

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING – MINUTES  
WEDNESDAY, MAY 13, 2015 – 7:00PM  
NEW HARTFORD TOWN HALL – 530 MAIN STREET**

**PRESENT:** Ted Stoutenberg, David Krimmel, Dan LaPlante, Bob Moore; Alternate(s) Martin Post and Thomas McLoughlin; Zoning Enforcement Officer Steven Sadlowski.

**ABSENT:** James Steadman, Alternate Peter Ventre.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM. All regular members present were seated for the meeting. Mr. Martin Post was seated for Mr. James Steadman and Mr. Thomas McLoughlin was seated for Mr. David Krimmel for the Public Hearing. The proceedings were recorded digitally and copies are available in the Land Use Office.

**1. PUBLIC HEARINGS:**

**A. William Stock/Applicant – Mary R. Stock/Owner – Map 014 – Block 008 – Lot 017-1 – 1071 Litchfield Turnpike – Special Exception – Home Occupation, Small Candy Manufacturing Business.**

The legal notice for the public hearing was read into the record and was indicated as having run the requisite two times, on May 1, 2015 and May 8, 2015, in The Hartford Courant within the required statutory time. Proof of notice to abutting neighbors was submitted.

Mr. William Stock, as applicant, appeared before the commission and provided a brief history of his peanut brittle company. He noted that he and his wife recently purchased a two family home and are seeking to build a commercial kitchen at that location. Additionally, he noted he has no employees and that no customers come to his home nor does it receive any deliveries. Mr. Stoutenberg inquired whether there would be a sign. Mr. Stock indicated that there would not be a sign. Mr. Post inquired whether construction for the kitchen changes the footprint of the residence. Mr. Stock indicated that it would not.

**Mr. Rudy Sellei, of 1064 Litchfield Turnpike,** noted for the record that he does not oppose the application.

**MOTION:** Mr. Post, Mr. Krimmel second, **to close the public hearing in the matter of William Stock/Applicant – Mary R. Stock/Owner – Map 014 – Block 008 – Lot 017-1 – 1071 Litchfield Turnpike – Special Exception – Home Occupation, Small Candy Manufacturing Business**

**2. PENDING APPLICATIONS:**

**A. Alford Associates/Applicant – Zahnradfabrik, LLC/Owner – Site Plan Review – Map 38 – Block 134 – Lot 3 – 120 Industrial Park Road – Install a loading area, driveway and parking on south side of building.**

Mr. Phil Doyle of LADA appeared before the commission on the application, reviewing that the goal of the applicant is to put a service area in a portion of the building that does not currently have a service area, adding new parking spaces as well as a new driveway. He noted that the subject property is in an Industrial Zone and that the applicants are conforming with all the standards that are part of an Industrial Zone. He also reviewed the drainage plans.

**MOTION:** Mr. Post, Mr. LaPlante second, **to approve the application in the matter of Alford Associates/Applicant – Zahnradfabrik, LLC/Owner – Site Plan Review – Map 38 – Block 134 – Lot 3 – 120 Industrial Park Road – Install a loading area, driveway and parking on south side of building, subject to the following conditions:** 1. This application is approved as per the submitted site plan entitled, “Site Plan, Layout Grading, Utilities and Soil Erosion and Control Plan prepared for Perry Technology Corporation” by Alford and Associates Dated February 16, 2015 and revised to April 29, 2015. 2. Maintenance and upgrade items listed in the memo from LADA P.C. / Mr. Philip Doyle, RLA to Mr. Sadlowski dated April 30, 2015 are to be installed or completed as listed in this memo. 3. Applicant

**to work with the Town's Engineer to inspect the outlet pipe for damage once it is fully cleaned out; unanimously approved.**

Prior to the vote on the application, Mr. Sadlowski read aloud for the benefit of the commission the Maintenance Memo between LADA P.C. to Mr. Sadlowski dated April 30, 2015. Mr. Post commented that the commission should be encouraging LID (low impact development).

**B. Stock/Applicant – Mary R. Stock/Owner – Map 014 – Block 008 – Lot 017-1 – 1071 Litchfield Turnpike – Special Exception – Home Occupation, Small Candy Manufacturing Business.**

**MOTION:** Mr. Post, Mr. Krimmel second, **to approve the application in the matter of Stock/Applicant – Mary R. Stock/Owner – Map 014 – Block 008 – Lot 017-1 – 1071 Litchfield Turnpike – Special Exception – Home Occupation, Small Candy Manufacturing Business, subject to the following conditions: 1. The applicant is allowed to install a commercial kitchen for the purpose of producing candy within the home as per the submitted floor plan and other documents; 2. This approval is granted as per section 3.6E of the regulations and all requirements of that section are valid; 3. Retail sales are not permitted as a part of this approval; and 4. The Commission has determined that a full site plan is not necessary for this limited home occupation; unanimously approved.**

### **3. NEW APPLICATIONS:**

**A. Lodestar Energy, LLC/Applicant – Regional Refuse Disposal District 1/Owner – Site Plan Review – Map 032 – Block 041 – Lot 43B – Main Street – Allow Construction of a Solar Energy Plant.**

Mr. Jeff Macel of Lodestar Energy appeared before the commission explaining the applicant is seeking approval for a site plan for 31 North New Hartford Road at the RRD1 site. He explained that a 1,000 kilo watt solar way would be installed on an already cleared area, adjacent to the capped landfill. The engineer for Lodestar Energy, LLC, Mr. Stew Clark, also appeared before the commission. Mr. Clark explained the site work necessary as well as the maintenance plan.

**MOTION:** Mr. Post, Mr. LaPlante second, **to approve the application in the matter of Lodestar Energy, LLC/Applicant – Regional Refuse Disposal District 1/Owner – Site Plan Review – Map 032 – Block 041 – Lot 43B – Main Street – Allow Construction of a Solar Energy Plant subject to the following condition 1/ This approval is granted as per the site plan submitted entitled, “Site Development Plan for Canis Minor Solar in Barkhamsted & New Hartford CT”. By Russo Surveyors and Engineers dated April 8, 2015, Site Plan pages 1 – 3, EC 1&2, SESC-1, S1 and D1; unanimously approved.**

**B. Conrad Kappel - Flood Plain Permit - Map 44A – Block 127 – Lot 021 – 81 Cottage Street – Garage – Demolish the stick frame section and retain the cinder block wall portion. Remove existing roof and re-build, build front wall and install new garage door.**

Mr. Conrad Kappel appeared before the commission explaining the history of the work that has taken place on his property, and the work he would like to undertake, including taking down the back porch, remove the roof and all siding, rebuild the roof, and construct a new garage door. Mr. Sadlowski referred commissioners to a letter from Laurel Engineering and read aloud the communication. The letter indicated that the structure is flood proofed, meaning it will not be damaged by flood waters and that it is adequately anchored. Mr. Sadlowski noted that the applicant will be using “Smartvents” to allow flood waters to enter and to exit the garage as needed.

**MOTION:** Mr. Post, Mr. Krimmel second, **to approve the application in the matter of Conrad Kappel - Flood Plain Permit - Map 44A – Block 127 – Lot 021 – 81 Cottage Street – Garage – Demolish the stick frame section and retain the cinder block wall portion. Remove existing roof and re-build, build front wall and install new garage door, subject to the conditions noted in the correspondence from Laurel Engineering; unanimously approved.**

**C. Dennis Murphy/Applicant – Dennis & Angela Murphy/Owner – Flood Plain Permit - Map 44A – Block 116 – Lots 15&16 – 5 Ten Street – Build Movable Shed for Storage.**

Mr. Dennis Murphy appeared before the commission explaining that he is seeking to erect a shed within a flood zone. Mr. Murphy noted that Architect Stephen Burgess was contracted and noted that the shed is flood proofed and will be anchored to avoid any movement in a flooding situation. Mr. Sadlowski reviewed and highlighted points from the correspondence from Mr. Burgess.

**MOTION:** Mr. Post, Mr. Krimmel second, **to approve the application in the matter of Dennis Murphy/Applicant – Dennis & Angela Murphy/Owner – Flood Plain Permit - Map 44A – Block 116 – Lots 15&16 – 5 Ten Street – Build Movable Shed for Storage; unanimously approved.**

**D. Michael Toth/Applicant – E. Kenneth Krohner & Barbara J. Krohner/Owners – Map 036 – Block 013 – Lot 059 Satan's Kingdom Road; Map 036 – Block 013 – Lot 059 Satan's Kingdom Road; Map 043 – Block 013 – Lot 042, 79 Main Street; Map 043 – Block 013 – Lot 021, 97 Main Street – Site Plan Review – Host Off-road Motorcycle Event.**

Mr. Michael Toth appeared before the commission explaining that he belongs to a group, Berkshire Trail Riders, a group formed in the 1960's or 1970's, a non-profit group dedicated to responsible off-road riding. It was noted that this event occurred last year and Mr. Toth explained that it had come together so quickly, he didn't realize the need for an appearance before the Planning and Zoning Commission then. He noted the event occurs over a weekend. He noted the Fire Department sells food and handles the permit process regarding that component. He also reported that portable bathrooms will be brought in to the site. In response to a question about date(s) and time(s), Mr. Toth responded that the event would tentatively take place on June 27-28, 2015 from 9AM to 4PM.

**MOTION:** Mr. Stoutenberg, Mr. Krimmel second, **to approve the application in the matter of Michael Toth/Applicant – E. Kenneth Krohner & Barbara J. Krohner/Owners – Map 036 – Block 013 – Lot 059 Satan's Kingdom Road; Map 036 – Block 013 – Lot 059 Satan's Kingdom Road; Map 043 – Block 013 – Lot 042, 79 Main Street; Map 043 – Block 013 – Lot 021, 97 Main Street – Site Plan Review – Host Off-road Motorcycle Event subject to the following conditions: 1. An off-road motorcycle racing event is permitted to be held annually (one occurrence) on these properties for no more than three (3) days in total; 2. No vehicles are to be allowed to park on the State Highway (RT 44); and 3. The organizers shall take reasonable measures to minimize erosion resulting from this event. If the activity disturbs the groundcover to the extent that erosion may occur, where such erosion will enter wetlands or watercourses, the area shall be stabilized with seed and hay as soon as possible after the event. Crossings over wetland or watercourse areas shall be made on permanent or temporary bridges; unanimously approved.**

**4. APPROVAL OF MINUTES: April 8, 2015.**

The April 8, 2015 Minutes should have read that Mr. McLaughlin was seated for Mr. Krimmel.  
**The April 8, 2015 Minutes were unanimously accepted as with the modification.**

**5. ZONING ENFORCEMENT OFFICER'S REPORT:**

Mr. Sadlowski noted that the Plan of Conservation and Development has been sent out to Mr. Glenn Chalder of Planimetrics for a final review, noting they are likely to have it returned by the second meeting in June.

Mr. Sadlowski also noted that the Hurley Building is doing well with leasing out space and that the new restaurant may be open as early as the beginning of June.

**6. CORRESPONDENCE:**

No correspondence was reported.

**7. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION**

No other business.

**MOTION:** Mr. Krimmel, Mr. Post second, **to adjourn at 8:07PM; unanimously approved.**

**Respectfully submitted,**

**Pamela Colombie  
Recording Secretary**