

TOWN OF WARREN
PLANNING & ZONING COMMISSION

Regular Meeting Minutes
Tuesday, October 11, 2016 - 7:30PM
Lower Level Meeting Room
Town Hall
50 Cemetery Road
Warren, Connecticut 06754

Present were Chairman Robert Bolte, Members Howard Lethbridge, Chris Brodhead, Susie Bates, Kelly Tobin, and Robin Kasler. Also present were Stacey Sefčík, CZEO and Richelle Hodža, Recording Secretary.

Chairman Robert Bolte called the meeting to **Order** at 7:30 p.m. No alternates were designated.

The Chairman offered an **Opportunity for Public Comment**. None was heard.

The **Minutes of the July 12, 2016 Regular Meeting** were APPROVED by unanimous vote after a MOTION and SECOND by Ms. Kasler and Ms. Bates, respectively.

There was no **Old Business**.

Chairman Bolte introduced the first item of **New Business**: Catherine and Ariel Deckelbaum, 33 Arrow Point Road an application for a zoning permit to tear down and rebuild single family dwelling on same footprint. No one was present on behalf of the applicant; however, Ms. Sefčík outlined the nature of the application for the commission. In her opinion, the application was straightforward. The Warren Inland Wetlands & Conservation Commission had approved the application. Torrington Area Health District approval had not yet been received.

Mr. Brodhead made a MOTION to receive the application and to grant Ms. Sefčík agent authority to approve the application providing all supporting documentation was received and deemed satisfactory, and providing that the existing gazebo and shed would in fact be demolished in order to comply with regulations. Ms. Tobin SECONDED; APPROVAL was unanimous.

[Mr. Harold Tittman, the project's architect and designer, appeared later during the meeting at 8:54 p.m. and the above proceedings were related to him. He initialed the plans attesting to the demolition of the shed and gazebo.]

Mr. Jeremy Oskandy, EIT, and Project Manager of Arthur Howland & Associates appeared on behalf of Stephen Owens, 121 North Shore Road seeking a special exception per Section 6.1.4 to construct septic system outside the buildable area. Mr. Oskandy referred to a letter of September 9, 2016 written by Mr. Szymanski (president of Arthur Howland & Associates) to Ms. Sefčík, which explained the need for the special exception. Ms. Sefčík described the recent and protracted application as it proceeded through to approval, with many conditions, by the Inland Wetlands & Conservation Commission. She stated that she had spoken with the Town's attorney for clarification and she read to the commission the definition in the regulations of the "Buildable Area" Mr. Oskandy stated that TAHD Approval had been received. After questions and clarifications, Mr. Lethbridge MOVED to set a public hearing for Wednesday, November 9 at 7:30 p.m. at the location first written above. Ms. Kasler SECONDED; all were in favor. The motion CARRIED unanimously.

Mr. Brodhead made a MOTION to **Amend the Agenda** to hear Attorney Robert Fisher who was present and wished to speak. Ms. Bates SECONDED the motion; all were in favor, the motion CARRIED.

Mr. Fisher introduced his client, Mr. Charles Eaton, who had purchased the former Boulders Inn, and his property manager Mr. Jeff Lewis. After Mr. Eaton spoke about his reasons for purchasing the former Inn, Attorney Fisher reviewed the history of applications made to the Planning & Zoning Commission, and those that went to the Zoning Board of Appeals. Mr. Fisher stated that he had been in conversation with the Town's attorney Matthew Willis and that Attorney Willis disagreed with Attorney his interpretation of the regulations. Mr. Fisher stated that there is an appeal pending before the ZBA which is on the calendar for December 2016.

Mr. Fisher offered a new suggestion of new language to change the regulations in order to make the former Boulders Inn, no longer a commercial use property, conform. Commission members remained wary of spot zoning. Attorney Fisher stated that Attorney Willis was more in favor of amending the regulations than dividing the property. The informal discussion concluded.

Correspondence. Ms. Kasler reviewed what she had witnessed at the recent NHCOC meeting. Much of the meeting was focused on Renewable Energy. She suggested that the Commission review the Plan of Conservation and Development (mandated by Connecticut General State Statute Section 8-23) more often than the required once every ten years to make sure that the commission's rulings continue to reflect the Town's vision.

Zoning Enforcement Officer's Report. Ms. Sefcik distributed her written report. Mr. Brodhead made a MOTION to accept the ZEO's report. Mr. Lethbridge SECONDED, the motion CARRIED.

Other Business Proper to Come Before the Commission. Discussion Regarding Possible Zoning Text Amendments (which may include but not be limited to Timber Harvests, Definition of Farm, Fencing, Merging Sections 22 & 33 Pertaining to Special Exceptions, Fixing Incorrect & Unclear References, and Renumbering Sections & Subsections). The matter was tabled.

Mr. Lethbridge made a MOTION to adjourn the meeting (changing the regular meeting date from November 8, since it was election day) to a Special Meeting date of **Wednesday, November 9, 2016 at 7:30 p.m.** SECONDED by Ms. Bates, the MOTION CARRIED.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Richelle Hodža', with a stylized flourish at the end.

Richelle Hodža
Recording Secretary