

October 24, 2011

Present: David Owen, Lou Abella, Gary Fitzherbert, Ray Reich, Ralph Averill

Alternates Present: Harry Wyant

Absent: Andy Shapiro, Alt., A.J. Dubois, Alt.

Staff Present: Shelley White, Janet Hill

Others Present: Ms. Martin-Ebner, Atty. Fisher, Mr. Klauer, Mr. Rogness, Mr. & Mrs. Solomon, Mrs. Federer, Mr. Solley, Ms. Purnell, Ms. Hyde, Mr. Werkhoven, Mr. Wyant, Residents

Mr. Owen called the meeting to order at 7:30 p.m.

Seated: Mr. Owen, Mr. Abella, Mr. Fitzherbert, Mr. Averill, Mr. Reich

PUBLIC HEARING(S)

No Public Hearings were scheduled.

REGULAR MEETING

Consideration of the Minutes

The minutes of the September 26, 2011 Zoning Commission Meeting were considered.

Motion:

to accept the Zoning Meeting Minutes of September 26, 2011, as amended,
by Mr. Owen, seconded by Mr. Reich, passed by 5-0 vote.

Pending Applications

Shepaug Valley Properties, LLC, /27 Mt. Tom Road/Special Permit: Section 17.8/Expansion of Nonconforming Use/Camp:

Mr. Owen stated that the Inland Wetlands Commission approved the application unanimously. He stated that the baseball field has been crossed out on the site plan titled First Cut Map, prepared for Shepaug Valley Properties, LLC, by Charles Farnsworth, dated September 30, 2008 and moved north. Ms. Hill stated that the golf cart path has been changed to a footpath.

The Commissioners discussed putting a ceiling on the number of campers. Mr. Abella stated that the ceiling should not be too restrictive. Mr. Owen stated that the Commission could approve this application and include several conditions. He stated another option would be to not add any conditions and that the camp is a low impact use and has a history of coexisting with neighbors and the campers are present for a limited time over the course of the year.

Motion:

to approve the application for Shepaug Valley Properties, LLC, 27 Mt. Tom Road for Special Permit: Section 17.8/Expansion of Nonconforming Use for a Camp on several conditions,

1. The number of campers cannot exceed 150.
 2. No outdoor lighting as shown on the site plan.
 3. No public address system.
 4. Ball field will be relocated to the north as indicated on the site plan.
 5. Golf cart path indicated on site plan is changed to a footpath.
 6. Applicants must uphold the promise to install vegetative screening along side of neighbor's property,
- by Mr. Owen, seconded by Mr. Fitzherbert, passed by 5-0 vote.

Wykeham Rise, LLC. /101 Wykeham Road/Special Permit: Section 4.4.10/School:

Mr. Owen read a letter of withdrawal from the applicant dated October 20, 2011.

New Application(s)**Wyant and Company/88 Bee Brook Road/Special Permit: Section 8.4.19:**

Mr. Owen stated that this is an existing restaurant that has an existing Special Permit that is still in effect, but this application is to add a walk-in freezer at the rear of the restaurant.

Motion:

to schedule a Public Hearing on November 28, 2010 in the Land Use Meeting Room, Bryan Memorial Town Hall, at 7:30 immediately following the 1st Public Hearing to consider the application for Wyant and Company, 88 Bee Brook Road, Special Permit: Section 8.4.19, by Mr. Owen, seconded by Mr. Averill, by 5-0 vote.

Wykeham Rise, LLC. /101 Wykeham Road/Special Permit: Section 4.4.10/School:

Atty. Fisher stated that this application should be complete and he would like the Commission to schedule a public hearing.

Motion:

to schedule a Public Hearing on November 28, 2010 in the Land Use Meeting Room, Bryan Memorial Town Hall, at 7:30 immediately following the 2nd Public Hearing to consider the application for Wykeham Rise, LLC, 101 Wykeham Road for Special Permit: Section 4.4.10, School, by Mr. Owen, seconded by Mr. Abella, by 5-0 vote.

Other Business**Parking at the Community Table/223 Litchfield Turnpike:**

Mr. Owen read the ZEO Report dated October 24, 2011 regarding 223 Litchfield Turnpike (on file in Land Use Office). Ms. Hyde stated that she was interested to hear what has been done regarding this issue over the last month. Mr. Owen stated that Mr. Ajello should have more information for the next Zoning Commission Meeting on November 28, 2011.

Possible Revision of the Zoning Regulations – Compact Sized Parking Spaces:

Ms. Hill stated that notices have been sent out and that a public Hearing has been scheduled for November 28, 2011 at 7:30 at Bryan Memorial Town Hall in the Land Use Meeting Room.

Privilege of the Floor

Mr. Rogness asked if two copies of the application were submitted to the Land Use Office for Wykeham Rise, LLC. Ms. Hill stated that she thought this was the case but that she would check to make sure. Mr. Solley stated that he would like to thank Mr. Owen, on behalf of the entire Board of Selectman, for his 12+ years of volunteering for the Town's ZBA and Zoning Commissions. He stated that on behalf of the Town he would like to thank Mr. Owen for his expertise and that Mr. Owen has done a great job. Mr. Owen thanked Mr. Solley.

Communications

There were no communications to discuss.

Zoning Enforcement

The Commission considered the Zoning Enforcement Report dated 10/24/11.

Executive Session/Wykeham Rise Litigation

Motion:

to go into executive session to discuss Wykeham Rise Litigation at 7:50 p.m.,
by Mr. Owen, seconded by Mr. Averill, passed by 5-0 vote.

Motion:

to come out of executive session at 8:05 p.m.,
by Mr. Owen seconded by Mr. Fitzherbert, passed by 5-0 vote.

Adjournment

Motion:

to adjourn at 8:06 pm.
by Mr. Owen, seconded by Mr. Fitzherbert, passed by 5-0 vote.

Mr. Owen adjourned the meeting.

SUBMITTED SUBJECT TO APPROVAL:
Shelley White, Land Use Clerk