

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, January 13, 2016 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Chairman Ted Stoutenberg, Dave Krimmel (7:16PM), Dan LaPlante, Bob Moore, Jim Steadman, Alternates Tom McLoughlin, Martin Post and Peter Ventre, First Selectman Dan Jerram, Zoning Enforcement Officer Steven Sadlowski.

ABSENT: None.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM. The entire proceedings were recorded digitally and are available in the Town Hall. Mr. Martin Post was seated for Mr. David Krimmel.

1. PUBLIC HEARINGS: None.

2. PENDING APPLICATIONS: None.

3. NEW APPLICATIONS:

A. Francis B. & Louise M. Cooley – Subdivision Modification, Reduction in Number of Lots – East Cotton Hill Road.

Zoning Enforcement Officer Steven Sadlowski provided the commission with a brief history of the original subdivision, noting that it originally consists of seven lots. He reported that Lots #5, #6, and #7 were designed to be shared off a common driveway. Mr. Sadlowski noted that the common driveway would be very expensive to install compounded by the cost of a required cistern. He explained that the applicants are seeking to eliminate the last three lots (#5, #6, and #7) and turn them into essentially an unbuildable lot. Mr. Sadlowski noted that the applicants will need to file a new Mylar to do this, with an end result of a four lot subdivision if approved by the commission. Through this reduction in the number of lots to this subdivision, the applicants would not be required to install a cistern, according to Mr. Sadlowski.

In response to an inquiry from Mr. Post, it was determined that the four remaining lots of the applicant's subdivision were a little more than 19 acres.

Mr. Kirk MacNaughton spoke on behalf of the applicants, explaining that he is working with them to develop the property. He reiterated that constructing the common driveway and installation of the cistern were not economically feasible. He noted that by designating Lots #5, #6, and #7 as unbuildable lots, Lots #1, #2, and #4 would be vacant and developable. He commented that the applicants' home is on Lot #3. Mr. Stoutenberg questioned where the driveways would be located for the remaining developable lots. Mr. MacNaughton noted that each lot has frontage on East Cotton Hill Road. It was explained to him that these lots would need to meet sight line requirements.

MOTION: Mr. Jim Steadman, Mr. Post second, **grant Francis B. and Louise M. Cooley the following adjustments to the subdivision granted on September 8, 2010 for the subdivision on 154 and 170 East Cotton Hill Road, subject to all conditions as set forth in the approval of the original subdivision as well as the following: 1.) Lots #5, #6, and #7 shall be combined into one lot that shall be labeled on a newly filed mylar, "excess land, not an approved building lot. Before any development takes place on this lot, a re-subdivision shall be obtained from the Planning and Zoning Commission; 2.) The requirement for a fire cistern shall be removed as this is now a subdivision of less than five lots; 3.) Driveways #1 and #2 are approved to access through the common driveway as originally approved. Separate approvals from the road foreman will be required to allow access to East Cotton Hill Road directly; and 4.) Open Space must be deeded as per original approvals before the mylar is filed; unanimously approved.**

B. Troy & Lori LaMere – Subdivision Modification, Reduction in Number of Lots – Shady Brook Road Ext.

Mr. Troy LaMere appeared before the commission, providing a written narrative summarizing what the application is seeking to accomplish. He explained that he and his wife are seeking to construct a home on two of the lots of their subdivision. This would mean that the applicants are retaining two lots comprised of eight acres altogether. He provided commissioners with a lot line adjustment. Mr. Sadlowski clarified how the regulations apply to an Open Space requirement with subdivisions and confirmed that he had consulted with the Connecticut General Statutes, too. Mr. LaMere noted that he has paid a fee for two lots to cover the open space requirement.

Mr. Post opined that the commission should function as a regulatory board and not as a board designed to generate revenue. Mr. Bob Moore agreed as the end result in this situation is less density.

MOTION: Mr. Post, Mr. Moore second, **in the matter of Troy & Lori LaMere – Subdivision Modification, Reduction in Number of Lots – Shady Brook Road Extension to reduce Lots #1A and #2A to one and to release the liens on them and not require any additional fees in lieu of open space; unanimously approved.**

4. APPROVAL OF MINUTES – DECEMBER 9, 2015:

MOTION: Mr. Jim Steadman, Mr. Moore second, **to approve the December 9, 2015 Minutes; Motion passed with Mr. Steadman, Mr. Moore, Mr. Dan LaPlante voting aye while Mr. Post abstained.**

5. ZONING ENFORCEMENT OFFICER'S REPORT:

Mr. Sadlowski reminded the commission that he has submitted to them revisions to the Zoning Regulations for their review and consideration. He noted that Attorney Mark Branse has reviewed them. Mr. Stoutenberg noted that he will set them down for discussion at the next regularly scheduled meeting, January 27, 2016.

6. CORRESPONDENCE:

Mr. Stoutenberg distributed copies of an editorial appearing recently in the Waterbury Republican-American that reinforced discussions that had occurred by the commission as they worked on the Plan of Conservation and Development. The gist of the editorial was that it doesn't matter how many people a community tries to draw if there are not jobs for them.

7. OTHER BUSINESS TO COME BEFORE THE COMMISSION:

A. Request for consideration in accordance with Section 8-24 of the CT General Statutes – Sale of Town Owned Property located at 11 Dorothy Road – Map 015 – Block 027 – Lot 012 – to Nicole L. Cilbrith.

First Selectman Dan Jerram explained that the application involves a piece of property taken by tax collector in 2000 for unpaid taxes. He noted that this application is regarding a sale of a 1.04 acre parcel to a resident who abuts the southerly border. Mr. Jerram reported that this land is a very wet piece and that among the conditions of the sale is that it can only be used for accessory uses such as a shed, barn, or pool and not a residential dwelling. Mr. Jerram noted that the goal of the sale is to get the town owned parcel back on the tax list which will also result in the buyer's total acreage becoming more in line with the town norm of two acres.

MOTION: Mr. Steadman, Mr. LaPlante second, **to recommend to the town for consideration in accordance with Section 8-24 of the CT General Statutes, Sale of Town Owned Property located at 11 Dorothy Road, Map 015, Block 027, Lot 012 to Nicole L. Cilbrith; unanimously approved.**

B. Request for consideration in accordance with Section 8-24 of the CT General Statutes – Sale of Town Owned Property Located at 23 Dorothy Road – Map 015 – Block 027 – Lot 013 – to Peter J. Rost and Patricia M. DeRosa.

Mr. Jerram noted that the buyer to this town owned parcel, acquired through a tax sale in 2000, is the northerly abutter. For the same reasons articulated with the preceding application, Mr. Jerram explained he is seeking the commissions' recommendation.

MOTION: Mr. Steadman, Mr. LaPlante second, **to recommend to the town for consideration in accordance with Section 8-24 of the CT General Statutes, Sale of Town Owned Property Located at 23 Dorothy Road, Map 015, Block 027, Lot 013 to Peter J. Rost and Patricia M. DeRosa; unanimously approved.**

C. Discussion of Flanders Crossing with Mr. William DeDominicis.

Mr. William DeDominicis appeared before the commission and apologized that three of his neighbors had been scheduled to attend with him but were out of town and unable to make it. He explained that he resides at Flanders Crossing, a seven hundred foot road off of Ramstein Road, a subdivision created eight years ago. He noted that he was appearing before the commission because the town has not assumed responsibility for the road which has resulted in the post office making a determination that mail must be delivered to mailboxes located on Ramstein Road. Mr. DeDominicis characterized the present location of the mailboxes as very dangerous, as they are located on an S curve, at the bottom of a hill on Ramstein where he estimated the average travel speed of passing cars as 40 miles per hour. Mr. DeDominicis suggested in a letter he read aloud to commissioners that the Zoning Regulation regarding adoption of a road by the town be reviewed. He also made the recommendation that the town should be periodically reviewing the amount of bonds that are required. Mr. DeDominicis relayed the process by which he would be able to receive mail at his home, which

essentially was that the town communicates to the post master that it takes responsibility for the road. Discuss ensued as to why the town cannot do that at this point, largely in part because the time the developer has to finish the road has not run out. As Mr. Sadlowski explained, the developer had five years from the time that the subdivision was approved, which was then extended by an additional four years granted by the state legislature to developments. It was also noted that even after the developer finishes the road, town ordinance requires it to withstand a full winter before it comes up for vote at a town meeting for acceptance.

D. Fill Vacancy on Architectural Review Committee.

MOTION: Mr. Stoutenberg, Mr. Steadman second, **to nominate Patrick Casey to fill the vacancy on the Architectural Review Committee; unanimously approved.**

MOTION: Mr. Steadman, Mr. LaPlante second, **to adjourn at 8:20PM; unanimously approved.**

Respectfully submitted,

Pamela A. Colombie
Recording Clerk