

MIDDLEFIELD PLANNING & ZONING COMMISSION
405 Main Street
Middlefield, Connecticut 06455

Minutes of the January 8, 2018 Regular Meeting

Erin Howard called the meeting to order at 6:34 pm.

Attendance:

Members		Alternates	
A	Boyle, Kevin	X	Brown, Jay
X	Howard, Erin	X	Ekblade, Eric
A	Johnson, Bob		
X	Wheeler, Scott	Others	
		X	Colegrove, Geoff
		A	Curtis, Brian

A=Absent

X=Present

Ed Bailey explained that at tonight's Board of Selectmen meeting, they will be upgrading Jay Brown and Eric Ekblade to regular members and appointing Jan Wojas as an alternate.

Public Comment

None.

Nancy Grenier; Application for Approval of Subdivision or Resubdivision: 234 Main Street, Rockfall

Attorney John Corona, from Lang & Corona, was present on behalf of the applicant. Mrs. Grenier had previously broken off a lot on the corner of Cherry Hill Road and she is now proposing a new residential building lot that is .51 acres. When this division is complete, Mrs. Grenier's property will be 4.5 acres. As this is a subdivision, it would be up to the Commission as to whether a public hearing would be necessary.

Attorney Corona reviewed the site plan that was done by Bascom and Benjamin with the Commission and also reported that Lee Vito has written a letter of approval for the property.

Geoff Colegrove has reviewed the application and stated that it does conform to all zoning regulations and agreed that this is a subdivision, not a resubdivision, because the original parcel was never approved by the Commission as it predates zoning. A public hearing is not required by statute. Mr. Colegrove also reported that this application had gone to the Wetlands commission in 2013 and he read Lee Vito's approval letter to the Commission regarding septic and well location.

Attorney Corona also pointed out that there is a state drainage pipe that collects water from the intersection of Derby Road and Main Street. It had been seriously eroding Mrs. Grenier's property and the Town reconfigured the pipe and some of it was replaced. This was done with consent of the Wetlands Commission. At that time, Mrs. Grenier agreed to afford the town access over the property to service the drainage pipe. That easement is shown on the map and would be granted to the Town as part of this approval.

Scott Wheeler made a motion, seconded by Jay Brown, to approve the application of Nancy Grenier; Application for Approval of Subdivision on 234 Main Street, Rockfall with the following condition: 15-foot easement on north side of property be granted to the Town of Middlefield to be able to service drainage pipe on lot 1, Nancy Grenier. Motion carried unanimously.

Michael Turecek; Application for Home Occupation Plan Review; 64 Burt Drive. Home Office to run a home and garden handyman business (an address to accept mail)

Geoff Colegrove explained that the application does meet the Commission's requirements, but he has not spoken to the applicant. The applicant was not present at the meeting.

Attorney Corona reported at this point that Jan Wojas has been officially appointed to the Commission.

Erin Howard and Scott Wheeler felt that the applicant should come before the Commission to provide more details. Mr. Colegrove felt it was fairly benign, but will give the applicant a call to ask him to attend the next meeting on February 26, 2018.

Nick Xenelis; Compliance Review

Geoff Colegrove had talked to Mr. Xenelis this afternoon and he was supposed to be at the meeting.

Mr. Colegrove explained that he has been working with Chuck Sheehan and Mr. Sheehan went to have Mr. Xenelis sign the application and Mr. Xenelis did not want to sign the application. Mr. Sheehan and Mr. Xenelis are supposed to meet with Ed Bailey regarding leasing the adjoining property, but that meeting has not been held yet. Mr. Colegrove called Mr. Sheehan this afternoon and was told that he would get back to him. Mr. Xenelis then called and Mr. Colegrove explained that he thought it would be a good idea for him to attend tonight's meeting.

Geoff Colegrove reviewed that Mr. Xenelis has had plenty of time to get through this process and has proposed no particular financial arrangement with the Town for leasing the property. Mr. Colegrove feels that the Commission has given him plenty of time to work it out and is at the point where he believes a

letter from the Commission's attorney might be appropriate. Mr. Colegrove feels that Mr. Xenelis should not have presented a plan to the Commission if he did not intend to follow through with it.

Erin Wilson agrees that this should go to the next level with the assumption that the Commission will be reasonable should Mr. Xenelis actually present an application. Geoff Colegrove had prepared a time line for Mr. Sheehan and he will forward that to Attorney Willis. Mr. Colegrove also reported that there are some potential tenants for the building and that he has asked the Land Use Office to have them file zoning permits to indicate whether the use is compliant with the regulations. Nothing has been received as of now.

Scott Wheeler made a motion, seconded by Eric Ekblade, to refer the Xenelis zoning compliance and violations to the Commission's attorney. Motion carried unanimously.

William Bellock; Preliminary Discussion Regarding Subdivision: 8 Higby Road

Geoff Colegrove reviewed the location of this property and explained that they are proposing a three-lot subdivision. They have been to Wetlands to begin an informal discussion, but Mr. Colegrove has not spoken to him since. Erin Wilson explained that Mr. Bellock had notified the Land Use Office that they would not be able to attend tonight's meeting due to the weather and would like to be rescheduled to the next possible date, which would be February 26. The discussion was table until that time.

Report of the Town Planner

Geoff Colegrove reported that it's been quiet, but he has met with Jerry Russ quite a few times to get him up to speed on Zoning Enforcement issues.

He has also spoken with Randy Bernotas about the status of the Monarca property and Mr. Monarca is moving stuff away from the wetlands. Mr. Bernotas has been there on a weekly basis to monitor the progress, but it has been moving slowly due to the snow. Mr. Colegrove believes that this will not come before Planning and Zoning until Wetlands is satisfied. Erin Howard encouraged Mr. Colegrove to reach out to the Wetlands' chair.

Report of the ZEO

Erin Howard reported that Jerry Russ submitted a report to the Commission stating that there has slow, but continued progress on the Cihocki property. He has also a complaint about 481 Main Street with unregistered cars and has sent them a letter. There is also a shed within the setbacks at 481 Main Street who has filed for a variance and was denied. Mr. Russ sent a notice of violation via certified mail. Another complaint about an unpermitted shed within the setback at 91 Main Street and they have filed for a variance. The unregistered cars at 176 Peters Lane are being cleaned up.

There was a structure fire at an abandoned home on Kickapoo Road which led to a question of the Town's enforcement on abandoned homes and properties. Mr. Russ suggested the Commission have a discussion to assist in creating a regulation to address this.

Erin Howard knows that there are state statutes allowing municipalities to enforce blight, but wasn't sure if that would fall under Planning and Zoning or the Board of Selectmen. Geoff Colegrove felt that it would have to be a Town Ordinance and an enforcement officer would need to be selected. Scott Wheeler felt that there are a few abandoned homes in town. Mr. Colegrove felt that a meeting with a representative from Planning and Zoning, the Fire Chief/Fire Marshal and Jerry Russ would be a good place to start. Erin Howard also stated that there is a statewide push to adopt the property maintenance code, but nothing is in place yet. Scott Wheeler suggested finding a town that has a successful model in place.

Chairman's Report

Bob Johnson could not be at tonight's meeting and is officially off the Commission as of today. Erin Howard was not sure if there were other alternates being appointed and Jan Wojas explained that he had heard there were two more people.

Election of Officers

Scott Wheeler made a motion, seconded by Jay Brown, to approve the nomination of officers for 2018: Erin Howard, Chairman; Kevin Boyle, Vice Chairman and Scott Wheeler, Secretary. Motion carried unanimously.

Miscellaneous

Scott Wheeler suggested that the Planning and Zoning Commission present Bob Johnson and Brooke Carlson with a token of appreciation and gratitude for their service.

Erin Wilson explained that, as chair, she would like to find a way to streamline some of the issues that come before the Commission. She spoke with Nancy in the Land Use Office today and will have a meeting with her and Geoff Colegrove to review the current process and to propose a checklist. Scott Wheeler will draft a fact sheet as to what is required for a home occupation. Geoff Colegrove suggested that the Commission may want to have that become an administrative process rather than coming to the Commission if there will be no one coming to the office.

The property on Baileyville Road that had been approved for dog training has put a sign out front and it was suggested that the ZEO contact them about that. No sign had been applied for at that property.

Geoff Colegrove also mentioned that Powder Ridge Veterinary is considering selling the property, but would want to continue to work in the building. This is not a home occupation, but in fact a special permit. Mr. Colegrove has met with the property owners, but nothing has been presented yet. He had suggested they come before the Commission for a regulation change.

Approval of Minutes

Scott Wheeler made a motion, seconded by Eric Ekblade, to approve the minutes from the November 8, 2017 meeting, as submitted. Motion carried, with Jay Brown abstaining.

Adjournment

A motion was made by Scott Wheeler, seconded by Jay Brown, to adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 7:41 pm.

Respectfully submitted,

Debi Waz

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Alwaz First