

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, October 14, 2020 at 7:00 PM
Held Via ZOOM**

PRESENT: Chairman Ted Stoutenberg, Dan LaPlante, Marty Post (7:10PM),
Alternates Mike Misiorski and Tom McLoughlin; Zoning Enforcement Officer Mike Lucas.

ABSENT: David Krimmel, Jim Steadman, Alternate Peter Ventre.

Chairman Ted Stoutenberg the meeting to order at 7:04PM.

1. PUBLIC HEARINGS:

A. Jason Levesque/Applicant – Joseph C. Rossi Jr. & Nicole M. Barcelos/Owner – Map 034 – Block 012 – Lot 6-16 – 48 Garrett Ridge – Special Exception – Accessory Dwelling Unit.

The legal ad was read into the record with it being noted as having been published in the Hartford Courant on October 2, 2020 and October 9, 2020. Mr. Lucas also noted that the Certificate(s) of Mail had been submitted, serving as proof that the abutting property owners had received notice of the public hearing for this application.

Jason Levesque appeared before the Commission regarding this application. He noted that his clients were seeking an in-law suite for Ms. Barcelos' mother. He explained that when the house was constructed a year ago, it had been the intention at that time to include the accessory unit. Mr. Levesque indicated the footprint of the existing house would not be expanded as the unit will be in the space above the garage. He noted that the apartment will include a bedroom, a kitchen, and a bathroom.

Mr. Levesque reported that a letter had been submitted from the surrounding property owners in support of the proposal.

The hearing was open to the public.

Donna LaPlante of 77 Stedman Road, spoke in favor of the application reporting accessory apartments have been allowed in town for twenty-five years and after having checked with the Town Assessor, reported that there are approximately 60 accessory apartments in New Hartford.

Marty Barcelos of 48 Garrett Ridge, appeared before the Commission, explaining that she would be occupying the apartment.

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

B. Deborah & Kenneth Maciecki/Applicants – Deborah L. Patterson (Maciecki)/Owner – Map 017 – Block 220 – Lot 006 – 95 Burwell Road – Special Exception – Accessory Dwelling Unit.

The legal ad was read into the record with it being noted as having been published in the Hartford Courant on October 2, 2020 and October 9, 2020. Mr. Lucas also noted that the Certificate(s) of Mail had been submitted, serving as proof that the abutting property owners had received notice of the public hearing for this application.

Deborah Patterson appeared before the Commission. Ms. Patterson explained that in 2011, she and her former husband converted their garage into an office. Ms. Patterson noted that her husband's elderly aunt had occupied the space, too, and resided there for eight years. She explained that following that, her own elderly aunt and uncle had resided in the space. Ms. Patterson explained that following her divorce, her former husband is no longer using any of the space as an office and that what prompted the Special Exception application was the desire to rent out the unit.

Mr. Lucas reported that the floor plan met the required square footage. He shared photographs of the house when viewing it from the street. Mr. Post questioned whether the unit had already been converted. Ms. Patterson confirmed that it had, explaining it was done in 2011. Mr. McLoughlin questioned whether any modifications to the home were necessary. Mr. Lucas indicated that there was not.

The hearing was open to the public.

Donna LaPlante of 77 Stedman Road, spoke in favor of the application, opining that a source of income from the ability to rent helps to support a family. She noted that New Hartford was short on affordable housing.

Karen Smith, accompanied by her husband Alan Smith, of 101 Burwell Road, spoke in opposition of the application and detailed a history dating back to 2011 of their questioning Town staff about the use being added to the home without permits. Ms. Smith explained that this RU-2 zone is primarily single-family homes. She noted the increase in traffic they had witnessed over the years. Ms. Smith referred to the requirement within the Zoning Regulations regarding accessory apartment units. She also relayed that when she had questioned the former Town Assessor, Cory Iacino, about the apartment, Ms. Iacino had indicated that she had tried to inspect the dwelling but was not permitted to do so.

Lisa Parrott, accompanied by her husband Mike Parrott, of 94 Burwell Road, spoke in opposition of the application, explaining that they live across the street. Ms. Parrott relayed how adding rental units to a single-family residential neighborhood changes the character of the neighborhood, citing the extra traffic she has observed.

Mr. Post questioned whether there had been approval from Farmington Valley Health District on this. Mr. Lucas indicated that there had been an approval received last year as the applicant submitted an application last year and then for some reason, withdrew it. Ms. Smith addressed this, reminding the Commission that it had been occupied since 2011.

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

2. NEW APPLICATIONS:

None.

3. PENDING APPLICATIONS:

A. Jason Levesque/Applicant – Joseph C. Rossi Jr. & Nicole M. Barcelos/Owner – Map 034 – Block 012 – Lot 6-16 – 48 Garrett Ridge – Special Exception – Accessory Dwelling Unit.

MOTION: Mr. Post, Mr. McLoughlin second, to approve the application in the matter of Jason Levesque/Applicant – Joseph C. Rossi Jr. & Nicole M. Barcelos/Owner – Map 034 – Block 012 – Lot 6-16 – 48 Garrett Ridge – Special Exception – Accessory Dwelling Unit; unanimously approved.

B. Deborah & Kenneth Maciecki/Applicants – Deborah L. Patterson (Maciecki)/Owner – Map 017 – Block 220 – Lot 006 – 95 Burwell Road – Special Exception – Accessory Dwelling Unit.

Mr. Post shared his reservations with approval, noting the use dated back to 2011 without the proper permits and objected to the Assessor having not been allowed to enter the premises all these years. Mr. McLoughlin shared his concerns with the unit being available for rent and whether or not the electric or plumbing had ever been properly inspected. Mr. Post questioned the lot size. Mr. Lucas indicated that the lot size was 1.1 acres.

MOTION: Mr. Misiorski, Mr. McLoughlin second, to deny;

Motion withdrawn.

Following the motion and prior to it being withdrawn, Mr. Stoutenberg reminded the Commission that while accessory apartments may begin as units for older relatives, one the unit is no longer needed for that relative, it may be rented to others. Mr. Post questioned whether an approval could be conditioned upon the addition of a fence between this property and the opposing neighbor. Mr. Lucas noted that a fence is currently there.

MOTION: Mr. LaPlante, Mr. Post second, to table this application; unanimously approved.

4. NEW BUSINESS:

None.

5. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

Mr. Stoutenberg reported that Mr. Jerram intended to present an application pursuant to CGS§8-24 regarding the sale of the Town's water assets. Additionally, he noted the Economic Development Commission has been discussing possible changes to the Zoning Regulations related to farm stands.

6. APPROVAL OF MINUTES: June 10, 2020.

MOTION: Mr. LaPlante, Mr. Stoutenberg second, to approve the June 10, 2020 Minutes; unanimously approved.

7. ZONING ENFORCEMENT OFFICER'S REPORT:

Mr. Lucas reported receiving a complaint about the property at the corner of Routes 219 and 202. He explained that in the beginning of summer, the property had decorative chairs out by the road with the resident intending to sell some flowers she had grown. As summer went on, there was a chicken coop located there with a true farm stand. The Zoning Regulations allow for farm stands that accompany farms, with the definition of a farm being three acres, according to Mr. Lucas. Mr. Stoutenberg agreed that the Zoning Regulations may be reviewed for possible revisions at a future meeting.

Mr. Lucas reported the parking lot at the Waring Building had been completed. Mr. Stoutenberg questioned the stockade. Mr. Lucas noted that it was fencing around the standpipes and while it was a field decision to add it, the Fire Marshal was consulted and did not have any issue with it.

Mr. Lucas updated the Commission on the compliance that was gained with a non-conforming community dock at West Hill Pond.

Planning and Zoning Commission – October 14, 2020 Regular Meeting Minutes

Mr. Lucas relayed what was planned for some construction equipment parked on Litchfield Turnpike in Nepaug.

8. CORRESPONDENCE:

None.

MOTION: Mr. McLoughlin, Mr. Misiorski second, to adjourn at 8:03PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**