

**TOWN OF BARKHAMSTED
PLANNING AND ZONING COMMISSION
MINUTES OF REGULAR MEETING
THURSDAY, FEBRUARY 8, 2024
BARKHAMSTED TOWN GARAGE**

Chairman, Christina Lavieri, called the meeting to order at 7:00 p.m. Members present were Jim Hart, Frank Kaczynski, John Polderman, Tom Andersen and alternates Bob Pulford and Rejean Labrie. Also present was Zoning Enforcement Officer, Debbie Brydon and Town Planner, Martin (Marty) Connor.

PUBLIC COMMENT:

Roger Hurlbut from Old North Road was questioning how the Town will handle enforcement on the weekends if there are any violations from the drive in. Joncia Lytwynec from Albough Rd also was questioning how the enforcement would be handled as there were many commercial vehicles already on site at 57 River Rd and work was being done there quite often. Mark Mahoney asked if any enforcement language could be worked into the proposed amendment. Tim Sullivan also asked that the Commission remember that access would be needed for any emergency services.

NEW APPLICATIONS: NONE

PUBLIC HEARINGS: NONE

PENDING APPLICATIONS: NONE

DISCUSS POSSIBLE ZONING REGULATION AMENDMENTS:

Jim Hart asked if a time limit could be set on a Special Exception similar to an Earth Materials Removal application. Marty Connor advised him that this was not possible and suggested that the board table any further action on the proposed amendment regarding the drive-in as the owners were in violation of the zoning regulations and no applications or permits can be approved at this time. Hart made a motion to hire Marty Connor, Town Planner to take any enforcement action that is necessary regarding this property to remove any appearance of a conflict of interest from Debbie Brydon, ZEO, seconded by Andersen and unanimously approved. Hart also asked Marty Connor to prepare a letter asking the owners of the drive in to state in writing their plans for reopening the drive in and how they will operate. Hart further made a motion to table all action on the proposed amendment until the Applicant/Property Owner brings the property into compliance, seconded by Andersen and unanimously approved.

Staff advised the commission that the cannabis moratorium for one year had expired in December, 2023. Lavieri feels that the question of whether cannabis can be sold or grown in Town should be brought to the town's people and a question should be added on the ballot at the next referendum. Chairman Lavieri will meet with First Selectman Nick

Lukiwsky and ask him if this is possible. Marty Connor advised the Commission that the Town of Litchfield did this.

Staff advised the Commission that Bill Missonelli and Brian Brown have leased the front half of Hitchcock Chair and are opening the Riverton Marketplace. He anticipated the opening date for 40 vendors inside will be March 1st. Mr. Missonelli has asked staff if they can have outdoor vendors and a farmer's market and possible music on Saturdays and Sundays. Staff has asked the Town Planner, Marty Connor to craft an amendment to the regulations to address outdoor sales by Special Exception.

APPROVAL OF MINUTES FROM December 14, 2023 and January 11, 2024:

Polderman made a motion to approve the minutes of December 14, 2023, seconded by Andersen and unanimously approved.

Polderman further made a motion to approve the minutes of January 11, 2024, with corrections, seconded by Hart and unanimously approved

CORRESPONDENCE: Reviewed; no action taken.

ANY OTHER BUSINESS LEGAL AND PROPER TO COME BEFORE SAID MEETING:

Staff also asked the commission members to consider encouraging the use of emails, by the public, before Public Hearings to comment on the applications at least 3 days before a meeting. Pulford had shown staff how this method of commenting on an application is used in other Towns such as Canton. Pulford felt this method may bring the tone of the meetings down a little when they get heated. Staff would have to read all the emails, sent by the public into the record at the Public Hearings after public comment.

PUBLIC COMMENT: None

Meeting was adjourned at 8:30 pm.

James Hart
Secretary