

Thomaston Planning and Zoning Commission
Meeting Minutes November 2, 2016

Members Present: Ralph Celone, Chairman, Jesse Judson, Tom Mueller, Bill Gloade

Others Present: Jeremy Leifert, Anthony Damiano, David LoRusso

The Public Hearing convened at 7:00 pm.

R. Celone explained that the legal notices published for the zone map corrections were legally deficient and the three public hearings that the Commission initiated will be closed, the applications withdrawn, and the process will start over next month.

Agenda Item #1 – Proposed zone map correction for Assessor’s Map 17 Block 04 Lot 01, Hill Rd. from RA80A to M2 to correct 2008 zoning map error.

A motion was made by J. Judson and seconded by T. Mueller to close the public hearing. Motion passed 3-0-1 abstention by B. Gloade.

A motion was made by J. Judson and seconded by T. Mueller to withdraw the application for the proposed zone map correction for Assessor’s Map 17 Block 04 Lot 01, Hill Rd. from RA-80A to M2 to correct a 2008 zoning map error. Motion passed 3-0-1 abstention by B. Gloade.

A motion was made by J. Judson and seconded by T. Mueller to set the public hearing at our regular December meeting for a proposed zone change for Assessor’s Map 17 Block 04 Lot 01, Hill Rd. from RA80A to M2. Motion passed 3-0-1 abstention by B. Gloade.

Agenda Item #2 – Proposed zone map correction for Assessor’s Map 24 Block 03 Lot 03, Hill Rd. from RA80A to M2 to correct 2008 zoning map error.

A motion was made by J. Judson and seconded by T. Mueller to close the public hearing. Motion passed 3-0-1 abstention by B. Gloade.

A motion was made by J. Judson and seconded by T. Mueller to withdraw the application for the proposed zone map correction for Assessor’s Map 24 Block 03 Lot 03, Hill Rd. from RA80A to M2 to correct 2008 zoning map error. Motion passed 3-0-1 abstention by B. Gloade.

A motion was made by J. Judson and seconded by T. Mueller to set the public hearing at our regular December meeting for a proposed zone change for Assessor’s Map 24 Block 03 Lot 03, Hill Rd. from RA80A to M2. Motion passed 3-0-1 abstention by B. Gloade.

Agenda Item #3 - Proposed zone map correction for 11.4 acre portion of Assessor’s Map 30 Block 06 Lot 01, Northfield Rd. (Rte. 254) from RA-80 to GC to M2 to correct 2008 zoning map error.

A motion was made by J. Judson and seconded by T. Mueller to close the public hearing. Motion unanimously passed.

A motion was made by J. Judson and seconded by T. Mueller to withdraw the application for the proposed zone map correction for 11.4 acre portion of Assessor’s Map 30 Block 06 Lot 01, Northfield Rd. (Rte. 254) from RA-80 to GC to M2 to correct 2008 zoning map error. Motion unanimously passed.

A motion was made by J. Judson and seconded by T. Mueller to set the public hearing at our regular December meeting for the proposed zone change for 11.4 acre portion of Assessor’s

Map 30 Block 06 Lot 01, Northfield Rd. (Rte. 254) from RA-80 to GC. Motion unanimously passed.

Regular Meeting

Minutes:

A motion was made by T. Mueller and seconded by J. Judson to accept the minutes of October 5, 2016 as amended to read the motion to adjourn was made by J. Judson and seconded by T. Mueller. Motion unanimously passed.

Old Business:

Agenda Item #1 – Discussion of previously approved P&Z fine ordinance language and status

J. Leifert distributed a memo from Atty. Rybak answering questions the Commission had from last month's meeting and examples of zone ordinances from other towns, which the Commission will review for next month's meeting.

New Business:

Agenda Item #1 – Site Plan application #2016-10-25-02 for keeping of livestock at 443 Old Northfield Rd.

Agent(s): A. Damiano

A. Damiano presented a map showing where chickens and goats are being kept on the property in a fenced area, noting that they have free roam on the weekends, and explained that he would like to expand in the next year or two so he can keep cows.

R. Celone asked A. Damiano what keeps the livestock from wondering onto the neighbor's properties when they are allowed to free roam.

A. Damiano replied that it hasn't been a problem because they stay in the area.

J. Leifert presented pictures of the fenced area, reviewed the requirement in the regulations for fencing, and informed the Commission that there aren't any density restrictions for over 5 acres.

A motion was made by J. Judson and seconded by T. Mueller to approve the site plan application #2016-10-25-02 for keeping livestock at 443 Old Northfield Rd. Motion unanimously passed.

Communications:

J. Leifert presented/distributed the following;

Agenda Item #1 – Planning Magazine, October 2016 issue

Agenda Item #2 – Bond update request for 200-250 Reynolds Bridge Rd.

Agenda Item #3 - CFPZA Fall 2016 Newsletter

Agenda Item #4 – Proposed 2017 meeting schedule - The Commission reviewed the proposed 2017 meeting schedule and changed July's meeting from the 5th to the 12th.

A motion was made by J. Judson and seconded by T. Mueller to accept the meeting schedule for 2017 as amended to hold July's meeting on July 12th. Motion unanimously passed.

Reports of Officers, Staff, and Committee:

1. ZEO Enforcement Report:

- a) **381 Cedar Mountain Rd. outdoor accumulations, unpermitted structures violation** – was discussed in Executive Session.
- b) **325 Cedar Mountain Rd. grading violation** – The site is stabilized and suggested sending the owner a letter telling him not to do anything else until a site plan application is submitted.

It was the consensus of the Commission to put the violation on hold, but reserve the right to resume if the application is not submitted.

- c) **218 Lynnrich Dr. unpermitted home occupation, Cease and Desist** – no update.
- d) **252 Branch Rd.–illegal home occupation, structures, grading** –

J. Leifert distributed a copy of the Cease & Desist Order sent regarding the storage of construction and business equipment, the operation of a commercial business, an unpermitted storage container, and 2 unregistered vehicles on the property.

D. LoRusso explained that he had a garage type structure on a slab that came down during a storm and everything that was inside it is on the ground, that 2 load of items have been removed to show the neighbors he understands their concerns, that the container has been on the property for a couple of years and is now on the slab, and that he has large commercial vehicles he would like to store on the property for the business he runs out of his house and would like to apply for a home occupation, noting that his father also had a business on the property.

R. Celone explained the application process to D. LoRusso and suggested that he meet with J. Leifert to find out what he will need to submit to the Commission.

- e) **403 Fenn Rd. illegal Home Occupation** – no update.
- f) **Laurel Dr./Meadow Brook Dr. storm water issues** – no update.
- g) **63 Litchfield St. non-clean fill stockpiling** – unclean fill was deposited behind the house containing asphalt and concrete. No response yet for the notice sent, will send another notice when the 30 days are up.
- h) **126 Cables La. unpermitted structure violation** – no update.
- i) **175 Litchfield St. unpermitted structure** – no update.
- j) **189 Pine Hill Road illegal detached apartment** – no update.
- k) **Laurel Dr./Meadow Brook Dr. storm water issues** – no update.
- l) **55 West Hillside Ave. outdoor accumulations, unregistered vehicles** -no update.
- m) **435 South Main St. auto sales without site plan modification, location approval** – notice sent informing the owner that he needs approval from ZBA to sell vehicles.

Executive Session:

Agenda Item #1 – Legal strategy discussion – 381 Cedar Mountain Rd. violations

A motion was made by T. Mueller and seconded by B. Gloade to move into executive session at 7:41 pm to discuss a legal matter. Motion unanimously passed.

A motion was made by J. Judson and seconded by B. Gloade to invite J. Leifert and P. Santa Maria into Executive Session. Motion unanimously passed.

A motion was made by J. Judson and seconded by T. Mueller to end Executive Session at 7:50 pm with no action taken. Motion unanimously passed.

Adjournment:

A motion was made by J. Judson and seconded by T. Mueller to adjourn at 8:10 pm.

Respectfully submitted, Pat Santa Maria, Recording Secretary