

# PLANNING AND ZONING COMMISSION

Regular Meeting Minutes  
January 15, 2015  
Draft Minutes Subject to Modifications

Present: Chairman K. McDuffie, Commissioners R. Jurzynski,  
J. Burns, D. Taylor, J. Fitzpatrick, E. Groth, B. Villano and B. Giglio.  
Absent: Comm. D. Setaro.

I CALL TO ORDER

Chairman K. McDuffie called the regular meeting of the Beacon Falls Planning and Zoning Commission to order at 7:36 P.M. The Pledge of Allegiance was recited.

II APPROVAL OF MINUTES

A motion to approve the minutes of the regular meeting of Dec 18, 2014, as submitted was made by Comm. R. Jurzynski and 2<sup>nd</sup> by Comm. D. Taylor. 6 in favor. 2 abstentions.

III COMMENTS FROM THE PUBLIC

Chairman K. McDuffie asked if there any comments from the public and John Lyden came forward and stated that he was looking at 2 parcels in the industrial park for truck storage for a landscaping company that is based out of Stamford. He said that business is bringing him into the area and this would be a branch location.

There would be about 45 trucks garaged in Beacon Falls, and would be registered with a Beacon Falls address.

A chain link fence would border the property as well as appropriate screening. Mulch will be stored inside. The largest truck us under CDL.

Chairman K. McDuffie asked 3 times if there were any comments from the public and no one came forward.

IV PETITIONS FROM COMMISSIONERS

There were no petitions from commissioners.

V ZONING ENFORCEMENT OFFICERS REPORT

The ZEO was present but did not submit a written report. He stated that he issued a cease and desist at 93 South Main Street and has since lifted it. A motion to accept the report as submitted was made by Comm. J. Fitzpatrick and 2<sup>nd</sup> by Comm. B. Villano. All in favor.

VI TOWN ENGINEER REPORT

The town engineer was present but did not submit a written report. Mr. Galligan stated that he has asked Mario to stabilize the area at 93 South Main Street and gave him until Saturday to complete or he will have Brian issue another cease and desist. A motion to accept this report was made by Comm. J. Burns and 2<sup>nd</sup> by Comm. B. Giglio. All in favor.

VII COMPREHENSIVE PLAN OF CONSER. AND DEVELOPMENT

No new information regarding the date of the next meeting

VIII OLD BUSINESS

1) Chatfield Farms – Tabled

2) Civil One – No activity, no one present.

3) Oakwood Estates – Attorney Thomas came forward and stated that back in March, Phase II was approved via a court appeal. He stated that the Chairman signed the mylar while it took a couple of months to get the additional signature needed. He also stated that he believes that the commission should have published the approval date, therefore giving the timeline to file. The commissions Attorney, Steve Byrnes disagrees. Atty. Byrne interprets it differently. He believes that the board was not required to post a decision.

A motion to re affirm the decision of the court appeal from 3/20/14 with 90 days from today, contingent with the bond being in place and the mylar filed, was made by Comm. J. Fitzpatrick and 2<sup>nd</sup> by Comm. B. Villano. All in favor.

It was noted that the contractor without the Attorney's knowledge started work. Jim Galligan feels that the commission should place a cease and desist on the project, Phase II. After a brief discussion, a motion to have Jim Galligan check out and decide was made by Comm. R. Villano and 2<sup>nd</sup> by Comm. R. Giglio. All in favor.

4) Pond Spring – Mark Kehrhahn came forward and asked about setting a bond in place, just for the completion of Pond View Circle. After a brief discussion a motion to allow Jim Galligan to oversee and decide was made by Chairman K. McDuffie and 2<sup>nd</sup> by Comm. B. Giglio. All in favor.

IX NEW BUSINESS

Robert Posick came forward and stated that he wants to continue to use a building at 177 Laskey Road for light construction, landscaping business.

Charles Edwards, an adjacent landowner was present and stated that he was in favor. Mr. Posick was told to fill out an application and get together with Brian Herb, the ZEO for zoning compliance.

X NEW APPLICATIONS

1) Robert Rich, 808 S. Main St., is looking for a re approval without fees, because of a time lapse, he did not seek any extensions. He was told that the commission can not override fees for applications, only the Board of Selectman can authorize that. He was also told that he needed a site plan application and then to see the ZEO Brian Herb.

2) Charles Edwards came forward with an application for 8 lots on property East of Burton Road and Fairfield Place. A motion to accept the application was made by Comm. J. Fitzpatrick and 2<sup>nd</sup> by Comm. D. Taylor. All in favor. A motion to set a public hearing for 6:45 P.M. on Feb 19, 2015 was made by Comm. J. Fitzpatrick and 2<sup>nd</sup> by Comm. B. Giglio. All in favor.

XI CORRESPONDENCE AND PAYMENT OF BILLS

A motion to approve correspondence and payment of bills was made by Comm. J. Fitzpatrick and 2<sup>nd</sup> by Comm. R. Giglio. All in favor.

XII ADJOURNMENT

A motion to adjourn was made at 9:49 P.M. by Chairman K. McDuffie and 2<sup>nd</sup> by Comm. J. Fitzpatrick. All in favor.

Respectfully submitted,  
Mary Ellen Fernandes  
Clerk Jan 17, 2015