

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

Minutes of the June 18, 2018 Regular Meeting

Erin Howard called the meeting to order at 6:36 pm.

Attendance:

Members		Alternates	
A	Boyle, Kevin	X	Wojas, Jan
A	Brown, Jay		
X	Ekblade, Eric	Others	
X	Howard, Erin	X	Colegrove, Geoff
A	Wheeler, Scott	A	Curtis, Brian
		X	Russ, Jerry
		A	Bailey, Ed, <i>ex officio member</i>

A=Absent  
 X=Present

Jan Wojas was seated on the Commission.

Public Comment

None.

Luis Fernandes/Suzett Louro, Petition for Zone Change and/or Amendment to Zoning Regulations; 223 Baileyville Road

Erin Howard explained that an application has been received and will require a public hearing. She recommended that the public hearing be held at the next regularly scheduled meeting on July 16, 2018.

Powder Ridge Veterinary Hospital; Text Amendment

Erin Howard explained that an application was received and will also require a public hearing. She recommended that the public hearing be held at the next regularly scheduled meeting on July 16, 2018.

Geoff Colegrove felt that the applicant has addressed the Commission's comments as well as comments that he had. Mr. Colegrove explained that no sign needs to be posted and that the Town will take care of noticing the hearing. There is no change of use so the COG does not need to be notified.

RFQ for Consultant; Zoning Regulations Review and Update

Erin Howard reported that Ed Bailey has reviewed the RFQ and will speak to Al Rusilowicz about encumbering the funds. Geoff Colegrove and Jerry Russ have also reviewed it, but may have a few more comments.

Ross Farms Estates Bond Reduction

Erin Wilson explained that the Commission members should have received a copy of the letter from Brian Curtis. The developer has made a request for a reduction in bond and Brian Curtis has reviewed the project and created the punch list. Jerry Russ reported that the last house is being built now.

Geoff Colegrove explained that the punch list is basically two pages of the memo and inspections have been made in the interim. He reviewed the list of remaining items. This reduction would reduce the bond down to \$32,000.

Jerry Russ asked if a certain diameter tree was required as he noticed that they are pretty small. Erin Howard recommended that the Commission move forward with the bond reduction, but asked Mr. Russ to check to see if there was an issue with the trees and bring that information back to the Commission's attention.

Eric Ekblade asked about Kevin Boyle's concern about the curbing and Geoff Colegrove explained that Mr. Boyle had wanted concrete curbing to go from Ross Road to the beginning of this road as a transition. This road will be a town road and would not need a transition. Mr. Colegrove spoke to Ed Bailey who spoke with the Town Road Foreman and the Town prefers Cape Cod curbing because it is easier for snowplowing. Mr. Colegrove feels that it makes no sense to have concrete curbing and it is not a specification in the regulations. Inland Wetlands was also in favor of the Cape Cod curbing.

Erin Howard felt that the developer had agreed to install the curbing that Kevin Boyle had asked for and the question remains whether it was agreed to or not as the intent for the basis of the approval. Ms. Howard stated that it was not on the Mylars and was not part of the final approval and there is nothing that can be done about it at this point. Mr. Colegrove checked the minutes of the meeting when the vote was taken and there were no conditions of approval. Ms. Howard stated that Mr. Boyle understands that this issue was not addressed and the Mylars have been filed. She does agree that if the Commission wants concrete curbing, it would need to be part of the regulations.

Ms. Howard suggested that the Commission approve the bond reduction request from \$130,000 down to \$32,000, with the suggestion that Jerry Russ check the caliber of the trees.

Erin Howard made a motion, seconded by Eric Ekblade, to approve the bond reduction request from \$130,000 to \$32,000, with the condition that the Zoning Enforcement check the caliber of the trees. Motion carried unanimously.

#### Report of the ZEO

Jerry Russ reported that Luis Fernandes is anxious to get his project going and mentioned that all of the other properties are either HD zone or planned commercial. He has 120 feet of frontage and nothing is conforming as it is now. Anything he wants to do would be a special permit and Mr. Russ believes that this zone change would be the answer to the problem.

Mr. Russ also reported that the property at 537 Main Street was just sold and the new owners have a number of cars there. He visited the property and he has dug out the dirt basement of the house as his children have allergies. This has undermined the foundation and discussion continues on this.

Mr. Colegrove reported that Sal Monarca, Jr. would like to put in a commercial soccer field on property off Route 17 which would be a change of use and therefore a text change. Mr. Russ felt that there were a lot of people looking for this use. The property is an interior lot off Route 17 in Middletown, but the access is in Middlefield. The property is also within the Middletown watershed and Mr. Colegrove suggested they speak with Middletown first.

Jerry Russ asked if there was anything in the regulations about the light being cast on adjoining property. Geoff Colegrove felt that that was only regulated under commercial or industrial areas.

Mr. Russ has also received a complaint about an electrified fence near Eric Ekblade's house. He does have goats in back, but not that far up on the property.

Erin Howard mentioned that Lyman Orchard's Apple Nine is having night golf and she stated that they were told sunrise to sunset for the restaurant. She had specifically asked about night golf and the Commission was told they would not have night golf. Jerry Russ asked if that is not permitted, can they come back for a special permit for that. Again, Ms. Howard reiterated that Attorney Corona had specifically stated that night golf was not part of the special permit and that the hours were sunrise to sunset. Jerry Russ will check into this.

#### Report of the Town Planner

Geoff Colegrove reported that the Board of Selectmen will be making a counter-offer to Nick Xenelis, but it has not been done as of now. Mr. Colegrove reported that no further work has been done on the other two sites and it may be time for another letter. The DMIAAB board decided that they wanted to reserve the property where the detention pond was proposed for future use. Erin Howard asked Mr. Colegrove to

reach out to Mr. Xenelis and request that he and his engineer come to the next meeting to discuss the two other properties.

#### Chairman's Report

Erin Howard reported that Ed Bailey informed her that Jay Brown cannot make the meetings of the Lake Beseck Environment Committee as a representative from P&Z and she asked if anyone else would like to volunteer to do that. They meet on the last Wednesday of the month at 7:00 pm at the beach. Jan Wojas will attend this Wednesday's meeting and Ms. Howard will confirm the date with Ed Bailey.

She would also like volunteers to attend the COG meetings as well and thought that attendance at that meeting could be rotated through the membership.

#### Miscellaneous

None.

#### Approval of Minutes - May 21, 2018 Meeting

Jan Wojas pointed out that Ed Bailey had been present at the meeting.

Eric Ekblade made a motion, seconded by Jan Wojas, to approve the minutes from the May 21, 2018 meeting, as amended. Motion carried unanimously.

#### Adjournment

A motion was made by Jan Wojas, seconded by Eric Ekblade, to adjourn the meeting. Motion carried unanimously. The meeting was adjourned at 7:15 pm.

Respectfully submitted,

*Debi Waz*

Debi Waz  
Alwaz First