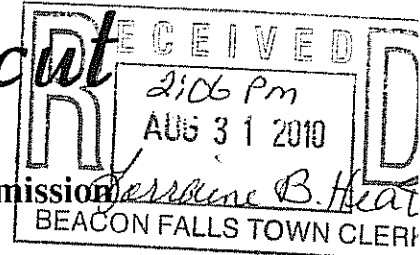


Town of BEACON FALLS  
*Connecticut*



**Planning and Zoning Commission**

Regular Meeting Minutes

Aug 19, 2010

Draft Minutes Subject to Modifications

Present: Vice Chairman Vitale , Commissioners Betkoski,  
Chadderton, Burns, Trzaski and Taylor.  
Absent: Chairman McDuffie, Commissioners Fitzpatrick and Hinman.

**I CALL TO ORDER**

Vice Chairman Vitale called the regular meeting of the Beacon Falls Planning and Zoning Commission to order at 7:42 P.M.. The Pledge of Allegiance was recited.

**II APPROVAL OF MINUTES**

A motion to approve the minutes of the July 15, 2010 regular meeting was made by Comm. Chadderton and 2<sup>nd</sup> by Comm. Trzaski. All in favor.

**III COMMENTS FROM THE PUBLIC**

Ed Croft came forward and inquired about the article in the newspaper regarding the Fire Training Center supposedly planned for the Industrial Park. He wanted to know how town officials could be unaware and or caught off guard as to the possibility of this project coming into town. Mr. and Mrs. Carralero also came forward and noted that they felt the town would miss out on tax money if this project were to be completed. Vice Chairman Vitale stated that the board as well as the Town officials were not informed as to the supposed plan and that any project would need to come before the Planning and Zoning Commission beforehand, however, as of this time nothing has been brought before the board, so his recommendation is that they take their concerns to the Board of Selectman. Vice Chairman Vitale asked three times if anyone else had any comments and no one came forward.

**IV ZONING ENFORCEMENT OFFICERS REPORT**

The ZEO was in attendance and submitted a written report which showed 2 Certificates of Zoning Compliance issued. Comm. Chadderton made a motion to have Atty. Byrne pursue the cease and desist order issued to Dave Rybinski, 7 Quail Hollow Court, 2<sup>nd</sup> by Comm. Burns. All in favor. After a brief discussion, a motion to accept the ZEO report as

submitted was made by Comm. Burns and 2<sup>nd</sup> by Comm. Chadderton.  
All in favor.

- V TOWN ENGINEERS REPORT  
The Town Engineer was not present and did not submit a written report.
- VI TOWN PLANNING CONSULTANT  
Not in attendance and no written report was submitted.
- VII COMPREHENSIVE PLAN OF CONSER. & DEVELOPMENT  
No activity.
- VIII OLD BUSINESS  
1) Chatfield Farms - No activity / remove from agenda
- IX NEW BUSINESS  
No new business
- X NEW APPLICATIONS  
S & B Dey, LLC submitted an application for 36 Lancaster Drive.  
The application is for a 5,000 sq. ft medical office, which requires a special exception. Comm. Trzaski made a motion to accept the application as submitted and Comm. Betkoski 2<sup>nd</sup> the motion. All in favor.
- XI CORRESPONDENCE AND PAYMENT OF BILLS  
A motion to accept correspondence and payment of bills as submitted was made by Comm. Trzaski and 2<sup>nd</sup> by Comm. Chadderton.  
All in favor.
- XII PETITIONS FROM COMMISSIONERS  
The commission welcomed new member Donna Taylor.  
A request for an updated roster.
- XIII ADJOURNMENT  
A motion to adjourn was made by Comm. Betkoski at 8:45 P.M. and 2<sup>nd</sup> by Comm. Taylor. All in favor.

Respectfully submitted,  
*Mary Ellen Fernandes*  
Clerk, Aug 21, 2010

AUG 31 2010

**ZONING ENFORCEMENT OFFICIAL  
MONTHLY REPORT  
AUGUST 2010**

**CERTIFICATE (S) OF ZONING COMPLIANCE ISSUED: 2**

ROY FITZGERALD	187 SOUTH MAIN STREET	SIGN
DON PERKINS	10 LANTERN RIDGE ROAD	SHED

CHATFIELD FARMS IS AT A STANDSTILL. WYNDHAM HOMES IS OUT OF BEACON FALLS,  
AND OUT OF BUSINESS.

RESPECTFULLY SUBMITTED



BRIAN HERB, CZEO

AUG 31 2010

Action Call ATT. BYRNE  
LETTER <sup>to be</sup> SENT

Date of Service: 7/8/10

CEASE AND DESIST ORDER  
TOWN OF BEACON FALLS  
ZONING ENFORCEMENT OFFICER  
10 MAPLE AVENUE  
BEACON FALLS, CT 06403

PERSON ON VIOLATION: DAVID Rybinski

PROPERTY LOCATION: 7 Quail Hollow Court Beacon Falls CT 06403

DATE: 7/8/10

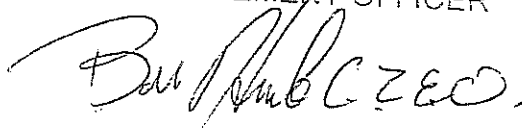
Pursuant to sections 72 & 73 of the Zoning Regulations of the Town of Beacon Falls and Section §8-12 of the Connecticut General Statutes, you are hereby ORDERED TO CEASE AND DESIST immediately upon receipt of this notice the following zoning violation(s): **VEHICLES FOR THIS BUSINESS ARE NOT SUPPOSED TO STAY ON PREMISES, NO VEHICLE REPAIR, JUST MEASURE AND REMOVE. IF YOU NEED THEM FOR A LONGER PERIOD BUSINESS MUST BE MOVED FROM HOUSE TO PROPER FACILITIES. ALL ITEMS IN DRIVEWAY MUST BE REMOVED AND NOT RETURN. I.E. MOWERS, CARTS, TRAILERS, METAL, WOOD, ET AL.**

Also Blight Violations

You have the right to appeal this order to the Hearing Officer/ Zoning Board of Appeals within thirty (30) days from the date hereof pursuant to Connecticut General Statutes § 8-7. Failure to comply with this order may result in further proceedings against you including, but not limited to a fine of not less than ten nor more than one hundred dollars for each day that such violation continues; but, if the offense is willful, you will be fined not less than one hundred dollars nor more than two hundred fifty dollars for each day that the violation continues, or imprisoned not more than ten days for each day such violation continues or both. You will also be subject to a civil penalty not to exceed two thousand five hundred dollars payable to the Treasurer of the Town of Beacon Falls and if the court renders judgment for the Town of Beacon Falls and finds that your violation was willful, the court will allow the Town of Beacon Falls its costs, together with reasonable attorney's fees to be taxed by the court.

Hand Delivered  
Thursday 7/8/10  
4:40 pm

TOWN OF BEACON FALLS  
ZONING ENFORCEMENT OFFICER



Brian Herb

AUG 31 2010

SECTION 8 – ADDITIONAL STANDARDS

8.19

- i. Certification of Ownership/Relationship: the owner of the property shall certify, in the form of an affidavit, to the Zoning enforcement Officer, [who shall file such affidavit on the Land Records,] that the owner is in residence in one (1) of the dwelling units on the property and that, if inhabited, the occupant of the in-law apartment must be an individual listed in Section 8.19c herein [that the appropriate relative is in residence in the other unit.] Such certification shall be made at the time of the initial application for the Certificate of Zoning compliance and subsequently on an annual basis by September 1st of each year. The failure to file the annual certification shall void the Zoning Permit. Upon acceptance and approval of the permit, the Zoning Enforcement Officer shall file the initial affidavit upon the land records and retain a file of all subsequently filed affidavits of the applicant. (Amended September 21, 1999)
  
- j. Accessory/In-Law Apartments which were built prior to the adoption of this Regulation, but for which permits were issued may be certified upon inspection by the Zoning Enforcement Officer and the Building Inspector provided they are deemed safe and in compliance with the basic conditions of these Regulations. Compliance with Section "i" is required in all cases. Failure to comply after 30 Days after adoption of these amendments on September 21, 1999 may result in a fine. (Amended September 21, 1999)

hoping to have deleted  
FROM Regs