

**Town of Warren**  
**Planning & Zoning Commission**  
**PUBLIC HEARING - Regular Meeting – Minutes**  
**Tuesday, January 8, 2019 – 7:30PM**  
**Warren Town Hall – 50 Cemetery Road**

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**Present: Chairwoman:** Susan Bates – **Vice Chairman:** Christoffer Brodhead - **Regular Members:** Howard Lethbridge, John Papp, Adam Crane, Paul Prindle, Bob Bolte – **Alternate:** Ruth Schnell

**Zoning Enforcement Officer:** Stacey Sefcik -

**Land Use Secretary:** Brenda Zampaglione

**Excused:** None **Absent:** Brian Coyle, John Miller, Philip Good

**1. CALL TO ORDER AND DESIGNATION OF ALTERNATES.**

- a.** The **PUBLIC HEARING** was called to order at 7:35PM. All regular members present were seated for the meeting. The proceedings were recorded digitally, and copies are available in the Land Use Office.

**CONTINUED PUBLIC HEARING**

**1. Linda Heard, 35 Kent Road** – Special Exception per Section 23 of the Town of Warren Zoning Regulations for Home-Based Business (Antique Shop)

Ms. Sefcik read the Legal Notice for **35 Kent Road** followed by a letter emailed from Town of Warren Attorney, Matt Willis into the record. P&Z Office sent Ms. Heard incorrect paperwork for signage noticing. The signage posted for interested parties and abutting neighbors by Linda Heard had incorrect information listed (date, time, location were correct). Attorney Willis proposed that the Public Hearing be extended until the next meeting if Ms. Heard was amenable as it will be in excess of 35 days. Ms. Heard agreed to extend the Public Hearing until February 12, 2019; testimony will be taken at this meeting from the public. Ms. Sefcik will work with Ms. Heard on fixing the language on her signage. Ms. Heard agreed to repost the sign. Certified receipts noticing abutting neighbors were accepted by Ms. Sefcik from Ms. Heard and entered into the file.

Chairwoman Bates asked if any letters of interest were received. Ms. Sefcik received an email from Peter Montgomery, 45 Kent Road who is an abutting neighbor. The email was read into the record by Ms. Sefcik. In essence, Mr. Montgomery has approved and is in favor of the antique shop. Mr. Montgomery was unable to attend this meeting.

Ms. Heard then addressed the Commission. Property is jointly owned with her sister, Elaine Peterson per Ms. Heard (Ms. Sefcik read a letter emailed from Elaine Peterson giving her approval of her sister opening the Antique Shop). Ms. Heard will reside on the upper level of the building, the Antique Shop will be on the lower level. Ms. Heard further explained that there are two entrances on the east side to the property for cars to pull into. These 2 driveways can hold @ 5 to 6 vehicles. Ms. Sefcik had taken photos of the site on 12.26.18. The Commissioner's perused and discussed the photos. Ms. Heard was asked to identify where the parking was on photos submitted of the site for the Commission. Questions regarding established driveways, state approved road cuts and wetland issues were asked by the Commission. Ms. Sefcik noted that there are wetlands in the area but would require a site visit for delineation of wetlands on the property. Construction of a parking area is NOT on Ms. Heard's current application, so it is assumed that there is a paved parking area. Driveway regulations for Home Businesses were discussed by the Commission. Home Business regulations were read into the record by Ms. Sefcik.

Ms. Heard showed the Commission the Antique Shop sign that she has proposed to put up when she is open and remove when the shop is closed. Ms. Heard further explained that business hours would be by appointment (at all times) and open 2 to 3 days per week possibly, from 11 am to 4 pm (days were not specified).

The Hearing was then opened to the Public. The following people spoke:

**Susan & Howard Beldock, 25 Kent Road;** concerns included business owner is not property owner; property lies within a flood zone (IWC requested); 6-8 vehicles negates a home business; parking area on east side has a culvert which passes water from Eel Pond to Lake Waramaug; the dangers of backing out onto Route 341 into speeding traffic on a blind corner. Ms. Beldock distributed a point list and photos for the Commission to peruse. Mr. & Mrs. Beldock implore the Commission to NOT approve the application.

**John Meeker, 43 Kent Road;** concerned about getting out of his driveway and visibility concerns for Route 341. Parking and signage is a great concern for the safety of his family coming and going from his driveway.

**Dan & Meghan Lago, 34 Kent Road;** parking is a great concern because of speeding cars and the sharp corner reducing visibility, in addition, the parking area suggested may be on state property.

**Cynthia Harmon, 38 Kent Road;** deliveries and large trucks coming and going from the property are a safety concern.

Ms. Heard will check with the State of CT DOT regarding parking area, blind spot on Route 341 and safety issues; concern to verify that 2<sup>nd</sup> and 3<sup>rd</sup> cuts to driveway were legal/pre-existing. Ms. Sefcik will schedule a site visit with Keith Jewell, Chairman of IWC, to determine if parking will be a wetland issue. Mr. Papp requested that the deed to the property be looked into to confirm ownership, in addition, Mr. Papp requested an actual site plan for the parking area.

A **Special Meeting/Site Visit** was scheduled by the Commission with Ms. Heard's permission for **Saturday, January 12, 2019 at 35 Kent Road at 8:00 am**. Ms. Heard will stake out the actual parking area for the Commission.

2. **Arthur Howland & Associates for Barbara Johnson, Trustee, 10 North Shore Road** – Special Exceptions Per §14.2.1-F and 14.3 to Construct Patio Larger than 100 Square Feet and Single Family Dwelling within the Shoreline Setback Area. (New application with completely revised plans) – **TABLED TO FEBRUARY 12, 2019 DUE TO IMPROPER NOTICING.**

**MOTION:** Mr. Lethbridge, second Mr. Papp to **CONTINUE** the **PUBLIC HEARING** until February 12, 2019;  
**APPROVED: UNANIMOUSLY**                      **ABSTENTIONS: NONE**                      **MOTION CARRIED**

## **REGULAR MEETING**

### **1. CALL TO ORDER**

- a. The **Regular Meeting** was called to order at 8:55PM immediately after the Public Hearing. All regular members present were seated for the meeting. Mr. Prindle was seated for Mr. Good. The proceedings were recorded digitally, and copies are available in the Land Use Office.

### **2. OPPORTUNITY FOR PUBLIC COMMENT**

None

### **3. APPROVAL OF MINUTES:**

- a. **November 13, 2018 Regular Meeting**
- b. **November 27, 2018 Special Meeting**

**MOTION:** Mr. Lethbridge, second Mr. Papp to **TABLE** the November 13, 2018 **REGULAR** Meeting and November 27, 2018 **SPECIAL** Meeting **MINUTES** until February 12, 2019 meeting until verification of 35 Kent Road Parking spaces are determined to be correctly transcribed in the November 13, 2018 minutes.

**APPROVED: UNANIMOUSLY**                      **ABSTENTIONS: NONE**                      **MOTION CARRIED**

### **4. OLD BUSINESS:**

- a. **Linda Heard, 35 Kent Road** – Special Exception per Section 23 of the Town of Warren Zoning Regulations for Home-based Business (Antique Shop). **Public Hearing has been continued until; February 12, 2019 at 7:30 PM, Warren Town Hall, 50 Cemetery Road, Warren, CT.**
- b. **Arthur Howland & Associates for Barbara Johnson, Trustee, 10 North Shore Road** – Special Exceptions per Sections 14.2.1-F and 14.3 to Construct Patio Larger than 100 Square Feet and Single Family Dwelling within the Shoreline Setback Area. **Tabled To February 12, 2019, at 7:30 PM, Warren Town Hall, 50 Cemetery Road, Warren, CT, Due To Improper Noticing.**

### **5. NEW BUSINESS:**

- a. **Timothy Angevine for Angevine Farm, LLC, 40 Angevine Road – ZP#19-01** – Zoning Permit for Construction of Parking Area.

**Commissioner Broadhead recused himself from the meeting at 8:58 PM**

Copies of the application were distributed to the Commission. Ms. Sefcik stated that the area under construction is more than 100 feet from wetlands, no approval needed from IWCC. Mr. Angevine informed the Commission that due to the very wet season, it was necessary to improve the parking area. Mr. Angevine further explained that the week following the Thanksgiving holiday is their busiest weekend and the 2-3 acres that is usually used for parking, @ 90% of the area was unusable and impassable due to heavy rainfall. Safety and liability was a great concern. Mr. Angevine indicated on a map of the site, work that was done thus far. More crushed stone (@60 yards per Mr. Angevine) needs to be brought in and topsoil needs to be removed. Current pile of topsoil on the site will be bartered for crushed stone or distributed in other areas on the property per Mr. Angevine. Construction is still not yet completed.

**MOTION:** Mr. Lethbridge, second Mr. Papp to **APPROVE** the application as **SUBMITTED**  
**APPROVED: UNANIMOUSLY**                      **ABSTENTIONS: NONE**                      **MOTION CARRIED**

**Commissioner Broadhead joined the meeting at 9:15 PM**

## 6. CORRESPONDENCE

- a. Ms. Sefcik reported receiving an email from NHCOC regarding their 5<sup>th</sup> Thursday Program scheduled for January 31, 2019 in Goshen. All Commissioners were urged to attend.
- b. Ms. Sefcik received a letter from NHCOC Board regarding the awarding of grant funds in the amount of \$9,500 from the Berkshire Taconic Community Foundation. Monies will be used to create a 3-month, pop-up "Community Hub". Copies of the letter were distributed to the Commission.
- c. CBA Education & Training for Planning and Zoning pamphlet was received by Ms. Sefcik. The CT Land Use Law Seminar will be held on Saturday, March 23, 2019 at Wesleyan University, Middletown, CT. A copy of the brochure will be scanned and sent to all Commissioners via email.

## 7. ZONING ENFORCEMENT OFFICER'S REPORT

- a. A written report was distributed by Ms. Sefcik. Ms. Sefcik explained she will be doing an enforcement action on a local farm and will update the Commission on progress. 222 Lake Road had started Construction of a Shed Without Permits. Owner has made out an application and will drop off a check. All is in compliance on this site per Ms. Sefcik.

**MOTION:** Mr. Bolte, second Mr. Lethbridge to **ACCEPT** the ZEO's Report as **SUBMITTED**

**APPROVED: UNANIMOUSLY ABSTENTIONS: NONE**

**MOTION CARRIED**

## 8. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION

### a. Update from Plan of Conservation & Development Subcommittee

A first draft was emailed to the Commission and copies were printed and distributed for Commissioners without email. A meeting will be scheduled for January 14, 2019 for final review by Commission. The draft will then be distributed to all stakeholders (chairs of all town Boards and Commissions, LWTF, etc.) by the end of January for their review and comments. After which time an informational meeting with all stakeholders will be scheduled in February and a Public Hearing will be held in March.

The next meeting of the Plan of Conservation and Development Subcommittee will be on Monday, January 14<sup>th</sup>, 2018 at 7:00 pm at Warren Town Hall, 50 Cemetery Road, Warren, CT.

- b. Scheduling of Special meeting Date for Discussion of Text Amendments pertaining to Home-Based Businesses

This agenda item was not addressed at this meeting.

### c. Chairwoman Bates then addressed the Commission

Ms. Bates requested modifications be made to the application for Planning and Zoning such as applicant responsibilities; create language to include that site visits will be made; notate that applications will not be received after the Wednesday before the next P&Z meeting in order for Ms. Sefcik to have time to create the agenda and her ZEO reports for P&Z meetings. Ms. Bates asked Ms. Sefcik to check on the correct legal language that needs to be used to make these modifications on the application.

Ms. Bates requested that out-going letters of enforcement template be brought to the Board for perusal. Ms. Sefcik agreed that letters for home-based businesses per Commission's planned regulation update would be reviewed by the Commission as would "high profile" enforcement activities. The exception is if issue includes Wetlands matters.

Lastly, Ms. Bates requested that when Ms. Sefcik calls the town attorney, Matt Willis, that a Commission member be present during the phone conversation. Per Ms. Sefcik, Mr. Willis is not amenable to receiving phone calls from Commission members, this issue was not resolved.

## 9. ADJOURNMENT

**MOTION:** Mr. Bolte, second Ms. Schnell to **ADJOURN** the meeting at 9:50PM;

**APPROVED: UNANIMOUSLY ABSTENTIONS: NONE**

Respectfully submitted,

*Brenda Zampaglione*

**Brenda Zampaglione**  
**Land Use Secretary**