

**TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
THURSDAY, DECEMBER 8, 2016**

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

NEW APPLICATIONS:

**A. GARRETT HOMES, LLC., APPLICANT, SOUND GARRETT
BARKHAMSTED, LLC. OWNER, 390 NEW HARTFORD ROAD.
APPLICATION FOR SITE PLAN APPROVAL**

Matt Bruton from BL Companies was present and described the site plan for the new Dollar General at the above address. The new building will be 9100 square feet with its own septic and well. Mike Perkins from Garrett Homes, LLC. was also present to answer questions. The commission asked about the need for so many parking spaces. Mr. Bruton explained that this was a requirement of the tenant. The Landscaping plan was reviewed and noted that indigenous plantings will be used near the wetlands areas. The lighting was reviewed and discussed. Staff advised the commission about the variance approval for the increased signage, which is exactly as stated in Section 193-36F of the Barkhamsted Zoning Regulations. Mr. Bruton advised the commission that they were still waiting for FVHD approval for the new septic and well.

Hart made a motion to approve the Site Plan Application as present, as per oral and written testimony and subject to a detailed review by the Zoning Enforcement Officer to be completed on or before December 15, 2016, and FVHD approval for the well and septic, seconded by Andersen and unanimously approved.

PUBLIC HEARINGS:

**A. JESPERSEN, DONALD AND DAWN, Applicant/owners, 84 Old North
Road. Application for Special Exception for fence over six feet**

The hearing opened at 7:31 pm. Donald Jespersen was present. He explained to the commission that he hired Pleasant Valley Fence to install the fence and was told it could only be 6 feet in height. When the installation started the Zoning Enforcement officer was advised by the neighbor that the fence was over 6 feet. He was advised to stop the work and applied for a Special Exception. Pictures were presented and he testified that at no point was the fence over 7 feet tall. Staff advised the commission that the Building code had just changed on October 1st to allow fences up to seven feet without a building permit. Mr. Jespersen confirmed with the commission that the fence would not go right

down to the road and would maintain a proper sightline for both driveways to enter and exit onto Old North Road.

The neighbors, Peter and Karen Jespersen spoke against the fence. They confirmed that the fence was on Donald Jespersen's property, but only left one foot on their side to maintain the fence. They felt they had a claim for that property under adverse possession as they have been mowing that piece for years. The commission advised them that they do not get involved in property disputes.

The public hearing was closed at 7:45 pm.

Hart made a motion to approve the fence at no more than seven feet in height, as per oral and written testimony, seconded by Neumann-Lynes and unanimously approved. Polderman recused himself.

PENDING APPLICATIONS: None

REVIEW AND DISCUSS POCD:

The commission set a goal of having a rough draft of the POCD by the workshop meeting in January for their review. The POCD would then be sent to Martin Connor to review and make any corrections or additions and returned for the workshop in March for a final PZC review. The POCD will be referred to Northwest Council of Governments in April and conduct their Public hearing in May.

Staff advised the commission that we need to add a paragraph on WUCC (Water Utility Coordinating Commission for the Western Region) regarding the future designation of water control in the Town of Barkhamsted.

APPROVAL OF MINUTES:

Hart made a motion to approve the minutes of the meeting on November 10, 2016, as presented, seconded by Polderman and unanimously approved.

CORRESPONDENCE: Reviewed; no action taken

SET MEETING DATES FOR 2017:

Hart made a motion to approve the meeting dates for the second and fourth Thursday of the month, excluding the fourth Thursday in November and December for 2017, seconded by Polderman and unanimously approved.

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

8-24 application, Town of Barkhamsted, sale of small piece of property from school playground to Peter and Sarah Ferrarosso

Staff presented a map prepared by Keefe Land Surveying of a .06, plus or minus are of land abutting property of Peter and Sarah Ferrarosso. Mr. and Mrs. Ferrarosso would purchase the property from the Town to have enough room to put up a fence in the front of the large white pine trees abutting the school playground.

After a brief discussion, on a Motion made by Hart, the commission disapproved the sale of the property for the following reasons:

1. They disagree with the sale of scarce and/or limited school property;
2. An Easement could take care of the request with appropriate maintenance and liability contingencies included in the Easement;
3. The map showed no clear delineation of any school infrastructure, ie, septic, drainage, and irrigation system and the impact thereof; and
4. The loss of property may affect infrastructure setbacks.

seconded by Polderman and unanimously approved.

PUBLIC COMMENT: None

Hart made a motion to adjourn the meeting at 9:05 pm, seconded by Neumann-Lynes and unanimously approved.

James Hart
Secretary