

**CHAPLIN, CT
PLANNING AND ZONING COMMISSION
REGULAR MEETING ****AMENDED**** MINUTES
OCTOBER 26, 2017, 7:00 P.M.
CHAPLIN TOWN HALL**

Meeting was called to order at 7:25 p.m.

Members present: Chairman Doug Dubitsky, Vice Chairman Peter Fiasconaro, Helen Weingart, Eric Beer, Dave Garceau

Members Absent: Randy Godaire, Alan Burdick

Alternates Seated: Bill Ireland for Randy Godaire

Approval of Minutes, September 26, 2017 meeting:

E. Beer moved to approve the minutes, D. Garceau seconded the *motion*. Bill Ireland noted that on page 2 there is a typo where it lists restricted time for outdoor dog activity; should be 10 p.m. to 7 a.m. rather than 10 p.m. to 7 p.m. H. Weingart, P. Fiasconaro and B. Ireland abstained, all others in favor, *motion* carried.

Citizens having new business: Bob Dubos asked about the situation across the road from him where there are 3 accessory apartments being built at 100 Bedlam Road. ZEO said he had responded to the complaint, that the owner is renting out the whole house rather than apartments. Multiple electric meters have been installed and it is obviously the owner's intention to build accessory apartments, but the property doesn't comply with current zoning requirements to do that. The owner has applied for a lot line revision to make the lot 5 acres.

Mr. Dubos said the owner had septic systems expanded, electrical changes, several new entrances put in, and Chairman Dubitsky said these are Building Department issues. H. Weingart asked if the violations were all building violations and ZEO said yes, the town building official made the owner change the electrical to one meter again. ZEO is not familiar with what is going on with the Building Department and this case at this time.

The discussion turned to the logging operation at 100 Bedlam Road and then back to the building code issues. The ZEO stated that he has required a tracking pad on Bedlam Road and the logger will not drive trucks on the road until the tracking pad is in. The logger has paid a bond for Bedlam Road as well as Palmer Road. Chairman Dubitsky said that the ZEO is on top of the ****proposed**** lot line revision and the possible accessory apartment application and the ZEO will address those as they become relevant.

Old Business

A. RC17-076- Proposed regulations Revisions – Town of Chaplin Planning and Zoning Commission, proposed revisions to six (6) sections of the Chaplin Zoning Regulations.

Chairman Dubitsky said that at the last meeting, they almost finished the lighting regulations and they wanted Randy Godaire there to add input before finalizing.

New Business

A. Proposed Opt Out of Public Act PA-17-155 – An Act Concerning Temporary Healthcare Structures

Chairman Dubitsky said PZC had previously passed a motion to send this item to a public hearing and the Board of Selectman, at this time there will be another discussion. H. Weingart said it was helpful to hear opposing points of view; she said there was difficulty deciding which medical conditions would qualify. She wonders about staff involvement and said that the town already has problems enforcing regulations. She agreed that it is a compassionate idea, but there is a potential for problems. And she wondered about the taxing of these structures.

Chairman Dubitsky said that after 120 days the structure needs to be removed. Who is going to monitor this? How often is the ZEO going to have to go to a person and ask if they have a doctor's note? D. Garceau asked about the assessor having to go and revisit it for tax purposes. Chairman Dubitsky said that taxes won't be a problem. P. Fiasconaro stated that the statute explains how enforcement would work, and the PZC members discussed the pros and cons of the structures themselves vs. the state statute.

Chairman Dubitsky invited a ***motion*** to send a recommendation from PZC to the Board of Selectman to opt out. E. Beer so moved, D. Garceau seconded the motion. P. Fiasconaro opposed the ***motion***, all others in favor, ***motion*** carried.

Correspondence (None).

Report of the Zoning Officer:

Zoning Permits Issued:

ZP17-082. 636 Phoenixville Road, Doug Cates, applicant. Assessor's Map 75-52-1, proposed new SFR, inspection is in compliance. RAR zoning district. Approved on 9/12/17.

ZP17-083. 84 Singleton Rd, Richard and Kathy Schatz, applicants. Assessor's Map 75-73-2, proposed 10 x 20 addition off north side of house to make bedroom bigger. RAR zoning district. Approved on 10/10/17.

Enforcement Actions:

241 Chewink Rd, 2 horses with under 5 acres, issued a cease and desist order. Owner has an agreement with the abutting property to allow her to utilize additional acres to be in compliance. Fin Fur and Feather is abutter and 4-5 acres is being offered. She needs a letter from FFF and PZC will have to approve and ZEO has found in research that there is case law allowing leased land for this purpose.

153 Chewink Road with 50 or so unregistered motor vehicles, scrap, etc. Progress is being made but still not nearing compliance. Chairman Dubitsky said the point is nearing where fines would start being issued. ZEO said the owners realize they can be fined. Chairman Dubitsky asked if ZEO could have the property owner attend the next meeting and if ZEO could bring photos of before and after to see how much progress has been made. B. Ireland said the owner should come with a plan for how he will be finishing this up. ZEO said it started with 50 cars and now there are 25-30 cars. And the owner has gotten rid of hundreds of tires and loads of scrap.

100 Bedlam Rd timber harvest, one of the abutters is having a problem with the harvest, and ZEO says he is trying to keep a close eye on this harvest. The logger, as stated above, is cooperative regarding bond and tracking pads. Chairman Dubitsky reiterated that PZC can't tell loggers how to conduct forestry operations.

Items Pro Re Nata:

H. Weingart reiterate her earlier request that zoning items that will be discussed, should be on the agenda each meeting. E. Beer asked about ZEO's use of drones being used for enforcement. ZEO says municipality must be registered through FAA and then has to go through a series of training courses – but you also need to be a licensed operator, pay registration fee, drone must be a certain frequency. ZEO says state aerial shots are available to ZEOs and are good images. B. Ireland asked for the status of Marcy Road, ZEO said they made progress, complainant moved away. They had moved closer to compliance but they never got a deadline.

Adjournment:

E. Beer moved to adjourn the meeting, P. Fiasconaro seconded the ***motion***. All in favor, ***motion*** carried.

Meeting adjourned at 8:28 p.m.

Respectfully submitted,

Elizabeth Marsden, Recording Clerk