

TOWN OF ANDOVER  
PLANNING & ZONING COMMISSION  
MONDAY, OCTOBER 19, 2020  
LOCATION: VIRTUAL ZOOM MEETING  
7:00 P.M.

**REGULAR MEETING MINUTES**

**Members Present:** Chair Jed Larson, Vice Chair Anne Peterson Crème, Leigh Ann Hutchinson, Scott Person, Susan England (alternate)

**Others Present:** Zoning Agent – Jim Hallisey, Board Clerk – Mindy Gosselin, Michael Palazzi, Hank Gruener

1. **Call to Order:** J. Larson called the meeting to order at 7:00 p.m.

2. **Roll Call / Seating of Alternates:** Alternate Susan England was seated.

3. **Additions / Changes to Agenda:**

J. Larson stated that there will not be a public hearing at this meeting and that the Item: Executive Session would not be addressed.

4. **Public Speak:** No one wished to speak.

5. **New Business – Open Public Hearing**

a. **8-24 Referral – Property (two separate parcels) Northern CT Land Trust and Thomas D. Talbot (Shoddy Mill Road/Boston Hill vicinity)**

J Larson received a request for an 8-24 referral from Eric Anderson for properties that are abutting town properties, north of Oak farms road off Boston Hill Road. He asked Mike Palazzi from the Conservation Commission to come and make a proposal at this PZC Meeting.

M. Palazzi gave a proposal regarding the Northern CT Land Trust and Talbot parcels. In the report provided, there were good reviews: the land contains young forest, rivers, and is mostly free of invasive species. When the three pieces of land are combined, it creates a great cohesive area. The Northern CT Land Trust has one property that is 7 acres and another property that is 1 acre. Additionally, there is the Talbot property.

Hank Gruener added that these properties are a part of the Town's 2015 plan of Conservation and Development, there were three designated open space corridors in the mapping. These properties are in the northern tip of the Western Highland Corridor. From a strategic conservation standpoint, the properties help to build some protected open space within a corridor that can ideally be added to with more properties down the road.

L. Hutchinson asked about the report. J. Larson shared a map that was included in the report and explained that three properties are being donated, one from Mr. Talbot and two from the Northern Connecticut Land Trust. The Talbot property ties two town properties together.

S. Person MOVED to accept the three pieces of property as donation under Chapter 126 section 8-24 of the Connecticut General Statutes. S. England SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

J. Larson shared a proposed letter, regarding these properties, that will be submitted to the Board of Selectman soon.

H. Gruener expressed his appreciation from the Conservation Commission to PZC for considering these properties.

**b. Proposed Regular Meeting dates for calendar year 2021.**

Meetings are typically the third Wednesday of every month. J. Larson stated that due to holidays, January and February would need to be rescheduled. J. Larson suggested that the meetings in those two months, be rescheduled to the fourth Monday.

J. Hallisey stated that the bylaws state that the meeting be held the following evening.

J. Larson said they can delay the meeting by 24 hours or change the meeting to the following Monday. The Commission could then change the by-laws accordingly.

There was then discussion on previous meeting days and room availability. J. Larson stated that we will most likely be zoom so rooms should not be an issue. The Commission can amend the bylaws to state that the meeting must be rescheduled within a week of the normal meeting date.

J. Hallisey stated that he will file the 2021 PZC meeting dates with the Town Clerk.

S. Person MOVED to approve the Planning and Zoning Commission's 2021 Meeting Dates. L. Hutchinson SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

**6. Old Business**

**a. Update – Possible open space acquisition – Property of Susan & Peter Klock, Merritt Valley Road**

S. Person stated that he called the real estate agent and was informed that there is a deposit on the property.

Therefore, that precludes any further discussion on that property.

**b. Bylaws – Review possible actions**

J. Larson recommended discussion to approve the bylaws. L. Hutchinson's comments were addressed in this draft. S. England's comments were addressed previously. So far, the rescheduling of a meeting because of a holiday was discussed. It was decided that the meeting would be rescheduled within a week of the original date.

J. Hallisey recommended that an executive session section be added to the agenda. J. Larson stated that if there is ever a need to add executive session to a meeting it would be added as an item during the "Additions/Changes to the agenda" section. This would also allow it to be placed wherever in the agenda at the appropriate point.

J. Hallisey stated that during a special meeting changes to the agenda are not an item, therefore, an executive session could not be added. J. Larson said that whoever is creating that special meeting agenda would have to add it before it was published.

J. Hallisey also stated that Membership paragraph Section 1, speaks to the CGS 9-167. He believes it should read as section CGS 9-167a

L. Hutchinson asked a question about filling vacancies. S. Person said changes will go through the Town Clerk from now on, not the Board Chairs.

J. Larson brought up L. Hutchinson's point of when to seat alternates and when alternates can vote. If an alternate isn't seated, they can still participate in discussion but cannot vote. In the case of a public hearing, alternates can discuss in the public hearing. However, when the commission discusses acting on the public hearing at the public hearing and/or the meeting that follows, only members that are seated can participate (Section 4b).

L. Hutchinson questioned the political party language in the statutes from the Town Charter. J. Larson said that he sent the draft bylaws to the attorney and he did not have a comment on it.

S. Person MOVED to approve the bylaws with the subsequent revisions of 167 be revised to 167a and the rescheduling of meetings state that the meetings will be held within a week of the original date. L. Hutchinson SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

## **7. Administrative Report from Zoning Agent**

### **a. Zoning Violation complaint – Property of Jason Salisbury, 44 Wales Road, Salisbury**

J. Hallisey stated that he received a complaint about people living in trailers at 44 Wales Road. He visited the site to validate the complaint and sent a letter that he will be following up on soon.

The violation is that there are people living in a trailer per Section 4 of the zoning regulations. There may also be additional concerns with aspects related to the health department.

OTHER: J. Hallisey did a site visit with the Town Wetland Agent to 517 Route 6 to familiarize with the site. J. Hallisey also met with the engineer Chris Bell on a separate occasion about three weeks ago. Chris Bell and the Wetland Agent have not met together.

J. Hallisey said that restoration needs to start. The Engineer agreed to put together a plan for restoration. S. Person asked what phase the project is in. J. Hallisey said they are on phase 3, each phase is about 100 feet. J. Hallisey said silt fence is intact and there is no water present.

## **8. Approval of Meeting Minutes**

### **a. Regular Meeting of September 21<sup>st</sup>, 2020**

The minutes of September 21<sup>st</sup>, 2020 were amended as follows:

Agenda item 2: He talked to G. Hardisty about a waiver request pertaining to **offsite topography** and a soil and erosion control plan.

Agenda item 2: G. Hardisty stated that the soil test examines soil conditions and looks for mottling which is oxidation in the soil.

Agenda item 6b: The wording and format of the ~~Wetland~~ **Wetland Planning and Zoning** Mission Statement and what's on the website was taken into consideration.

Agenda item 8: There was a mistake made, they need 400 feet of frontage **for the two lots** and they currently have 46 feet of frontage.

L. Hutchinson MOVED to approve the regular meeting minutes of September 21, 2020 as amended. S. Person SECONDED. By roll call vote, MOTION CARRIED 5:0:0

## **9. Miscellaneous Items**

J. Larson forwarded an email with Thad King about septic issues and when sampling is to be required per previous discussion regarding 12 Webster Lane. In general, sampling can be done anytime but there are a bunch attributes. If these attributes are present, they need to be tested in the time period listed in the regulations unless directed by the Town Sanitarian. Thad King is Andover representative from EHHD and is considered the Town Sanitarian. T. King offered to meet with the Commission in the future to talk about septic tanks.

J. Larson is hoping to discuss the lake regulations again at the next meeting. He presented at the ALMA and ALPOA meeting last week, the discussion went well and they were supportive.

**10. Public Speak:** No one wished to speak.

## **11. Commission Open Discussion**

A. Crème asked if there was an update on the Pine Ridge property. J. Hallisey stated that the current owners are preparing to go to the next Wetlands meeting for crossing a wetlands permit. They might not be able to make it on the agenda for the November Wetlands meeting.

**12. Adjournment:** L. Hutchinson MOVED to adjourn the regular meeting at 08:08 p.m. Scott SECONDED. By roll call vote, MOTION CARRIED 5:0:0.

Respectfully Submitted,

*Mindy Gosselin*

PLEASE SEE THE MINUTES OF SUBSEQUENT MEETINGS FOR THE APPROVAL OF THESE MINUTES AND ANY CORRECTIONS HERETO.