

PLANNING AND ZONING COMMISSION

Regular Meeting Minutes Sept 21, 2017 Draft Minutes Subject to Modifications

Present: Chairman K. McDuffie, Vice Chairman B. Giglio, Commissioners D. Taylor, R. Starkey and J. Burns.
Absent: Commissioner Cal Brennan, R. Jurzynski, P. Hinman and 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: 37 P.M. The Pledge of Allegiance was recited and the legal notice was read into the minutes.

II APPROVAL OF MINUTES

A motion to approve the minutes from the Aug 17 17, 2017 regular meeting as submitted, was made by Vice Chairman B. Giglio and 2nd by Comm. D. Taylor. All in favor.

III COMMENTS FROM THE PUBLIC

1) Mr. and Mrs. Gerald Zollo came forward and said that they were looking at a lot in the Industrial Park, 57 Lancaster. This is a courtesy appearance before the commission as they have not made a final decision to purchase. They would be operating tank rental business. They have been in Waterbury since 1990 and need to relocate. Mr. Zollo stated that the tanks are cleaned and empty before they are returned to them. After a brief discussion, Chairman K. McDuffie said that the enterprise would meet permitted uses in the Industrial Park and wished them good luck.

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

IV ZONING ENFORCEMENT OFFICERS REPORT

The ZEO was present and submitted a written report. The report shows 6 certificates of compliance were issued and 1 in ground pool permit.

A motion to accept the report as submitted was made by Vice Chairman B. Giglio and 2nd by Comm. D. Taylor. All in favor.

V TOWN ENGINEER REPORT

The Town Engineer was not present and did not submitted a written report. All in favor.

VI COMPREHENSIVE PLAN OF CONSER. AND DEVELOPMENT

A copy of an email from Atty. Bellis to Atty. Byrne is attached to these minutes.

VII OLD BUSINESS

- 1) Chatfield Farms – No activity
- 2) Oakwood Estates – Mylar for Timber Ridge is not in the Town Clerks office.
- 3) Pond Spring – No activity.
- 4) Pent Road – No activity.

5) Hop Brook – Chairman K. McDuffie will speak with Atty. Byrne and after possibly set a special meeting.

VIII NEW BUSINESS

None

IX NEW APPLICATIONS

None

X CORRESPONDENCE AND PAYMENT OF BILLS

A motion to approve payment of bills was made by Vice Chairman B. Giglio and 2nd by Comm. B. Starkey. All in favor.

XI PETITIONS FROM COMMISSIONERS

Vice Chairman B. Giglio informed the board that he had attended a meeting with the various Board representatives and the EDC is going to hire an outside company for support and assistance.

XII ADJOURNMENT

A motion to adjourn at 8:32 P.M. was made by Comm. D. Taylor and 2nd by Vice Chairman B. Giglio. All in favor.

Respectfully submitted,
Mary Ellen Fernandes, Clerk
Sept 24, 2017

Stephen Bellis

From: Morley, Dan D. <Daniel.Morley@ct.gov>
Sent: Thursday, September 21, 2017 11:27 AM
To: 'Steven Byrne'
Cc: Stephen Bellis; Wittchen, Bruce
Subject: RE: FW: Beacon Falls

Dear Attorney Byrne:

I am in receipt of your correspondence dated September 12, 2017, as well as the Beacon Falls Planning and Zoning Commission's (PZC) letter dated March 17, 2017, concerning a recent amendment to the Town's 2013 Plan of Conservation and Development (POCD). Please note that CGS Section 8-23 provides no role for the Office of Policy and Management (OPM) with regard to the adoption of municipal POCDs, so my informal response is being provided as a courtesy.

Based on the fact that the Town's POCD was adopted by the PZC on July 18, 2013, in accordance with CGS Section 8-23, and that OPM was appropriately notified of the latest amendment to the POCD via the PZC's March 13, 2017 letter, the Town remains in compliance with CGS Section 8-23 and is, therefore, eligible for discretionary state funding.

With regard to the PZC's March 17, 2017 letter, I would like to reiterate that CGS Section 8-23 does not require the local POCD to be consistent with the State POCD, but only that the PZC describe any potential inconsistencies with the State POCD. Therefore, the local PZC is deemed to be in the best position to determine whether or not it is in the town's best interest to commit future municipal resources on matters under its jurisdiction.

I hope that this response answers your questions. Please feel free to contact Bruce Wittchen at (860) 418-6323 if you have any further questions.

Daniel D. Morley
Assistant Division Director
CT Office of Policy and Management
Comprehensive Planning & Intergovernmental Policy Division
450 Capitol Avenue, MS#540RG
Hartford, CT 06106-1379
Phone: (860) 418-6343

From: Steven Byrne [mailto:attysbyrne@gmail.com]
Sent: Wednesday, September 20, 2017 5:08 PM
To: Morley, Dan D.
Cc: Stephen Bellis
Subject: Re: FW: Beacon Falls

Attached, please find the minutes of the Beacon Falls PZC wherein the 2013 POCD was approved. A copy of the legal notice is attached as well. I will inform the town that it needs to update the website to show the adopted 2013 POCD.

Thank you for your assistance in this matter which is greatly appreciated.

Attorney Steven E. Byrne
Byrne & Byrne LLC