

July 16, 2019

Call to Order: The monthly meeting of the Sterling Planning and Zoning Commission was called to order at 7:35 p.m.

Roll was called: Frank Bood-present, Dana Morrow-present, Ross Farrugia-present, Victoria Robinson-Lewis-absent, Caren Bailey-absent, Alternate Michael Rouillard-absent, and Alternate Kim Smith-Barnett-present.

Alternate K. Smith-Barnett was seated for C. Bailey.

Staff present-Russell Gray, Joyce Gustavson. And Jamie Rabbitt (7:43 p.m.).

Also present-Jeffrey Dewey.

Audience of Citizens: None.

Approval of Minutes: D. Morrow made a motion, seconded by R. Farrugia to approve the monthly meeting minutes of 6/18/2019 as written and presented. All voted in favor of the motion.

D. Morrow made a motion, seconded by R. Farrugia to move Correspondence to New Business, Item b. All voted in favor of the motion.

K. Smith-Barnett made a motion, seconded by R. Farrugia to move Unfinished Business after New Business. All voted in favor of the motion.

New Business:

a. Application by Carlin Construction Company (Property Owner: Herbert Congdon) to Construct a 20' x 40' Building Addition for Property Located at 363 Ekonk Hill Road: The following was submitted into record: Zoning Permit Application, Site Plan Application, and Improvement Location & Topographic Survey "Site Plan" Prepared for Carlin Construction & Detotec North America, Inc. for property located at 363 Ekonk Hill Road (CT Rte #49), consisting of two (2) sheets. Jeffrey Dewey of Boundaries, LLC presented the application on behalf of Carlin Construction Company (Property Owner: Herbert Congdon). (Assessor's Map 03633, Block, 034, Lot 0C16) for a forty (40) foot by twenty (20) foot addition. The Zoning Permit Application incorrectly listed the addition as forty (40) feet by thirty (30) feet. The addition shall be constructed on the west side of an existing structure replacing the office trailer and steps. The existing thousand (1,000) gallon septic tank may have to be relocated. The following waiver requests were discussed in accordance with the Zoning Regulations – Appendix C – Site Plan Requirements: 1) Section 104.2.C Property Boundaries; 2) Section 104.2.G Locations and Specifications of all existing proposed structures; 3) Section 106.4 Traffic and Access; 4) Section 106.6 Water Supply; and 5) Section 106.8 Landscaping and Screening. D. Morrow made a motion, seconded by R. Farrugia to accept the application for staff review as #PZ-19-01. All voted in favor of the motion.

b. Correspondence: 1) A letter from Harry B. Heller of Heller, Heller & McCoy dated 6/18/2019 withdrawing the excavation permit application on behalf of American Industries, Inc. for property owned by Grace Harriot Roberts located at 609 Sterling Road (Route 14) (copy on file); 2) A letter from Jacob W. Platt of the State of Connecticut, Department of Transportation regarding State Project No. 136-73 for the replacement of Bridge No. 00688 for Route 14 over the Moosup River (copy on file); 3) Two (2) letters from Russell Gray, First Selectman, Town of Sterling to the Office of Policy and Management (OPM) regarding Notice of Expired Plan of Conservation and Development and a letter requesting a Waiver of Discretionary State Funding Prohibition. The Town Clerk has applied for a Historic Documents Preservation Grant which would allow the Town to complete a conservation project for maps that require permanent retention (copies on file); 4) The American Society of Landscape Architects provided the Commission with a copy of the 2019 annual *Connecticut Landscape Architecture* magazine.

Unfinished Business:

a. Discussion Regarding the Plan of Conservation and Development: F. Bood asked if we are in a position where any updates are being added or any changes to the Plan of Conservation and Development (POCD) are needed so we can submit to the State. J. Rabbitt, Town Planner, stated that he was waiting on the Office of Policy and Management (OPM) for a few updates on some of the social economical data and that has been lagging, so he will move forward now that the Town is in this fund granting issue. The plan is to get the POCD updated with the best available information, then in 2022 when the new Census data comes out, update the three (3) pages pertaining to Sterling's population and some of the social economical information, change the numbers based on the census, resubmit to OPM, and re-kick the ten (10) years from a much better census state so we are not using nine (9) year old data.

b. Discussion Regarding Medi-Pods: F. Bood stated that a medi-pod is temporary housing. If a resident applies for a medi-pod, it would be handled according to State Statute. It is the consensus of the Commission that no additional language shall be added, at this time to the regulations, and to remove this item from the agenda.

Audience of Comments: None

Any Other Business:

a. Commission Workshop – Roles, Responsibilities, Policies and Procedures: A workshop was not held tonight.

b. 301 Valley View Road: F. Bood stated that Adam Benoit of 301 Valley View Road came before the Planning and Zoning Commission on 4/17/2018 inquiring about turning a stable into an event room to host small to medium size weddings. This past weekend, Mr. Benoit held a small event on his property; two hundred (200) plus vehicles, loud music and fireworks up until 11:00 p.m. Two neighbors called the First Selectman to complain. He is also setting up for another event this weekend. To date, the Town has not received a Trade Name Certificate nor a Zoning Permit Application. It appears that Mr. Benoit is operating

a business, and this would require a zoning change. J. Rabbitt stated that from a regulatory standpoint, Section 1.03 of the Zoning Regulations – Conformity with the Regulations – states, “On or after the effective date, no building or structure shall be erected, altered, enlarged, moved, or used except in conformity with these regulations”, and Section 301 of the Zoning Regulations – Zoning Districts - states, “Any use otherwise permissible under state and federal law shall be permissible within the district provided that the other requirements of these regulations are met, except as listed in Section 301.2” - Prohibited Uses. With regards to the use, if they meet state and federal law, it is not illegal, and a zoning permit can be issued. Mr. Benoit needs to apply for a zoning permit application for the establishment of a new use on the property.

Adjournment: D. Morrow made a motion, seconded by K. Smith-Barnett, to adjourn at 8:28 p.m. All voted in favor of the motion.

Attest: _____
Joyce Gustavson, Recording Secretary

Attest: _____
Dana Morrow, Secretary