

Chaplin Planning and Zoning Commission  
Regular Meeting Minutes  
March 10, 2016  
Chaplin Town Hall  
495 Phoenixville Road, Chaplin, CT

Chairman Doug Dubitsky called the meeting to order at 7:05 PM

Members present were Vice-Chairman Peter Fiasconaro, Randy Godaire, Dave Garceau, Helen Weingart, Eric Beer and Alan Burdick (7:07pm). Alternate Members present were Ken Fortier and Bill Ireland. Also present was Zoning Enforcement Officer Jay Gigliotti and Town Attorney Dennis O'Brien.

**Seat Alternates**

Chairman Doug Dubitsky sat Alternate Bill Ireland for Alan Burdick

(\*\* Alan Burdick did not arrive until 7:07pm, by that time Chairman Dubitsky had already sat Bill Ireland for Alan. Upon arriving to the meeting, Alan Burdick allowed Mr. Ireland to remain seated for him throughout the duration of the meeting.)

**Additions to the Agenda: None**

**Approval of February 11, 2016 Regular Meeting Minutes:**

Dave Garceau motioned to approve the February 11, 2016 Regular Meeting Minutes as written, seconded by Helen Weingart. Vice-Chairman Peter Fiasconaro, Randy Godaire, Eric Beer and Bill Ireland abstained. Remaining members voted in favor. All members voted in Favor. Motion Carried.

**Citizens having New Business: None**

**Old Business:**

**A. Discussion of PZC Ordinances**

Chairman Dubitsky explained He and the ZEO have continued to work through all of the Town Ordinances, identifying all that relate to the Planning & Zoning Commission. The purpose is to determine whether there are any of these ordinances the PZC follows, any they do not follow and are there any which conflict with the commission's current practices. Some of these ordinances are quite old and the purpose for which they were adopted may be no longer applicable. PZC Staff has compiled all of these ordinances into packets for each PZC member and passed them out at the beginning of the discussion.

Chairman Dubitsky told the commission members that they did not have to discuss or take any action on the ordinance packet at the meeting this evening. Instead, every member shall have the opportunity to take the package home to conduct their own review. Commission members should come prepared to discuss the ordinances at the regular meeting April.

Several commission members inquired about the process to revise, remove or delete any of these existing ordinances. The consensus of the process was that the PZC would first come to an agreement and then vote on whether to revise, remove or delete any ordinance. Assuming there was a passing vote by the commission, the proposed action to the ordinance(s, would then be forwarded to the Board of Selectmen as a suggested revision. The Board of Selectmen would then work with the Town attorney to ensure the revision is legal and would not create any conflicts or other issues. The Selectmen would then vote to send the revised ordinance to Town Meeting, where the residents would make the deciding vote on the proposed.

Discussion followed regarding the number of revisions, potential of legal issues, guidance from the Town Attorney and consistency with the Plan of Conservation and Development.

**B. Discussion of Zoning Enforcement Ordinance**

J. Gigliotti had contacted Attorney O'Brien and asked him to come to the meeting to review the zoning Enforcement Ordinance and to answer any questions that the Commission may have. Attorney O'Brien explained that the ordinance was adopted by Town Meeting on December 5, 2012. Shortly thereafter the Board of

Selectmen appointed two (2) hearing officers, Rusty Lanzit and David Shenker. Both were willing to serve and both have been sworn in.

Chairman Dubitsky explained there are two existing cases nearing the deadline given to remedy the violation and he asked the ZEO to provide additional notice of the upcoming deadline to each violator. Attorney O'Brien felt that was a good idea stating the main purpose of the ordinance was achieve compliance. He then reviewed the ordinance process discussing the Notice of Violation, the citation, the assessment of fines and the procedure for an appeals hearing.

Attorney O'Brien explained he had recently contacted both Rusty and David, and both of them are ready, willing and able to serve. Due to the length of time it has been since he had discussed the process with either of the appeals officers, Attorney O'Brien stated that in the upcoming weeks, he was going to get both David and Rusty together and train both at the same time.

Discussion followed regarding the existing enforcement cases, appeals hearings & officers and the assessment & collection of fines. J. Gigliotti, the ZEO and Attorney O'Brien shall be meeting in the upcoming week to review and specifically discuss each enforcement case.

## NEW BUSINESS

### **A. Discussion to Fill Vacancy:**

Chairman Dubitsky explained the Planning & Zoning Commission now has an "Alternate Member" vacancy. J. Gigliotti handed out copies of a resignation letter, dated 2/23/16, from Mr. Cesar Beltran. In summary of his resignation letter, Mr. Beltran states it was a pleasure to work with the PZC members and cites his responsibilities teaching at ECSU and his duties on the Chaplin Board of Finance as the reason for his resignation.

In the situation where a member resigns from the PZC, the commission can fill the vacancy on their own. The position is a democrat position due to minority representation. Chairman Dubitsky asked the commission for nominations to fill the vacant "Alternate-Member" Position left by Cesar Beltran.

The Democrat Town Committee submitted a formal nomination for Mr. John Meyer to fill the alternate vacancy and Helen Weingart nominated Mr. John Meyer to fill the alternate vacancy. Commission Members were provided with copies of the Democrat Town Committee formal nomination for Mr. John Meyer.

Vice-Chairman Peter Fiasconaro nominated Mr. Dan Pierce to fill the alternate vacancy.

Discussion followed regarding the correct way fill a mid-term, alternate vacancy on the PZC.

**Randy Godaire motioned to postpone any action to fill the alternate vacancy, until the regular meeting in April. Seconded by Eric Beer. All Members voted in favor. Motion Carried.**

The two (2) nominations made this evening shall remain in effect for consideration at the April Meeting. Commission members shall be able to submit additional nominations at the April Meeting as well.

### **B. Discussion of Fiscal Year 2016/2017 PZC Budget**

Chairman Doug Dubitsky informed the PZC that he shall be recusing himself from all discussion and action on the PZC's Fiscal Year 2016/2017 Budget request to the Board of Finance. He cited his position on the Board of Finance as the reason he felt in necessary to recuse himself.

Vice-Chairman Fiasconaro assumed the Chairman duties for the discussion and development of the PZC Fiscal Year 2016/2017 Budget. The Board of Finance requested the PZC to provide an explanation to go along with their 2016/2017 Budget Request. The commission discussed the adopted PZC 15/16 Budget vs. what the commission developed and ultimately voted on last year. J. Gigliotti explained the breakdown of his hours between his regular duties, clerical duties and his duties relating to the zoning enforcement ordinance. Vice-Chairman Fiasconaro is scheduled to present the PZC budget at the next Board of Finance meeting on Monday 3/14/16, meaning the PZC

had to come up with their budget request at tonight's meeting. Discussion followed regarding the development of a Budget request for the 16/17 fiscal year and the request for additional information.

After discussion with the ZEO regarding his current and projected workloads, the commission went through the line items associated with the PZC's budget. As the commission provided for last year, the numbers which they set in the 16/17 PZC budget request allowed for room for flexibility, should some movement in the approved budget need to occur. Concluding the discussion on the budget after much discussion, the PZC put the following budget together for the Fiscal Year 2016/2017 up for a vote to approve and forward it to the Chaplin Board of Finance:

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	Fiscal Year 2016/2017 Request
36100	Zoning Agent Salary	\$16,370.00
36100.1	Zoning Enforcement (additional)	\$2,500.00
36101	Clerical Hire	\$780.00
36102	Advertising	\$1,200.00
36103	Dues	\$0.00
36104	Mileage	\$2,000.00
36105	Office	\$200.00
36106	Postage	\$200.00
36107	Technical Assistance	\$500.00
36108	Training	\$0.00
	Total:	\$23,750.00

Eric Beer motioned to approve the Planning & Zoning Commission budget for the Fiscal Year 2016/2017, specifically detailed as shown above, having a total, in the amount of \$23,750.00 and forward the approved budget to the Chaplin Board of Finance for consideration and adoption of this budget, to operate the Planning and Zoning Commission in the 2016-2017 Fiscal Year. The motion was seconded by Dave Garceau. Chairman Dubitsky did not vote as he remained a member recused from discussion and action. All Members voted in Favor. Motion Carried.

The ZEO will provide a breakdown of the time he spends on the zoning enforcement ordinance and the time he spends doing his normal duties. He will put the breakdown as well as other information about his mileage and other duties, together in a package to be provided to the Board of Finance members at the 3/14/16 meeting. In addition, the ZEO shall accompany Vice-Chairman Fiasconaro to the Monday, 2/14/16 BOF Meeting to answer any questions for the board members. Chairman Doug Dubitsky will request monthly PZC Budget reports from the finance department.

**Correspondence: None**

**Report of the Zoning Officer:**

J. Gigliotti explained the majority of his report was regarding the development of the budget and the work on the PZC related ordinances. He explained that there were only a couple of zoning permits issued since the previous meeting in February and he will include these in his report at the April meeting.

The ZEO provided the commission with copies of a lot line realignment plan which had been submitted to him on the previous Tuesday. Mr. Gigliotti explained that the lot realignment plan was presented to the PZC at the previous meeting by Mr. Joe Boucher of Towne Engineering. The property subject to the proposed realignment is owned by Mr. Walter Landon and is located between So. Bear Hill Road, Cemetery Road and Old Hampton Road. In addition to the letter-sized copies of the plan the ZEO passed out, he also spread the submitted full-size plan on the table for the members to review. He explained that the eventual goal of the property is to subdivide into potentially three (3) lots. He explained that Mr. Boucher detailed this and the possible locations of the lots and the access to each at the February meeting. The commission felt that caution should be taken about utilizing the portion of Old Hampton Road which has a dilapidated bridge which most likely would not be acceptable to be used as either public or private access. J. Gigliotti told the commission that the lot realignment plan was only to make the current lot conforming to the zoning regulations and when the application is received for subdivision, they will have the opportunity to discuss potential access locations. Regardless, the applicant has many options for access into either of the parcels without having to go near the bridge. He also remembers speaking to Mr. Boucher about the subject bridge and it was his recollection that they were not going to propose any activity in the vicinity of the bridge.

Mr. Gigliotti feels that Towne Engineering shall most likely have the subdivision application ready for the either the April or May meeting. He explained that he has not finished his review of the lot realignment plan, however, his preliminary review indicates that it is acceptable. Once approved, Towne Engineering shall develop a final Mylar copy and paper copy of the lot realignment. The mylar copy will be filed in the Land Records while the other shall be kept in the PZC Files.

#### **Items Pro Re Nata:**

The commission discussed the installation of a large structure on a residential lot Chappell Street. Several PZC Members had received inquiries regarding the structure and they were unsure as to what its status was. The commission directed the ZEO to investigate if there were any permits issued for the construction of a large size barn or garage in the area of Chappell Street. J. Gigliotti stated nothing was standing out in his mind, but he would look in the permit files to determine what, if anything was issued. He would then report on any of his findings at the April Meeting.

Vice-Chairman Peter Fiasconaro told the PZC members that the BOF meeting will be held on Monday evening, 3/14/16 at 7pm. He reminded the commission members that he would be presenting the 2016/2017 budget the commission approved this evening and any member should feel free to attend the meeting with him and the ZEO.

#### **Adjournment:**

**Motion Made by Randy Godaire to adjourn, seconded by Eric Beer. All members voted in Favor. Motion Carried.**

**Chairman Doug Dubitsky adjourned the meeting at 9:37 pm**

Respectfully submitted,

Jay Gigliotti, Zoning Enforcement Officer



Planning and Zoning Commission  
Chaplin, Ct

To: Doug Dubitsky, Planning and Zoning Commission Chair

From: Helen Weingart, Democratic Town Committee Chair

Date: March 7, 2016

Dear Chairman Dubitsky and Fellow Planning and Zoning commission members,

I am writing to you as Chairperson of the Democratic Town Committee concerning the present vacancy of Planning and Zoning Alternates created by the resignation of Alternate, Cesar Beltran.

I hereby recommend John Meyer to fill the vacancy and am requesting that filling this vacancy be addressed at the regularly scheduled meeting of March 10, 2016.

Sincerely,  
Helen Weingart



Democratic Town Committee Chair

CC: Planning and Zoning Commission Members  
Shari Smith, Town Clerk  
John Meyer

RECEIVED  
CHAPLIN  
TOWN CLERK:

3/8/16, 1:05 P.M.



Chaplin, CT  
February 23, 2016

Doug Dubitsky, Chairman  
Chaplin Planning and Zoning Commission  
Chaplin, Connecticut

Dear Chairman Dubitsky:

It has been a pleasure working with you and our colleagues over the past several years, but please be advised that I hereby resign my position as Alternate on the Town of Chaplin Planning and Zoning Commission.

I find that my other responsibilities teaching at Eastern Connecticut State University and my duties on the Town of Chaplin Board of Finance both will preclude my further participation and activity on the Planning and Zoning Commission.

Sincerely,



Cesar D. Beltran  
28 Chaplin Street  
Chaplin, CT 06235

Cc: Helen Weingart  
Chairwoman  
Democratic Town Committee  
Town of Chaplin, CT