

May 27, 2014

Call to order: The monthly meeting of the Sterling Planning and Zoning Commission was called to order at 7:31 p.m.

Roll was called: Dana Morrow-present; Frank Bood-present; Ross Farrugia-present, Chris Turner-present; Cindy Donall-present; Alternate Paul Ezzell-absent; Alternate Walter Moriarty-absent.

Staff present-Russell Gray, Jamie Rabbitt, Demian Sorrentino, and Judy Lincoln.

Audience of Citizens: None

Approval of Minutes: C. Turner made a motion, seconded by D. Morrow, to approve the minutes of the 4/22/2014 monthly meeting as written and presented. All voted in favor of the motion.

Correspondence: Two letters were received from Sharon Chviek Economic Development Coordinator regarding Lot 7 & Lot 13 lot line adjustment & wetland issues in the Industrial Park Phase I and II and one from Demian Sorrentino Zoning Enforcement Officer regarding 55 Ekonk Hill Road for a determination of a lot of record. D. Morrow made a motion, seconded by F. Bood, to add the items from S. Chviek's letters to the agenda under Any Other Business items b & c. All voted in favor of the motion.

D. Morrow made a motion, seconded by C. Donall, to add the item from D. Sorrentino to the agenda under New Business item c. All voted in favor of the motion.

Unfinished Business:

a. **Zoning Board of Appeals Proposed Application Fee Increase:** In order to change the application fee, it requires an application to the P&Z Commission from the ZBA or a recommendation from the Selectmen that due to the financial burden on the Town because the costs of legal notices are not being covered by the application's current fee. D. Morrow made a motion, seconded by C. Turner, to table this item to the next meeting. All voted in favor of the motion.

b. **Referral of Excavation Ordinance Revision:** There is no new information on this item. D. Morrow made a motion, seconded by R. Farrugia, to table this item to the next meeting. All voted in favor of the motion.

New Business:

a. **Zoning Permits for work exempt building permits:** D. Sorrentino requested clarification on two items: a) Should the exempt items still be inspected by the Zoning Officer? b) Should these items that are now exempted from building permits be exempted from zoning permits?

There needs to be a clear message from the Building Inspector or anyone in the building that even if exempt from the building code by law it does not mean they are exempt from other land use regulations in the Town such as Zoning and Wetlands regulations. D. Sorrentino was asked to draft a handout, to review at the next meeting, explaining this information for contractors and residents.

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- b. Map Reading Training: D. Morrow made a motion, seconded by Chris, to move this item to the end of the agenda. All voted in favor of the motion.
- c. Property located at 55 Ekonk Hill Road (3648/26/4) and 0 Ekonk Hill Road (3648/26/4A): The realtor for property owner William Asal, Jr. is seeking correspondence from the Town that Lot 4A is a "Lot of Record". In order to avoid the appearance of a conflict of interest (because Boundaries LLC prepared the Survey Plan) D. Sorrentino is asking that this determination be made by the Sterling Planning & Zoning Commission in accordance with Section 7.05 of the Sterling Zoning Regulations. A copy of the survey map which created the lot split and the two corresponding property deeds, all of which were filed in the Sterling Land Records prior to July 23, 2004 and the Assessor's street cards for the subject properties as printed on March 4, 2014 were submitted. It was noted that a "lot of record" is defined as a lot which as of July 23, 2004 was 1) listed as separate and distinct parcel of land for tax purposes in the records of the Town Assessor, and 2) either described as a separate and distinct parcel of land in a deed or other instrument recorded in the Sterling Land Records or shown on a subdivision map approved by the Sterling Planning & Zoning Commission and filed in accordance with Sterling taxpayer requirements.
- F. Bood made a motion, seconded by C. Donall, that based on the review of the Property Survey map prepared for William E. Jr., Barbara A., & William J. Asal, 55 Ekonk Hill Road, Sterling, Connecticut dated August 2003, Rev. 1 Parcel Configuration and Area dated 3-11-03 and recorded in the Sterling Town Clerk's Office on 9-5-03 at 10:25 am, that Parcel A & B meet the definition of conformance for a "Lot of Record". All voted in favor of the motion.

Any Other Business:

- a) Meeting Procedures: This item will be combined with Map Reading training.
- b) Phase I & Phase II Industrial Park Wetlands Issues: A letter dated 5/22/14 and a copy of a map entitled Feasibility Plan date 5/7/2001 by KWP Associates was submitted by S. Chviek regarding wetlands within the Park boundaries both in Phase I and Phase II. The letter read in part ".....If these lots are removed from the "for sale" list this would only hurt the Town in the way of loss of lot sale dollars, real estate taxes and personal property taxes, plus the possibility of employing local people. Is there anything that can be done to salvage these lots?"
- D. Morrow made a motion, second by F. Bood, to inform the Economic Development Coordinator that the regulatory authority regarding wetlands does not fall under the jurisdiction of the Planning and Zoning Commission but with the Inland Wetland and Watercourses Commission. All voted in favor of the motion.
- c) Industrial Park Lot 7 and 13 lot line adjustment: In a letter dated 5/22/14 submitted by S. Chviek regarding the original division of Industrial Park Lot 7 in 2007. It went from 2.902 acres to 2 acres for a potential client. The Town ended up retaining ownership of both lots as the client never purchased the 2 acre parcel. The current owner of lot 7 (Patterson Paving) would like the .902 acre back to enlarge his site. The Economic Development Commission and the Selectmen request an 8-24 review for the change.
- F. Bood made a motion, seconded by C. Donall, that the proposed re-combining of the .902 acre back to the original 2 acres of Lot 7 is consistent with the Town's Plan of Conservation and Development. All voted in favor of the motion.
- D. Morrow made a motion, seconded by C. Turner, to take a 5 minute recess. All voted in favor of the motion.

Map Reading Training and Meeting Procedures: J. Rabbitt Town Planner conducted the training.

Adjournment: A motion was made and seconded to adjourn at 9:50 p.m. All voted in favor of the motion.

Attest: Judith K. Lincoln
Judith K. Lincoln, Recording Secretary

Attest: _____
Christopher Turner, Secretary