

**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
JUNE 27, 2012 – 7:00 PM
NEW HARTFORD TOWN HALL- 530 MAIN STREET**

PRESENT: Vice-Chairman Ted Stoutenberg, David Krimmel, Daniel LaPlante, Gil Pratt; Alternates Martin Post and Peter Ventre; Land Use staff Certified Zoning Enforcement Officer Rista Malanca and Recording Secretary Stacey Sefcik.

ABSENT: Chairman James Steadman, Alternate David Jones.

In the absence of Chairman James Steadman, Vice-Chairman Ted Stoutenberg called the meeting to order at 7:00PM. All regular members present were seated for the evening. Alternate Martin Post arrived to the meeting at 7:02PM and asked Mr. Stoutenberg if he was needed for the meeting; Mr. Post stated that if he was not needed, he would prefer to not be seated and leave the meeting. Mr. Stoutenberg stated that Mr. Post was not needed as there were four regular members present as well as Alternate Peter Ventre; he stated that Mr. Post could leave if he so chose. Mr. Post then left the meeting for the evening, and Alternate Peter Ventre was seated for James Steadman. The proceedings were recorded digitally and copies are available in the Land Use Office.

1. PUBLIC HEARINGS:

No business was discussed.

2. PENDING APPLICATIONS:

A. Proposed Amendments to Sections 6.3.4 and 6.3.5 of the Town of New Hartford Zoning Regulations – Signs in the New Hartford Center District.

Ms. Malanca distributed copies of the proposed amendments to all Commission members. She explained that the regulations currently permitted signs of up to 60 square feet in the New Hartford Center District. As the Commission had stated this was not their intent, the amendment had been created to resolve this issue by removing mention of the New Hartford Center District from the portion of the regulations addressing signage for shopping plazas.

MOTION Mr. Pratt, second Mr. Krimmel, to schedule the matter of **Proposed Amendments to Sections 6.3.4 and 6.3.5 of the Town of New Hartford Zoning Regulations – Signs in the New Hartford Center District** for public hearing at the July 25, 2012 regular meeting; unanimously approved.

3. NEW APPLICATIONS:

A. Town of New Hartford, Ann Antolini School, 30 Antolini Road, Special Exception for an accessory use to a school – expand existing playing field.

Ms. Malanca explained that the Town was seeking a special exception in order to expand an existing playing field at Ann Antolini School. She stated that she believed this required a special exception as it was an expansion of an existing accessory use at a school. At Mr. Pratt's request, Ms. Malanca reviewed Section 3.3.B of the Zoning Regulations, which detailed the requirement of a special exception permit for accessory use of a religious institution, school, or library. Ms. Malanca also recommended that the Commission forward the application to the Town's planning consultant for his review.

Mr. Stoutenberg questioned the need for a special exception, noting that the proposal would still have to be reviewed as a part of any 8-24 referral from the Board of Selectmen. Mr. Pratt concurred and questioned whether playing fields were truly an accessory use at a school, noting that most every school had playing fields. Ms. Malanca reviewed the maps and plans for the proposal with the Commission. She explained that the proposal called for new dugouts, a storage shed, and expansion of the playing field. She said that the work would likely entail grading, filling, and possibly blasting. Mr. Pratt questioned what guidelines would have to be followed on this project if the Commission decided it did not require a special exception. Ms. Malanca explained that the Commission would then have to find that the proposed work was not a substantial enough change to warrant a special exception; if it did, then the Town would simply be required to follow best management practices and maintain proper sedimentation and erosion controls. Mr. LaPlante questioned how big the trees were that were going to be taken down, and Mr. Krimmel noted that 10, 12, and 20-inch diameter oaks were going to be cut down.

Mr. Krimmel expressed concern about the lack of a public hearing if the Commission found the proposal did not require a special exception. Ms. Malanca explained that the plans called for clearing an area 188 feet by 200 feet, which was approximately one acre. Mr. Pratt asked how much area was already being used for playing fields, and Mr. Krimmel responded that it was approximately 360 feet by 360 feet, or 2.5 acres. Mr. Krimmel noted that in the past, residents had been interested in conserving this area and possibly creating walking trails. He questioned whether these concerns would be addressed during an 8-24 referral hearing. Ms. Malanca explained that public input would not be taken during an 8-24 referral, but could be during a public hearing for a special exception. She explained that as the project was going to be paid for from funds within the Town budget, no Town Meeting was required; however, she could still ask for the Board of Selectmen to refer the matter to the Planning and Zoning Commission if they so chose. Mr. Krimmel expressed concern about precedent if the Commission approved this current proposal without a special exception permit, and then the Town later came back wanting to increase the size of the playing fields yet again. He stated that he would prefer to give the public an opportunity for input. The Commission then discussed the proposed work and how substantial the proposed changes would be.

MOTION Mr. Krimmel, second Mr. Pratt, to accept the application in the matter of **Town of New Hartford, Ann Antolini School, 30 Antolini Road, Special Exception for an accessory use to a school – expand existing playing field** and to schedule a public hearing for the July 25, 2012 regular meeting.

IN FAVOR:	Mr. Krimmel, Mr. Pratt, Mr. Stoutenberg.
OPPOSED:	Mr. LaPlante, Mr. Ventre.
ABSTENTIONS:	None.

The motion carried 3-2-0.

4. APPROVAL OF MINUTES:
A. June 13, 2012 regular meeting.

MOTION Mr. Pratt, second Mr. Krimmel, to approve the minutes of the June 13, 2012 regular meeting as written; the motion carried 4-0-1 with Mr. Ventre abstaining.

5. ZONING ENFORCEMENT OFFICER’S REPORT:

Ms. Malanca briefly reviewed her enforcement activities from the previous month. She updated the Commission regarding the status of enforcement activities at 55 Prospect Street as well as a noise complaint that had been received regarding roosters at a property on Litchfield Turnpike.

6. CORRESPONDENCE:

No business was discussed.

7. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

No business was discussed.

MOTION Mr. Krimmel, second Mr. Pratt, to adjourn at 7:25PM; unanimously approved.

Respectfully submitted,
Stacey M. Sefcik