

Planning and Zoning Commission
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**PLANNING AND ZONING MEETING MINUTES
JUNE 3, 2010**

Chairman Ackerman called the meeting to order at 7:07 p.m. at Mallory Town Hall. Commissioners present: Chairman Barbara Ackerman, Secretary Mark Weber, Jeannene Burruano, John Dwyer, Neil Volkmar, Paul Voorhees, and alternate Jill Finch. Also present were Ron Cooper, Zoning Enforcement Officer and Michele Battaglia, Clerk. Absent were Commissioners Ted Hollander, Bruce Hoag and Monty Clark. There was no audience member recording or video taping the meeting.

Public Hearings

- 1. Proposed Amendment to the Definition of a Resident Contractor:** Secretary Weber read into record the legal notice for the proposed amendment. Chairman Ackerman stated that this change in the definition will allow some work to be done at the property.

Commissioner Dwyer motioned to close the public hearing. Secretary Weber seconded the motion. All voted in favor.

- 2. Gani Lekaj, 10 Quaker Ridge Road:** Gani Lekaj and Azem Lekaj were in attendance. Chairman Ackerman stated that the reason a public hearing was needed was the fact that there were too many vehicles located at the property. Gani Lekaj stated that only the two trucks are parked outside, all of the other vehicles are in the barn. He also stated that there are large hedges and a fence surrounding the parking area, and that nothing can be seen from the road. Due to the fact that the health department has not yet reviewed the application, the public hearing was to be continued.

Commissioner Dwyer motioned to continue the public hearing till July 1, 2010. Commissioner Volkmar seconded the motion. All voted in favor.

- 3. Tim Beatty, 50 Route 39 North:** Tim Beatty was in attendance. Mr. Beatty stated that most of the equipment listed on the application is not housed at the property, but is usually on the job site. He commented on the fact that if all of the equipment were on his property, no one from the road or the neighboring properties would be able to see it due to the topography of the property (shaped like a bowl) and the evergreens that line the property. Due to the fact that the health department has not yet reviewed the application, the public hearing was to be continued.

Commissioner Dwyer motioned to continue the public hearing till July 1, 2010. Commissioner Volkmar seconded the motion. All voted in favor.

Old Business

- 1. Proposed Amendment to the Definition of a Resident Contractor:** Commissioner Volkmar motioned to accept the new definition. Commissioner Dwyer seconded the motion. All voted in favor.

New Business

- 1. Resident Contractor Special Permit Application(s):** The following applications were received:
 1. Ron Harrison, 58 Route 39 South: Mr. Harrison submitted the appropriate paperwork for a special permit and a public hearing has been scheduled for July 1, 2010.
 2. Thomas Keane, 17 Wakeman Hill Road: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
 3. Will Ward, 26 Spring Lake Road: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
 4. Warren Pitcher, 35 Route 37 East: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
 5. David Schneider, 77 Route 39 North: Chairman Ackerman read through the application line by line. Additional information is needed in order to make a determination.
 6. Addison Havens, 129 Route 39 North: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.
 7. Chris Piel, 50 Briggs Hill Road: Chairman Ackerman read through the application line by line. It was determined that the application falls under the definition of a resident contractor and that it is not a no-impact business. The applicant will need a special permit.
 8. William Hearing, 3 Route 39 South: Chairman Ackerman read through the application line by line. Additional information is needed in order to make a determination.
 9. Scott Fredlund, 2 Beaver Creek Lane: Chairman Ackerman read through the application line by line. It was determined that the application falls under a no-impact business based on the information provided and that a letter is to be sent to the applicant reflecting this decision.

Additional Items

- 1. Audience Participation:** Ms. Carol Faure suggested that the Commission take a look at the cell tower regulations and the need for them to be revised/rewritten. Ron Cooper agreed, stating that the regulations were written prior to the beginning of the Connecticut Siting Council. Chairman Ackerman stated that the Commission needs to revisit this issue in the future.
- 2. Minutes:** Commissioner Volkmar motioned to accept the meeting minutes of May 6, 2010; Commissioner Vorhees seconded the motion. All were in favor.
- 3. Correspondence:** Chairman Ackerman read into record a pamphlet from Planimetrics.
- 4. Zoning Enforcement Officer's Report:** Ron Cooper, ZEO read into record the May 2010 ZEO Report.
- 5. Committee Reports:** Chairman Ackerman stated that the Land Acquisition Board was delighted with the Happy Acres Farm purchase.

6. Chairman's Report: The POCD Survey has been inputted into Survey Monkey. A draft copy was passed out to all Commissioners for their review and comments. Postcards will be sent out to the public, and any help would be welcome in getting this done.

7. Commissioner's Comments: There were no Commissioner comments.

Commissioner Dwyer motioned for adjournment. Commissioner Volkmar seconded the motion and all were in favor. Meeting was adjourned at 8:55 p.m.

FINAL