

**New Hartford Planning and Zoning Commission  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Held Remotely via ZOOM  
Wednesday, March 9, 2022 at 7:00 PM**

**PRESENT:** Chairman Ted Stoutenberg, Dan LaPlante, Mike Misiorski, Marty Post, and Jim Steadman, Alternates John Burdick and Robert Goodskey;  
Zoning Enforcement Officer Mike Lucas.

**ABSENT:** Alternate Jack Casey.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM. As his service was spotty during the meeting, Mr. Burdick was seated for Mr. Steadman.

**1. PUBLIC HEARINGS:**

**A. Brynna Bascetta Applicant/Owner – Special Exception – Map 022 – Block 016 – Lot 6-B – 35 Carpenter Road – Build an Accessory Dwelling Unit.**

The legal ad was read into the record with it being reported as having been published the requisite two times in The Hartford Courant on February 25, 2022 and March 4, 2022. It was also confirmed that the Certificate of Mail receipts had been received from the applicant, serving as evidence that notice of the public hearing had been provided to the abutting property owners.

Dennis Miller appeared before the Commission regarding this application. He explained that he was seeking approval for an accessory apartment for his property located at the corner of Carpenter Road and Town Hill Road. He noted that the unit would be for elderly people, referring to his wife and himself. Mr. Miller reported having already received approval from the health district. Mr. Stoutenberg questioned whether the proposal met the zoning regulations. Mr. Lucas confirmed, noting the proposal met in every aspect, in having a common egress out of the house and interior, too. Mr. Lucas reported having calculated the square footage, noting that it was 29% of the entire dwelling. Mr. Lucas noted that was well under the 40% maximum and that the unit was over the 500 square feet minimum. Mr. Post questioned where those calculations were included on the drawing.

Mr. Post questioned whether the approval received from Farmington Valley Health District was for the original house or for the house combined with the new space. Mr. Miller confirmed that the approval was for the house with the dwelling in it. Mr. Post questioned the original survey of a dependent resurvey that was included with the application, noting that the name of the survey was not included.

Noting the plan indicated the site had an intermittent stream but no wetlands delineated, Mr. Post questioned whether there were wetlands. Mr. Lucas explained that the wetlands fall out of the 100' review area but noted that they do fall within the lot and reported that he had given an agent approval for the work in August, 2021. Mr. Steadman questioned the brooks that run through the property and was occurring along the front of the house, reporting that the brook formerly ran along the house but now runs along Carpenter Road. Mr. Lucas reported having consulted with Highway Superintendent Dave Helt and requested the applicant address this matter. Mr. Miller relayed that as water had been flowing there from the road, he had gone to First Selectman Dan Jerram, and the Town had diverted it to an existing brook.

The hearing was open to the public. No comment was received.

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

**2. PENDING APPLICATIONS:**

**A. Brynna Bascetta Applicant/Owner – Special Exception – Map 022 – Block 016 – Lot 6B – 35 Carpenter Road – Build an Accessory Dwelling Unit.**

**MOTION:** Mr. Misiorski, Mr. Stoutenberg second, to approve the application; Mr. Stoutenberg, Mr. Misiorski, Mr. LaPlante, and Mr. Burdick voting in favor while Mr. Post abstained.

**3. NEW BUSINESS:**

None.

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

Mr. Stoutenberg reminded the commission that the application for rental apartments at the Kerin & Kerin property at 237 Main Street had been withdrawn. He explained that the commission ought to move to close the public hearing.

**MOTION:** Mr. Post, Mr. Misiorski second, to close the public hearing in the matter of *New Hartford Village/Applicant – Kerin & Kerin LLC/Owner – Special Exception - Map 044 – Block 013 – Lot 17B – 237 Main Street – 111 Units of Rental Apartments and Associated Appurtenances*; unanimously approved.

Additionally, Mr. Stoutenberg reported two members of the Architectural Review Committee, Bob Howson and Bud Butler, were up for reappointment as their terms expired in March. He reported, having confirmed with both, that they were agreeable to serving another 3-year term.

**MOTION:** Mr. Burdick, Mr. LaPlante second, to reappoint Bob Howson and Bud Butler to another 3-year term to the Architectural Review Committee; unanimously approved.

**5. APPROVAL OF MINUTES: February 9, 2022.**

**MOTION:** Mr. Post, Mr. Burdick second, to approve the February 9, 2022 Minutes; Motion passed with Mr. Stoutenberg, Mr. Misiorski, Mr. Post, and Mr. Burdick voting in favor while Mr. LaPlante opposed.

**6. ZONING OFFICERS REPORT:**

Mr. Lucas provided an update on pending citations for zoning violations for the Fit Farm property on Litchfield Turnpike. He explained that structures were being installed in areas on the site within the flood plain. Attorney Branse had reviewed his preparation of the violation notice, including a Cease-and-Desist order, according to Mr. Lucas.

Mr. Lucas reported a \$150 daily fine will begin to accrue on unresolved violations at this property commencing April 1st.

Additionally, Mr. Lucas reported a violation at 1120 Litchfield Turnpike, involving the building behind the package store. He reminded the commission that there had been an application for a food store that had failed to gain approval from this commission for that space. Following that, the property owner had begun working on cars at this spot. Mr. Lucas reported having received a complaint on that work and had therefore sent him a letter. That individual plans to file for a special exception to sell cars from that location, according to Mr. Lucas. He detailed that process, including the DMV license approval required from the Zoning Board of Appeals.

**7 CORRESPONDENCE:**

None.

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**MOTION:** Mr. Post, Mr. Burdick second, to adjourn; unanimously approved. The meeting adjourned at 7:28PM.

**Respectfully submitted,**  
**Pamela A. Colombie**  
**Recording Secretary**