

PLANNING & ZONING COMMISSION REGULAR MEETING MAY 14, 2019

Present: Regular members David Colbert, James LaPorta, Virginia Potter, and Stephen Saccardi (in 7:35PM), alternate members Ben Gray Jr, and Phill West, and LUA/ZEO Karen Griswold Nelson

Absent: Jill Cutler and Anna Timell.

Others present: Jocelyn Ayer, NWHCOG and Commission planning consultant and ex-officio member First Selectman Gordon Ridgway.

Chairman Colbert called the meeting to order at 7:05PM with a quorum established. Alternate member Ben Gray was seated for regular member Jill Cutler with alternate member Phill West seated for Steven Saccardi until his arrival and then re-seated for Anna Timell.

APPLICATIONS FOR ZONING PERMITS. None listed.

- 1. APPROVAL OF MINUTES:** January 2017 and 2018 Planning meeting minutes and April 9th regular meeting minutes.

Motion made by Mr. Gray, second Mr. West to approve the minutes of the April 9th regular meeting as presented: unanimously approved.

- 2. PENDING APPLICATIONS: None.**

- 3. CORRESPONDENCE AND COMMUNICATIONS RECEIVED.**

Email correspondence for the NWCOG fifth Thursday was made part of the record.

- 4. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION.**

- 5. LUA/ZONING OFFICER'S REPORT.**

Signage at 24/Kent Road – Northeast Building

Griswold Nelson provided email correspondence from Jeremie Tilson, Store Manager of the Northeast Building Supply showing the re-configuration of the non-conforming “approved” sign discussed at the April meeting. Griswold Nelson stated that the re-configured sign was in compliance in size with the pre-existing non-conforming sign and therefore satisfied the concerns expressed for the expansion of the sign from the current size.

- 71/73 Popple Swamp Road/ Residential structures.**

Noting her intent to address matters of concern on a monthly basis, Griswold Nelson provided oral history of the development of the 71/73 Popple Swamp Road site and recent and current activities on the site including the completion of the state mandated remediation of the “dam” structure, dredging and restoration of the pond, and restoration of three existing structures, the front historic house, a barn, and the back “residential” structure. Griswold Nelson stated that her review of the history of the site showed that the past property owner, Mr. Nash had applied for a zoning permit (in the 70’s) for a second “residential” structure on the site and had been denied due to the regulations at the time prohibiting a second home on a residential site. In response to the denial, a second zoning permit had been submitted and approved showing the subdivision of the land into 2 5 plus acre lots and the construction of the back structure on the second lot.

Subsequently, a zoning permit was submitted and approved and a residential structure constructed without any application for a subdivision being submitted or approved. There was no appeal taken against the Zoning official's decision to approve the structure for residential usage, As a result, the second residential structure has become legal non-conforming as a result of the misstep by the action of the ZEO to approve the permit without the subdivision being applied for or approved. Noting the many years of work with the current owner to restore the overall site, the pond and the "falling into despair" buildings into compliance, (septic, improvements, etc.) Griswold Nelson addressed the history of recent improvements to the site that had resulted in three structures being remodeled and improved as well as a natural resource, the pond, being restored. Griswold Nelson stated that it was her finding that it was time to acknowledge the past mistakes made, to validate the work being done and to correct the record and move forward.

Griswold Nelson addressed her intent to establish a process to not only acknowledge (in the minutes) but to validate and record findings on the land use records so as to allow current and future property owners a path to move forward without past issues being revisited and/or challenged.

6. **PLANNING WORKSHOP with NWHCOG consultant to** include but not limited discussion of ongoing associated with the 2020 Plan of C&D, 2020 subcommittee (EDC, Natural Resources, Housing, Cultural, and Youth) reports, and other zoning/subdivision regulatory matters.

Commission planning consultant Jocelyn Ayer was in attendance to address the status and timing of the preparation and adoption of the 2020 Plan of C & D. First draft reports prepared by the Housing, Natural Resource (2E dated 5/1/2019) and Economic Development subcommittees were reviewed. There was discussion of a "partners" meeting, the lay-out and format of the final plan, the inclusion of mapping and supporting information, on-line and printed reports, the work on regulations change prior to the adoption of the new plan, and target dates for the adoption.

7. **ADJOURNMENT.**

Motion made by Mr. Saccardi, seconded by Mr. West to adjourn at 9:25PM; unanimously approved.

Respectfully submitted

Karen Griswold Nelson