

Town of Andover Connecticut

Planning and Zoning Commission

Community Room, 17 School Road, Andover

January 21, 2016

Regular Meeting

7:00 PM

MINUTES

1. **Call to Order**: Patrick Dougherty calls the meeting to order at 7:03PM

2. **Roll Call/Seating of Alternates**

Members Present: Patrick Dougherty, Mike Palazzi, Scott Person, Leigh Ann Hutchinson (seated at 7:07 PM)

Members Absent: Eric Anderson

Alternates Present: None

Alternates Absent Gerry Hardisty, E. Sarisley

Public Present: Attachment #1

Staff Present: John Valente, Zoning Agent
Sandra Nichols, Commission Secretary

3. **Additions/Changes to the Agenda**: None

4. **Public Participation**: None

5. **Old Business**:

- a. Set a Public Hearing date for April 18, 2016 for the adoption of the 2016 Plan of Conservation and Development.

John Valente advises the Commission that they have a deadline to meet for the final submission of the POCD by June 30th. Bill Warner has sent a completed version that is on the Town Web sight for review.

Mike Palazzi Motions to set a Public Hearing date of April 18th 2016 at 7PM for the acceptance of the 2016 Plan of Conservation and Development.

Scott Person Seconded

Motion Passed/ Unanimous

- b. Open space fee owed by Mrs. Clark:

John Valente has no new information. He does advise the Commission that Mrs. Clark is now Mrs. Mike and that the Town has changed the fee per available lot to cover the entire \$13,000 they have since been in touch with their attorney offered an option that would knock it down this however will have to be addressed by the Board of Selectman.

- c. Report from L.A. Hutchinson/E. Anderson regarding the Route 6 Economic Development Committee and Zoning Sub-Committee: No new report
- d. Report of Sub-Committees: No new report.

6. New Business:

- a. Town application for improvements and reconstruction of Town recreation facility, Long Hill Road and Riverside Drive.

Patrick Dougherty inquires if the Commission needs to have a vote on this?

John Valente replies that the Town is coming before Planning an Zoning because the field is in a flood plan zone (section 10B). This requires a special permit for filling and grading. The engineers spoke to the Town last week on this matter and therefore did not need to attend this meeting since they need to attend the Public Hearing. In accordance with sections 23 and 10 of the regulations a Public Hearing should be put on the February 15, 2016 agenda for the Town Recreation Facility on Long Hill Road and riverside Drive.

Mike Palazzi Motions to have a Public Hearing on the agenda February 15, 2016 at 7PM to approve the application of the Town Recreation Facility.

Leigh Ann Hutchinson Seconded

Motion Passed/ Unanimous

- b. Patrick Caron, 207 Lake Road. Request for a Special Permit/Home Occupation Permit For the applicant to operate a small scale (limited to a maximum of 3 passenger vehicles) used car dealer, 207 Lake Road. The special permit will allow the applicant to register with the State of CT DMV as a used car dealer and secure a dealer plate.

Mr Caron hands his application along with photos of his property for what he is proposing to operate on the property. He explains that this is only a hobby and he has no intention to expand on his property. He is only asking for permission regarding the zoning regulation. He will not repair or sell on the property. He will go through Craig's list to sell or a DOT com site to sell.

John Valente states that the Commission (at the Public hearing) would

need to know if there were any repairs being made and if any fluids were involved. Under Sections 4.12A and 4.12a II the home occupancy and retail use require a Special Permit and under Section 23 a special permit and site plan review require a Public Hearing. This Special Permit give the Commission The permission to make any restrictions on the application. The DMV only requires that the applicant have a permit from the Planning and Zoning Commission. Mr. Valente suggest that we do it in conjunction with the other items at the February 15, 2016 meeting.

Leigh Ann Hutchinson Motions that the application of Mr. Caron, 207 Lake Road, to operate a small scale (limited to a maximum of 3 passenger vehicles) used car dealer, 207 Lake Road. The special permit will allow the applicant to register with the State of CT DMV as a used car dealer and secure a dealer plate to be placed on the agenda for the February 15, 2016, 7PM at the Public Hearing.

Scott Person Seconded
Motion Passed/ Unanimous

Brief discussion about the Public Hearing date where it is brought to the Commissions attention that that is a Holiday.

Leigh Ann Hutchinson Motions for the record that the Public Hearing date for both the Recreation field (agenda item 6a) and the application by Mr. Caron (agenda item 6b) is changed to February 18, 2016.

Scott Person Seconded
Motion Passed/ Unanimous

- c. Set Public Hearing date for adoption of revisions to Zoning Regulations
 - 1. Overnight parking of commercial vehicles and vehicle signage
 - 2. Section 20.5. The keeping of farm animals for personal use (see section 23).

c.1 There is a discussion among the Commission on how this topic came before them. **John Valente** explains that there have been several recent complaints from residence about several vehicles with signs being parked in different driveways at the same time.

Patrick Dougherty points out that this is part of the Planning and Zoning Regulations.

John Valente recommends that the Commission put both c.1 and c.2 on the February Public Hearing agenda.

The Commission has a concern that many residence may show up and there would not be enough time to hear everyone.

Patrick Dougherty suggests that we set item 6.1 in February at the Public Hearing and item 6.2 in March when the Commission could also do a final review of the POCD before the Public Hearing in April.

Leigh Ann Hutchinson Motions to set the Public Hearing date at February 18, 2016 to discuss the adoption of the Commercial Motor Vehicle Regulations.

Mike Palazzi Seconded
Motion Passed/Unanimous

Leigh Ann Hutchinson Motions to set the date for item 6c.2 (the keeping of Farm animals for personal use) section 20.5 for March 21, 2016 Regular Meeting/ Public Hearing.

Mike Palazzi Seconded
Motion Passed/Unanimous

7. **Approval of Minutes:** December 21, 2015 Regular Meeting/Public Hearing minutes.

Mike Palazzi Motions to approve the December 21, 2015 Minutes
Lee Ann Hutchinson Seconds with changes

Changes to page 1; change Special Meeting to Regular Meeting and Dan Warren to Bill Warner. Page 2 middle, correct spelling viability to visibility. Page 3, top, change innocuous to inconspicuous. Page 4, item 5d, add "Mike Palazzi is reporting for the Conservation Committee that they will hold off until spring. Add 8-24 referral after (attachment #2). Page 5, bottom change Mr. Warren to Mr. Warner. Page 6, J. Valente's first comment change January 18 to January 2, add Agenda after Meeting and change Attachment #4 to Attachment #3. Page 7, top change 2016 to 2015.

Motion Passed/ Unanimous

8. **Administrative Report:**

John Valente reports on the subdivision on Skinner and Wheeling Road. The appeal from Mr. Sammartino on Road. Mr. Kaballa is late in the installation of fire Cisterns and sold another lot which the Town allowed him to sell without the fire cistern in wake of a 35K cash bond. He put a fire system in which was a 15,000 gallon concrete Volt dry hydrant and sizing approved/requirements with the Zoning Officer and the Fire Marshall. No new information on the Sammartino appeal. This Commission had reviewed the regulation unofficially in 2014 when the transcripts were being put together for the court case. This has been going on for about a year and a half with no update from Attorney Branse. Mr. Valente believes that this is because there are many small towns with the same fire cistern issue and there are not many judges in the State to hear the cases. Judge Berger has

not yet made a decision. Mr. Fitch has not yet submitted an application however the Town should receive one in time for the February Meeting. Mr. Valente will send Mr. Fitch another letter that he is in violation of Town regulation and he is to cease and desist or he will be asked to quit the activity on the Property (cease and desist order). Mr. Cadorette's, 207 Shoddy Mill Road, has complained to the Town about the activity on the property. Brief presentation at February Meeting on Health planning/education.

Patrick Dougherty asks why Planning and Zoning is involved with this? John Valente replies that he has requested information and to date he has received **nothing** therefore he can not answer that question.

9. **Correspondence:** None

10. **Executive Session:** No discussion

Side Discussion; Dianne Grenier tells the Commission were to find the most recent POCD on the Town Web Site under news. Patrick Dougherty states that he would like to set up a Special Meeting if needed to discuss the POCD. Dianne Grenier asks the Committee about the Rte. 6 Economic Committee. John Valente replies that it still exists however there is no oversight. Dianne Grenier would like a report on it. The Commission suggests that Eric Anderson and Leigh Ann Hutchinson report on the Rte.6 Corridor.

11. **Adjournment**

Mike Palazzi Motions to adjourn at 9:05 PM
L.A Hutchinson Seconded
Motion Passed/Unanimous

*Respectfully submitted by Sandra Nichols, Commission Secretary