

**TOWN OF WARREN
PLANNING & ZONING COMMISSION
Regular Meeting Minutes
Tuesday, April 10, 2018 - 7:30PM
Warren Town Hall – 50 Cemetery Road**

Present: Chairman: Bob Bolte **Regular Members:** Susan Bates, Robyn Kasler, John Miller, Phil Good, Howard Lethbridge **Alternate:** John Papp and Kelly Tobin **Zoning Enforcement Officer:** Stacey Sefcik **Secretary:** Heather Perssonatti

PUBLIC HEARINGS:

The hearings opened at 7:36PM. Ms. Sefcik read into the record the legal noticing for both public hearings. Regular members present were seated for the meeting. John Papp was seated for Vice Chairman, Christoffer Brodhead. The proceedings were digitally recorded, and copies are available in the Land Use Office.

1. Robert Siddall, 8 Sandcastle Road – Special Exception per Section 26 of the Town of Warren Zoning Regulations to Operate Home Business.

Mrs. Sefcik stated Mr. Siddall sent proof of notice to his abutting neighbors. Mr. Siddall stated he has 3 employees, he owns an air conditioning and heating company, and he doesn't have customers at property. His employees are at the property from approximately 7:30- 8:30 AM and don't return during the day as they go straight home from work. He owns four vans, 3 are with the employees during the day. Mr. Siddall submitted to the Commission a few pictures of the building and property where the business is located. Ms. Sefcik confirmed with Mr. Siddall that the proposal met the requirements of Section 26 in terms of the size of the building and portion to be used for the business, no equipment, maintenance of residential appearance, 1 van stored, no parking needed, no outside storage needed, no customers onsite. She also read an anonymous letter aloud to the Commission. Ms. Sefcik stated that Mr. Siddall did get an Inland Wetlands permit in the past prior to the construction of the accessory structure. She questioned the portable toilet to Torrington Area Health and still hasn't heard back from them. Mr. Siddall stated that no work is done on site. He also stated that supply trucks come every other day or so to drop off items such as heating and air conditioning units; the items are never stored on property long because they are used immediately on jobs. Ms. Sefcik confirmed with Mr. Siddall that he only stores materials for his jobs and not for any other businesses.

Mr. Bolte opened discussion to public. Richelle Hodza, 236 Brick School Road, stated she drives by often and that the property is not offensive. Some landscaping was recommended by her. She doesn't have a problem with the portable toilet. Ms. Tobin asked how many buildings on property. Mr. Siddall replied two. Mr. Papp asked Mr. Siddall if he lives there and the reply was yes. Ms. Tobin asked what gets delivered. Mr. Siddall reiterated that air and heating units are delivered but are not stored on the property long because they are used immediately on jobs.

Hearing no other questions or concerns, the Commission agreed to close the public hearing.

2. Catherine Deckelbaum, 33 Arrow Point Road – Special Exception per Section 16.2.1-F of the Town of Warren Zoning Regulations to Construct 465 Square Foot Patio within the Shoreline Setback Area.

Jeremy Oskandy, PE, from Arthur Howland and Associates spoke for Catherine Deckelbaum. He discussed the property in detail explaining plantings, fill pad, removal of gazebo and Inland Wetlands approval. He stated that a bluestone patio will go where the gazebo used to be. The patio will have open joints, crushed stone, and overflow will go to rain garden and infiltrate properly. Ms. Sefcik stated Ms. Deckelbaum had obtained approval for a tear down-rebuild of the house onsite, along with shorefront work in the past. There had been other nonconforming structures onsite, built by a previous owner, which had been removed by Ms. Deckelbaum. These included a shed on the property line, a lakefront gazebo, and a concrete and gravel boat launch area. All of these had been removed by Ms. Deckelbaum.

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At the February Planning and Zoning Meeting, the Commission requested input from Sean Hayden, Executive Director of the Lake Waramaug Taskforce. Mr. Hayden sent a letter, which Ms. Sefcik read into the record. He wrote he had no issues with the project. Jeremy provided the board with notices. Given that the Commission was being asked to approve the application under Section 16.3, which required at least 50% of the shorefront area to be landscaped, and this work had not yet been completed due to the weather, Ms. Sefcik recommended as a condition of approval the placement of a performance bond for the portion of the work still to be completed. Mr. Oskandy indicated he was amenable to this condition.

The floor was opened to public comment, but no one present expressed a desire to speak. Mr. Oskandy noted that, while the legal noticing to abutting neighbors and signage had been completed, he did not have with him proof of this. He offered to go get the notices and return before the end of the meeting.

The Commission agreed to keep the public hearing open and move into the regular meeting with the hope that Mr. Oskandy could return prior to the end of the meeting.

REGULAR MEETING:

1. CALL TO ORDER AND DESIGNATION OF ALTERNATES.

A. The regular meeting was called to order immediately after the close of the public hearings. Regular members present were seated for the meeting. John Papp was seated for Vice Chairman, Christoffer Brodhead. The proceedings were digitally recorded, and copies are available in the Land Use Office.

2. OPPORTUNITY FOR PUBLIC COMMENT.

A. **Richelle Hodza from 236 Brick School Road.** Ms. Hodza asked to be added to the agenda regarding Special exception Section 26 for a home business and sign. Ms. Hodza provided a check in the amount of \$200.00 to board. Ms. Hodza handed an updated, signed application to the board. Ms. Hodza would like to have a private school at her home where she would have small workshops with a handful of clients. The Commission unanimously agreed to add Ms. Hodza to the agenda under New Business.

3. APPROVAL OF MINUTES:

A. **February 13, 2018 Regular Meeting.**

MOTION: Mr. Bolte, second Ms. Bates to approve the February 13, 2018 Regular Meeting minutes; **unanimously approved.**

4. OLD BUSINESS:

A. **Robert Siddall, 8 Sandcastle Road – Special Exception per Section 26 of the Town of Warren Zoning Regulations to Operate Home Business.**

Ms. Bates recused herself from discussion and exited the meeting room. Members of the Commission reviewed the materials submitted. Some members discussed that the regulation appeared to indicate that the limit on the number of employees pertained to those working onsite throughout the day, not a scenario where they are briefly picking up materials and then leaving. Members also discussed the presence of the portable toilet, with several members noting that they'd rather have the toilet there behind the privacy fence than have anyone relieving themselves in the adjacent woods. The question of landscaping and screening was also discussed, with members noting that Mr. Siddall had already installed a section of privacy fence and several trees along the Brick School Road side of the property.

Motion: John Miller, second Kelly Tobin to **approve** and grant exception. **All in favor**, one opposed.

- B. **Catherine Deckelbaum, 33 Arrow Point Road – Special Exception per Section 16.2.1-F of the Town of Warren Zoning Regulations to Construct 465 Square Foot Patio within the Shoreline Setback Area.**

The Commission agreed to table this matter to the end of the agenda.

5. **NEW BUSINESS:**

- A. **Richelle Hodza, 236 Brick School Road - Special Exception per Section 26 for Home Business.**

Ms. Hodza asked to be added to the agenda regarding Special exception Section 26 for a home business and sign. Ms. Hodza provided a check in the amount of \$200.00 to board. Ms. Hodza handed an updated, signed application to the board. Ms. Hodza would like to have a private school at her home where she would have small workshops with a handful of clients. Ms. Hodza supplied the board with the regulations, a field card of her property, pics of home, a floor plan and a survey map. Ms. Tobin asked what a handful of people means. Ms. Hodza replied maybe 5 or 6 including her. She stated that there are a total 7 parking spots. Ms. Sefcik stated that this will need to go to a public hearing. Ms. Hodza stated she will have a better description of how many people, parking etc. for the hearing. Mr. Bolte asked the date for the next public hearing and he was told May 8, 2018.

MOTION: Mr. Bolte, second Ms. Kasler to accept the application and schedule a public hearing for the May 8, 2018 public hearing. Motioned carried and **approved. All in Favor**, none opposed.

PUBLIC HEARINGS CONTINUED:

2. **Catherine Deckelbaum, 33 Arrow Point Road – Special Exception per Section 16.2.1-F of the Town of Warren Zoning Regulations to Construct 465 Square Foot Patio within the Shoreline Setback Area.**

Mr. Oskandy returned and submitted proof of noticing to abutting neighbors. With this item, and hearing no further comments or questions, the public hearing could now be closed.

The Commission agreed to close the public hearing.

4. **OLD BUSINESS:**

- B. **Catherine Deckelbaum, 33 Arrow Point Road – Special Exception per Section 16.2.1-F of the Town of Warren Zoning Regulations to Construct 465 Square Foot Patio within the Shoreline Setback Area.**

MOTION: Phil Good, second Ms. Bates to **approve** the application with the requirement of a performance bond. **All in favor**, none opposed.

6. **CORRESPONDENCE.**

The Commission received a copy of the zoning text amendments proposed in the Town of Kent.

7. **ZONING ENFORCEMENT OFFICER'S REPORT.**

Ms. Sefcik stated she received revised February's Selectman's meeting minutes. The Commission discussed the Town signage at the corner of Route 341 and 45. Ms. Sefcik stated that she has not heard any complaints and that feedback is positive. Ms. Tobin suggested bringing this matter up at the Town Meeting. Ms. Tobin is going to attend the next Town meeting on May 17, 2018 at 7:30 PM as a citizen.

8. **OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

- A. Discussion Regarding FY2018-2019 Budget Proposal. Ms. Kasler asked if \$7,500 was enough for legal fees. She suggested that the amount be changed to \$9,500 and that the meetings and dues are increased to \$250.

MOTION: Ms. Kasler, second Mr. Papp to **approve** increase request of \$9,500 for legal fees and \$250 for meetings and dues. **All in favor**, none opposed.

B. **Discussion and Possible Action Regarding Zoning Text Amendments (Including But Not Limited to Definitions, Single Family Residence, Use Charts, Contractor Shop & Storage.)**

Ms. Sefcik reminded board that notice to COG is 2 months. Ms. Bates would like to move forward with that portion of the proposed amendments that the Commission has already agreed on; another hearing can be held later for other items. The Commission reviewed the Text Amendments as follows: #2 general provisions- ok to move forward; #3 definitions- hold off; #5 rearrange table- can't go forward yet; #6 clean up- ok to move forward with 6 through 6.7; #7 home office- hold off; #8 language and definition changes- table it; #9 driveways- okay to move forward, # 10,11,12, 13- no changes; #14 consolidation of special exceptions- okay to move forward; #15 open space subdivisions - tabled; #16- okay to move forward; #17 handicapped parking – okay to move forward; #18 table for now; #19 haven't looked at it yet; #20 table for now; #28 & #29 zoning/permits – okay to move forward; #30 & #31 – okay to move forward; #32 site plan and special exceptions – okay to move forward; #34 no change; #35 notification- okay to move forward.

MOTION: Ms. Bates, second Ms. Tobin to **schedule a public hearing on June 12, 2018 for adoption of the zoning text amendments agreed to at this meeting. All in favor**, none opposed.

C. **Discussion Regarding 2019 Plan of Conservation & Development Update.**

Ms. Sefcik reiterated the importance of meeting the State-mandated deadline. Suggestion was made to form a subcommittee because of time restraints during full meetings. Mr. Papp, Ms. Tobin, and Mr. Lethbridge offered to be on subcommittee. They will meet twice a month.

MOTION: Ms. Tobin, second Ms. Bates to **approve** the creation of a new subcommittee for work on the 2019 Plan of Conservation and Development update. **All in Favor**, none opposed.

9. **ADJOURNMENT.**

MOTION: Ms. Tobin, second Mr. Good to adjourn the meeting at 9:42 PM. **unanimously approved**,

Respectfully submitted,

Heather Perssonatti
Secretary