

PLANNING AND ZONING COMMISSION

Regular Meeting Minutes

October 16, 2014

Draft Minutes Subject to Modifications

Present: Chairman J. Fitzpatrick, Commissioners R. Jurzynski, E. Groth, J. Burns, D. Taylor and B. Giglio.

Absent: Commissioners J. Trzaski, D. Setaro and B. Villano.

I CALL TO ORDER

Chairman J. Fitzpatrick called the regular meeting of the Beacon Falls Planning and Zoning Commission to order at 7:35 P.M. The Pledge of Allegiance was recited.

II APPROVAL OF MINUTES

A motion to approve the minutes of the regular meeting of Sept 18, 2014, as submitted was made by Comm. R. Jurzynski and 2nd by Comm. E. Groth. 5 in favor. 1 abstention.

III COMMENTS FROM THE PUBLIC

Chairman J. Fitzpatrick asked if there any comments from the public and Robert Spears, 14 Lakeview Rise came forward and asked if the Town Engineer received permission to inspect Chatfield Farms, regarding the sidewalks, etc. Atty. Byrne spoke to the matter and has submitted a written report regarding this situation. His determination is that Planning and Zoning does not have the authority to enforce the owners to replace the gravel material with another material. Chairman J. Fitzpatrick asked 3 times if there were any comments from the public and no one came forward.

** A motion to vary the agenda was made by Comm. B. Giglio and 2nd by Comm. R. Jurzynski. All in favor.

VII OLD BUSINESS

1) Chatfield Farms – Atty. Byrnes stated that after research, he believes that the town has limited authority on the property because it is a private development. In his legal opinion, the commission does not have the authority over the issue that Mr. Spears has complained about. The issue being the gravel between the curbs and the road at Chatfield Farms. Comm. Ed Groth, at the suggestion of the Town Engineer, recused himself from the meeting.

Mr. Spears stated that he does not understand how the town can have the Town Engineer inspecting the property, yet say that they have no authority to enforce what he believes to be a safety issue with the sidewalks and curbs.

- 1) Chatfield Farms – Matt Gilchrist came forward and said that they would like to do modifications to the existing approvals for 3/4/5. He noted that 13 houses have sold, 6 have closed so far.
- 2) Civil One – No activity, no one present.
- 3) Zoning Regs. – A motion to approve the text changes to Zoning Regulations, Sections 72.11 and 3.3., with an effective date of November 17, 2012 was made by Comm. R. Jurzynski and 2nd by Comm. B. Giglio. 5 in favor. 1 abstention.

The ZEO was not present and did not submit a written report.

V TOWN ENGINEERS REPORT

The Town Engineer was present but did not submit a written report.

VI COMPREHENSIVE PLAN OF CONSER. & DEVELOPMENT

Chairman J. Fitzpatrick stated that they are working on getting a meeting date.

VII OLD BUSINESS

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- 2) Civil One – No activity, no one present.
- 3) Zoning Regs. – A motion to approve the text changes to Zoning Regulations, Sections 72.11 and 3.3 with an effective date of November 17, 2014 was made by Comm. R. Jurzynski and 2nd by Comm. B. Giglio. 5 in favor. 1 abstention.
- 4) Tiverton Sub-Division – No Activity.
- 5) Oakwood Estates – No Activity.
- 6) Pond Spring – Dave Bjorklund came forward and asked for clarification on the bonds for C/O's not located on November Lane. Chairman J. Fitzpatrick stated that bonds are necessary in order to protect the residents' interests. Comm. R. Jurzynski made a motion, 2nd by Comm. B. Giglio, to not issue any C/O's for Pond View Circle or November Lane until work is complete on October Lane and Pond View Circle, unless a bond is issued to cover remaining work on October Lane and Pond View Circle. No C/O's will be issued on November Lane unless work on November Lane is complete or a bond issued and all work on October Lane and Pond View Circle is complete prior to any C/O's being issued on November Lane. All in favor.

VIII NEW BUSINESS

- 1) Proposed text changes to Zoning Regulations, discussion and or vote – This item was addressed under Old Business.
- 2) Haynes Development – Herman Schuler, representing Haynes Development came forward to inquire as to the possible use of their land,

located on Breault Road, as a place to store natural materials. No processing of materials would take place, just storage.

After a brief discussion, he was told that the board would entertain an application.

- * A problem with the digital recorder was discovered at this time. It was restarted.

VII OLD BUSINESS

4) Tiverton SubDivision – Charles Edwards came forward and stated that he has an approval for 31 lots currently, but has found that this is not feasible. He has not yet filed the Mylar. He is seeking to get a new approval, which would include some changes to the current development. He is here tonight strictly on an informational presentation.

IX NEW APPLICATIONS

No new applications were submitted.

X CORRESPONDENCE AND PAYMENT OF BILL

Chairman J. Fitzpatrick read a letter of resignation that was submitted by Comm. J. Trzaski. It is with regret and appreciation for his time given to the town that the Planning and Zoning Commission accepts his resignation, effective immediately.

A motion to approve correspondence and payment of bills was made by Comm. B. Giglio and 2nd by Comm. D. Taylor. All in favor.

XI PETITIONS FROM COMMISSIONERS

No petitions from commissioners.

XII ADJOURNMENT

A motion to adjourn was made at 9:22 P.M. by Comm. D. Taylor and 2nd by Comm. B. Giglio. All in favor.

Respectfully submitted,
Mary Ellen Fernandes
Clerk Oct 20, 2014