

Chaplin Planning and Zoning Commission
Regular Meeting Minutes
July 14, 2016
Chaplin Town Hall
495 Phoenixville Road, Chaplin, CT

Call To Order 7/14/16 Regular Meeting:

Chairman Doug Dubitsky called the meeting to order at 7:08 PM

Roll Call, Seat Alternates

Members present were Chairman Doug Dubitsky, Vice-Chairman Peter Fiasconaro, Helen Weingart, Dave Garceau and Alan Burdick. Alternate Member present was Ken Fortier. Also present was Zoning Enforcement Officer Jay Gigliotti

Members Absent were Randy Godaire and Eric Beer. Alternate Members absent were Bill Ireland and Brandon Cameron.

Seat Alternates:

Chairman Dubitsky seated Ken Fortier for Eric Beer

Approval of June 9, 2016 Regular Meeting Minutes:

Amendment to the 6/9/16 Regular Meeting Minutes:

-Second Page, Under the heading "Discussion of the existing Zoning Map for Public Display", second paragraph, the last sentence shall be changed to read "... words "Not to Scale" were wrote on..."

Helen Weingart motioned to approve the July 14, 2016 Regular Meeting Minutes as amended, seconded by Alan Burdick. Vice-Chairman Peter Fiasconaro abstained. All other members voted in Favor. Motion Carried.

Chairman Dubitsky asked the commission members for a motion to relocate Old Business to after New Business on the 7/14/16 Meeting Agenda.

So moved by Vice Chairman Peter Fiasconaro, seconded by Dave Garceau. All Members voted in Favor. Motion Carried

Citizens Having New Business: None

New Business:

- A. Special Permit Application- SP16-059-Darrell Chalout-Applicant- 108 England Road- Assessor's Map 53-29- Special Permit Application under zoning regulations section 5.2.B.10- Application for proposed establishment of non-profit facility to provide assistance to veterans- No proposed changes to the existing property or structures.

Citing the fact he is an abutting property owner, Chairman Doug Dubitsky stated that he would be recusing himself from all discussions, decisions and voting on this special permit application (SP16-059). Chairman Doug Dubitsky stepped down as Chairman and Vice-Chairman Peter Fiasconaro assumed control of the 7/14/16 PZC Meeting.

Vice-Chairman Peter Fiasconaro asked PZC Staff to introduce the Special Permit Application to the commission.

PZC Staff Jay Gigliotti introduced Special Permit application #SP16-059. He explained the proposed use is for a non-profit, veteran's assistance facility at 108 England Road. Copies of the permit application and

the supporting documents were supplied to each commission member by the applicant. The application and permit documents were previously sent to the PZC Members via email prior to the 7/14/16 PZC Meeting. Hard copies of the application & permit documents were also passed out to each member during the 7/14/16 meeting. Mr. Gigliotti explained to the commission because the application is a special permit application, the CT General Statutes require the PZC conduct a Public Hearing. The public hearing must be held within 65 Days after the application has been officially received.

Vice-Chairman Peter Fiasconaro asked Mr. Gigliotti if the application was complete and if the application fee had been paid. Jay Gigliotti replied that yes the application was complete per the special permit application requirements and the appropriate fee had been paid.

Darrell Chaloult, applicant for Special Permit application #SP16-059, provided an overview of the application. He explained it is well documented and numerous examples and statistics exist indicating veterans returning from deployment, are having significant issues adapting to civilian, non-military life. Citing the statistics and providing examples, he continued to explain the high demand for services like the proposed facility would supply for military veterans. Mr. Chaloult provided a handout to the commission which indicated some of the online services the facility would be able to tap into and supply for veterans. This handout shall be scanned and emailed to each PZC Member after the 7/14/16 PZC meeting.

Vice-Chairman Peter Fiasconaro told the PZC he would be unable to attend the August 8, 2016 PZC Meeting and since Chairman Doug Dubitsky would be recusing himself on the special permit application, there would not be an elected PZC officer to Chair the Public Hearing. He asked if there were any members of the commission who would be willing to conduct the public hearing for this special permit application. There were none, so Vice-Chairman Peter Fiasconaro stated he would entertain a motion to set a date of September 8, 2016 to conduct a public hearing on application #SP16-059. He stated the 9/8/16 date was within the 65-Day window required by State Statute.

Helen Weingart motioned to schedule a Public Hearing to be held on September 8, 2016, 7pm at the Chaplin Town Hall, for Special Permit Application #SP16-059. Seconded by Alan Burdick. All Members voted in Favor. Motion Carried.

Vice- Chairman Fiasconaro returned control of the meeting to Chairman Doug Dubitsky

B. Request for pre-application discussion-Joe Boucher, Towne Engineering, proposed South Bear Hill Road subdivision and the archaeological requirements of the subdivision regulations

Joe Boucher and Matt Maynard of Towne Engineering were present to discuss an inquiry they had regarding their interpretation of the Chaplin Subdivision Regulations, section 3.03, as a pre-application discussion. Prior to the 7/14/16 PZC Meeting, Towne Engineering provided PZC Staff with a packet of information detailing the situation they had come to discuss. Staff sent each commission member the informational packet via email prior to the 7/14/16 PZC Meeting.

Mr. Boucher and Mr. Maynard presented their findings of a small hole, located at the bottom of an existing stone wall on the subject property. According to the Archaeological Phase IA survey, completed by a firm retained by Towne Engineering, the small hole may have historical significance. As a result of the small hole and several other historical factors, the Phase IA Archaeological survey recommended the applicant conduct a Phase 1B Archaeological survey. The applicants explained the phase IB includes the digging of nearly 40 soil borings throughout the subject property, as well as additional reviews. The costs associated with a Phase IB Archaeological Survey are approx. \$5,000. Mr. Boucher and Mr. Maynard explained that these additional costs may result in the abandonment of the subdivision as it may become fiscally un-responsible.

Towne Engineering is proposing to place a conservation easement around the entire area of the stone wall containing the small hole at the bottom, in order to permanently protect this feature during the build out of the lots in the subdiv. Both Mr. Boucher and Mr. Maynard felt section 3.03 of the

subdivision regulations provided the PZC with the ability to waive certain components of sec. 3.03. They explained due to the language of sec. 3.03 and the results of the phase 1A Archaeological Survey, Mr. Boucher and Mr. Maynard had come to the 7/14/16 PZC meeting in order to get a pre-application determination from the commission on whether or not the completed Phase 1A- Archaeological survey was sufficient or would the PZC want to have a Phase 1B Archaeological survey conducted.

Discussion followed regarding the findings of the Phase 1A Archaeological survey, the different levels of Archaeological Surveys, correspondence from the State Archaeologist, the surrounding area, past practices and the need, or lack of the need for an additional Archaeological survey as well as other research.

Motion made by Dave Garceau to not require the applicant to complete a Phase 1B Archaeological Survey on Mr. Landon's Property. The PZC is satisfied with the completed Phase 1A -Archaeological Survey and also the measures proposed to provide protection of the stone walls & their unique features. Seconded by Vice-Chairman Peter Fiasconaro. All Members Voted in Favor. Motion Carried.

Old Business:

A. Discussion and Possible Action on Revisions to the Chaplin Zoning Regulations

Chairman Dubitsky asked the PZC members if everyone had a chance to go through the zoning regulations and identify areas/sections where revisions are needed. It was the consensus of the commission that due to the length of the regulations, almost every member needed additional time to complete their review. Chairman Dubitsky stated that he has kept a running list of the regulations that are consistently causing issues and receiving complaints. The listing of revisions has come from residents, members of the land use boards, the Town Administration and past and present staff. Chairman Dubitsky requested the commission members try to go through the regulations and identify any areas which they feel need revisions. The Regulation Revisions shall then be discussed at the August 11, 2016 PZC Meeting.

Helen Weingart asked Chairman Dubitsky to indicate some of the problem sections. This way, any PZC member who is not familiar with the common issues, shall have an idea of what they should be looking for. Discussion followed regarding some of the sections of the zoning regulations which were in serious need of revisions and why the revisions were needed. Chairman Dubitsky will tabulate a listing the sections needing revisions discussed during the 7/14/16 PZC Meeting. Chairman Dubitsky shall then send the tabulated list to all PZC Members via email, prior to the 8/8/16 PZC meeting.

Correspondence:

Chairman Dubitsky explained he had received a letter and an email from Mr. Chris Martin of the Connecticut Department of Energy and Environmental Protection, Division of Forestry. Mr. Martin explained to Chairman Dubitsky, Section 8.11 "Logging Operations" of the Chaplin Zoning Regulations, was not consistent with the Connecticut General Statutes and must be addressed as soon as possible.

The Chaplin Zoning Regulations Section 8.11 "Logging Operations" requires anyone planning to conduct a Timber Harvest/ Logging Operation, to first obtain a permit for the Logging Operation from the Chaplin Planning & Zoning Commission. The CT General Statutes only allow for a Town's Inland Wetlands & Watercourse Commission to review applications for proposed Timber Harvest/ Logging Operations. Timber Harvest/ Logging Operations are identified as an "As-Of-Right" Activity according to state law and the regulation of such operations by a Planning & Zoning Commission is illegal.

Chairman Dubitsky told the PZC that he had responded to Mr. Martin's email and explained the Town and the PZC is aware that section 8.11 of the Zoning Regulations, is not in compliance with the State Statutes regarding Timber Harvests/ Logging Operations. He also explained to Mr. Martin the PZC is currently working on revising a number of sections within the Zoning Regulations and section 8.11 Logging Operations is definitely one of the sections slated for revision.

Chairman Dubitsky explained the Algonquin Transmission Company has recently completed the upgrade of the company's Pump House located on Tower Hill Road. He explained the completed upgrades to the Tower Hill Road facility shall provide for the ability to increase capacity. Chairman Dubitsky explained that as the PZC is a Land Use Board, all members should be aware that the gas company shall most likely follow these facility upgrades with upgrades and enlargement to the existing piping system. This way, the company shall then be able to make full use of the upgraded Tower Hill Road Pump House facility and increase the capacity of the system.

Report of the Zoning Officer:

PZC Staff discussed his ZEO Report with the commission

Adjournment:

Motion Made by Eric Beer to adjourn the 7.14.16 PZC Meeting. Seconded by Dave Garceau. All Members Voted In Favor. Motion Carried.

Chairman Dubitsky adjourned the 6.9.16 PZC Meeting at 9:35pm

Respectively Submitted,

Jay Gigliotti

