

**Town of Chaplin
Planning and Zoning Commission
Tree Warden Hearing Minutes
October 11, 2018
Chaplin Town Hall**

MEMBERS PRESENT: Chairman Doug Dubitsky, Vice Chairman Peter Fiasconaro, Helen Weingart, Randy Godaire, Alan Burdick

ALTERNATES SEATED: Brandon Cameron for Dave Garceau
Ken Fortier for Eric Beer

ALSO PRESENT: Jay Gigliotti, Zoning Enforcement agent (ZEO), Town Attorney Dennis O'Brien, First Selectman Bill Rose, Tree Warden David Stone, Elizabeth Marsden, Recording Clerk

CITIZENS PRESENT: Edward Corson, LaHoma Corson

The hearing convened at 7:08 p.m.

Chairman Dubitsky stated that the legal notice for this hearing was published in the Willimantic Chronicle on September 29, 2018. He read the legal notice.

David Stone, tree warden, introduced himself and said this hearing concerns 2 trees posted for removal at 36 Tower Hill Road due to sightline issues as one would exit the driveway at 36 Tower Hill Rd. He received an appeal from Mr. Edward Corson, property owner of above address, and will now hear the appeal.

Mr. Corson stated that in his original driveway permit, the town's previous ZEO (Demian Sorrentino) and Tree Warden (Ron) told him not to cut down the trees, but to move the driveway. His impression is that there is a paperwork discrepancy with the former ZEO and tree warden, and their administrative errors are not his problem. He said he has trimmed the trees and brush since Mr. Stone last saw the site, and the sightline is fine. He hired a licensed surveyor who confirmed that sightlines are more than adequate in each direction. Mr. Stone said he will go to look at the site again.

Mr. Corson said his property is a lot of record, not a subdivision, he doesn't think the regulations apply to him. He wanted to be clear on why the trees are being removed and Mr. Stone confirmed again that it was for sightline issues.

Town Attorney O'Brien commented: A driveway construction permit was issued by former ZEO Demian Sorrentino and it states that 2 trees must be removed to obtain westerly sightline. He stated that was legal under zoning regulation 5.1.c and zoning regulation subsection 8.a concerning driveway construction. He read from the regulation and said he had recommended that this case be addressed by the town tree warden, since the subject trees are in the town right of way. He stated that the previous ZEO had recommended the trees be removed, but since they never were, the current tree warden can make a determination at this point based on current information. Also, Mr. Corson had mentioned that CT statute 23-59 would seem to place the burden of the cost of removing the trees on the town; he believes that, if they must be removed, his opinion is that the landowners should pay for it because the legal requirement as part of the original driveway permit was for the owner to remove the trees. He believes the driveway bond applies to everything in the permit, including the trees.

No other comments were heard from either the PZC or citizens present.

The Tree Warden hearing was closed at 7:40 p.m.