCE:** The Commission received reports from both the Capitol Region Council of Governments and Northwest Hills Council of Governments both stating that they found no problems with the proposed amendments to the zoning regulations that are being presented at a Public hearing on October 23, 2014 at 7:00 at the Barkhamsted Town Hall.

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

Al Neumann questioned what happens next when Mr. Caracciolo applies for a building permit. Staff reported that he would be charged an “after the fact” fine and it would be up to the Building Official as to how many walls get opened up and what needs to be visible to bring up to the present State Building Code.

**PUBLIC COMMENT:** Mario Santoro questioned why the commission limited Mr. Caracciolo to three (3) occupants. Staff stated that Mr. Caracciolo had stated there would be no more than three (3) occupants in his letter to the commission.

Hart made a motion to adjourn the meeting at 8:50 pm, seconded by Gordon and unanimously approved.

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James Hart  
Secretary