

**New Hartford Planning and Zoning Commission  
TOWN OF NEW HARTFORD, CONNECTICUT  
REGULAR MEETING MINUTES  
Wednesday, May 12, 2021 at 7:00 PM  
Held Via ZOOM**

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

**ABSENT:** None.

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

**1. PUBLIC HEARINGS:**

None.

**2. PENDING APPLICATIONS:**

**A. Garrett Homes LLC/Applicant – Satan’s Kingdom LLC/Owner – Map 044 – Block 013 – Lot 020 – 173A Main Street – Retail Development with Proposed 35 Parking Spaces.**

Mr. Stoutenberg provided guidance to those in attendance, reminding the public that only the Commission would be discussing the application as they consider approval. He noted that this includes the alternates although it did not include counsel from the Town’s land use attorney, Mark Branse.

Mr. Stoutenberg indicated that as he was mulling over what conditions should be included as part of an approval, he was of the opinion that this Commission was not going to be able to approve the request as there were discrepancies in the application. Mr. Stoutenberg noted that handicap parking is to be in addition to the number of parking spaces required. Additionally, the plans did not address the runoff from the 3000 square feet of roof area, according to Mr. Stoutenberg. He noted that there had mention of the water draining to a detention basin under the parking lot and that evidence had not been submitted that would conclude that the proposed basin would handle the roof water and added parking.

Mr. Steadman shared his concerns with Dollar General and its impact to the community and the health, welfare, and safety of the community. Mr. Steadman shared concerns with the gateway to the community.

Mr. Misiorski noted that the application should be denied if it does not comply with the Zoning Regulations. Mr. LaPlante agreed that the application does not comply with the expectations of the regulations. Mr. Post remarked that the engineer had reviewed the plans and thought that the applicant had complied with the requested changes. He noted, however, that if the applicant failed to meet the parking requirements and the plans omitting the roof leaders, he, too, would be against the application.

Attorney Branse noted that Section 6.2.3.d. of the Zoning Regulations indicates that handicap parking spaces will be provided in addition to the minimum number of parking spaces. He noted that he had not checked the plans. Mr. Stoutenberg confirmed that he had. He noted that while forty-six parking spots were proposed, two of them were handicapped. He explained that there would have needed to be forty-eight.

**MOTION:** Mr. Stoutenberg, Mr. Post second, to deny the application for failure to comply with the criteria of the Zoning Regulations; unanimously approved.

**3. NEW BUSINESS:**

None.

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

None.

**5. APPROVAL OF MINUTES: April 28, 2021**

**MOTION:** Mr. Post, Mr. Misiorski second, to approve the April 28, 2021; unanimously approved.

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

Mr. Lucas noted that he had been advised by Land Use Assistant Laura White that there were more zoning permits issued last month than ever before. He noted that he will provide a more detailed report at the next regular meeting to include all of the new construction.

**7. CORRESPONDENCE:**

Mr. Stoutenberg polled the commissioners about returning to Town Hall for meetings. Attorney Branse reported the legislature had just that date voted to extend the governor's powers over executive orders until July 20, 2021. He suggested that it appeared likely the executive orders over virtual meetings would be extended.

It was agreed that the May 26, 2021 regular meeting will likely be the last ZOOM meeting. The first regular meeting in June will be held in person, according to Mr. Stoutenberg.

Attorney Branse indicated that he would be present for the May 26, 2021 regular meeting at which a text amendment will be discussed at a public hearing.

**MOTION:** Mr. Post, Mr. Misiorski second, to adjourn at 7:22PM; unanimously approved.

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