

**New Hartford Planning and Zoning Commission  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Wednesday, October 24, 2018 at 7:00 PM  
New Hartford Town Hall  
530 Main Street, New Hartford, Connecticut**

**PRESENT:** Ted Stoutenberg, Dan LaPlante, James Steadman, Marty Post and Alternate Tom McLoughlin.

**ABSENT:** Dave Krimmel and Alternate Peter Ventre.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM.

Also present for the meeting was First Selectman Dan Jerram.

Mr. McLoughlin was seated for Mr. Krimmel.

**1. PUBLIC HEARINGS:**

**A. Dean's Stove & Spa LLC (Dean Michonczyk)/Applicant – 57 West Main St. LLC/Owner – Map 44A – Block 117 – Lot 009 – 376 Main Street – Special Exception – Change of Use from Home Occupation to Retail.**

The legal notice for the public hearing was read into the record with it being noted that it was published the requisite two times in The Hartford Courant. Receipts for the mailings to the abutting property owners providing them notice of this public hearing were submitted.

Dean Michonczyk appeared before the Commission regarding this application. Mr. Michonczyk explained that he would like to continue the same use that the property has historically enjoyed, the sale of stoves. It was explained that the site was previously a Home Occupation with at one time, the owner/operator residing at the location. Mr. Michonczyk explained that prior to his purchasing the property, the owner had not been living in the apartment on site and it appeared that no one had resided there for some time. The proposal included the entire site be used for retail.

Mr. Michonczyk noted that his Southington business is post and beam and plans to continue that design in New Hartford. Because of the nature of the business and the time of the year, much of the remodeling of the location will likely occur next year. For the time being, Mr. Michonczyk indicated that the plans are to clean up the site and eventually connect the showroom and house. He explained that currently there is no bathroom in the showroom.

The hearing was open to the public.

Donna LaPlante of 77 Stedman Road spoke in favor of the application, noting that she was pleased the store would continue operating in town.

Dan Jerram of 535 Town Hill Road spoke in favor of the application, indicating that the structure has been in need of repair for some time and that this business is a welcome addition to town.

Mr. McLoughlin read aloud a letter dated October 22, 2018 from Barbara Hinman of 372 Main Street.

**MOTION:** Mr. Post, Mr. McLoughlin second, to close the public hearing; unanimously approved.

**2. PENDING APPLICATIONS:**

**A. Dean's Stove & Spa LLC (Dean Michchonczyk)/Applicant – 57 West Main St. LLC/Owner – Map 44A – Block 117 – Lot 009 – 376 Main Street – Special Exception – Change of Use from Home Occupation to Retail.**

**MOTION:** Mr. Steadman, Mr. Post second, to approve the application in the matter of Dean's Stove & Spa LLC (Dean Michchonczyk)/Applicant – 57 West Main St. LLC/Owner – Map 44A – Block 117 – Lot 009 – 376 Main Street – Special Exception – Change of Use from Home Occupation to Retail; unanimously approved.

**3. NEW BUSINESS:**

None.

**4. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

**A. A-24 Referral of Sewer Main Easement; 495 Main Street LLC to Town of New Hartford.**

First Selectman Dan Jerram reviewed the easement on a second property, the location of the former laundromat, abutting the site of the current Dunkin Donuts. A map entitled, "Keefe Land Surveying Map Prepared for Gerald Chirico 376 Main Street New Hartford, Connecticut May 22, 2018" was reviewed. Mr. Jerram reminded the Commission of approval received for the new Dunkin Donuts at 507 Main Street. He explained the need for this easement in order for connection to the sewer system.

Mr. Jerram noted that the town will still need to accept the easement at a referendum.

**MOTION:** Mr. Stoutenberg, Mr. Steadman second, to provide a positive referral for acceptance of the sewer main easement from 495 Main Street, LLC to the Town, finding the proposal is consistent with the Plan of Conservation and Development; unanimously approved.

**B. Discussion and Referral to the Board of Selectmen of a Candidate to Fill the Alternate Vacancy.**

Mr. Stoutenberg explained the historical practice of filling vacancies on this commission. He noted that the responsibility actually falls back on the Board of Selectmen as there is nothing in the commission's bylaws to indicate otherwise. Mr. Stoutenberg read aloud a correspondence from Democratic Town Committee Chairman Laura Garay, dated October 24, 2018, endorsing Mike Misiorski of MFM Building and Remodeling, LLC to fill the vacancy of Alternate to this commission.

Mr. Stoutenberg reported he had the opportunity to speak with Mr. Misiorski to gauge his interest in serving as an alternate to this commission. Mr. Misiorski was indeed interested, according to Mr. Stoutenberg. Mr. Stoutenberg concurred with the assertions contained in Ms. Garay's letter relative to Mr. Misiorski's qualifications.

**MOTION:** Mr. Steadman, Mr. McLoughlin second, to recommend to the Board of Selectmen that Mike Misiorski be appointed to fill the vacancy as Alternate to the Planning and Zoning Commission; unanimously approved.

**C. Review of Subdivision Regulations and Possible Referral to the Neighboring Towns and Setting a Hearing.**

It was noted that Section 2 of the marked-up copy of the Subdivision Regulations, as modified by former Zoning Enforcement Officer Ruth Mulcahy during a regular meeting, contained notes in the margin indicating “check with Mark Branse”.

It was noted that Christine Hayward had forwarded them to Attorney Branse but he had only undertaken a brief review. It was agreed that the draft copy should be forwarded to the neighboring towns and the COG as appropriate and a public hearing be scheduled. Changes may be made during the course of the public hearing, according to Mr. Stoutenberg.

**MOTION:** Mr. Steadman, Mr. Post second, to schedule a public hearing for December 12, 2018 for revisions to the Subdivision Regulations and refer the draft to the adjacent communities and the COG; unanimously approved.

**5. APPROVAL OF MINUTES – October 10, 2018:**

**MOTION:** Mr. Steadman, Mr. Post second, to approve the October 10, 2018 Minutes; unanimously approved.

**6. ZONING ENFORCEMENT OFFICER’S REPORT:**

Mr. Jerram updated the Commission noting that appointed interim ZEO Rista Malanca is working with several folks for retroactive approvals on work that is lacking COs. He indicated that there are several other additional properties that will also come before this board after first going before the Zoning Board of Appeals.

Mr. Jerram reported that Nutmeg PNL, LLC will likely be seeking a modification of their site plan. Mr. Stoutenberg reminded the Commission and Mr. Jerram that there is a public hearing scheduled for them for the next regular meeting.

**7. CORRESPONDENCE:**

None.

**MOTION:** Mr. Steadman, Mr. LaPlante second, to adjourn at 7:40PM; unanimously approved.

**Respectfully submitted,**

**Pamela A. Colombie  
Recording Secretary**