

Recd 6/29/82 mgt.

TOWN OF DURHAM



Office of the First Selectman

P. O. Box H

Durham, Connecticut 06422

BOARD OF SELECTMEN'S MEETING

June 17, 1982

The Board of Selectmen's meeting of June 17, 1982, was called to order at 7:30 P.M. by First Selectman M. Foster Mather. Present: Maryann Boord, Gregory Curtis.

The minutes of the June 3, 1982, meeting were corrected as follows:

1. page 2, paragraph 1: in reference to D. Thomasson's remarks, delete "...and has his approval." It should read: "that he had not reviewed the plans but conceptually they looked proper."

2. page 3, line 1: should be a \$ sign instead of #.

Motion by M. Boord to approve the minutes as corrected, seconded by G. Curtis; 3 ayes.

There were no questions re weekly disbursements.

A Petition by Edwards Road residents was brought before the Board of Selectman relative to the removal of Tapestry Kennels, Edward Road. Residents present: Lawrence Vanesse (spokesman), James Marshall, Jo-Ann Siena, Michael Siena, Jeffrey Siena. The Covenant between Durham Heights residents and the builder was reviewed. L. Vanesse, speaking on behalf of the residents, cited devaluation of property, the smell, noise, unsightly visual aspects, and unsanitary conditions due to the operation of Tapestry Kennels. He pointed out to the Board that the kennel is in violation of the terms of the Covenant. F. Mather explained that a kennel license only gives permission for someone to own either up to 10 or up to 20 dogs. A kennel license does not give authorization to board and/or sell dogs. He further noted that any commercial business is in violation of the Covenant; also there are specific restrictions to a Boarding Kennel - that's where zoning violations come in. He said his office will contact the Zoning Enforcement Officer to see if Tapestry Kennels has a home occupation permit and will seek the Health Director's advise on the nuisance standpoint; he requested solid proof from the residents that Tapestry Kennels boards and/or sells the animals. L. Vanesse said that the pigeons and rabbits also kept on the property have attracted rats, lice, ticks, and flies.

It was noted that the town's zoning regulations could be revised to limit the number of dogs allowed per household and the residents of Durham Heights could also decide to set more limiting conditions within their Covenant.

L. Vanesse inquired if the Town would stand with the petitioners if the matter was taken to court. F. Mather

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stressed that the Covenant is not in conflict with town laws. The town will investigate the violation of Zoning and nuisance laws--the residents can pursue removal of the kennel by civil means. L. Vanesse noted in closing that Tapestry Kennels has no state sales tax.

A request from Mal Pearce for the purchase of used radio equipment for civil preparedness was read and discussed. The Board of Finance has also received the request.

Motion by G. Curtis to request the Board of Finance to roll over \$6,269 from the Highway Projects Account (Guard Rails) to a Capital Expenditures account to be expended during FY 1982-3; seconded by M. Boord; 3 ayes.

Motion by M. Boord to request the Board of Finance to add an additional appropriation to the Town Hall Improvements Account in the amount of \$43.10 at the end-of-fiscal-year adjustments; seconded by G. Curtis; 3 ayes.

Motion by F. Mather to amend Agenda to include appointment of a Radiological Defense Officer; seconded by M. Boord; 3 ayes.

Motion by F. Mather to appoint Jack Stahl as a Radiological Defense Officer; said term to expire 12/31/83; seconded by M. Boord; 3 ayes.

M. Boord presented a request from Donald Gates for blind driveway and speed limit signs on Rt. 157 near his driveway. F. Mather said he will ask the state to review the request. G. Curtis noted 2 matters: 1) request by Adam Mitchell for drainage curbing be extended to the top of Oak Terrace near Woodland Drive; 2) reported on his involvement in attempting to rectify the drainage problem on Rt. 147; the SCS and Mr. Gastler will be talking about it.

The Board of Selectman and Board of Finance moved into a joint meeting. The First Selectman asked the Board of Finance for the roll over of Highway project monies and additional Town Hall Improvement funds as voted by the Board of Selectmen above. He advised the Board of Finance that the Board of Selectmen is considering installation of a well at town hall at a loosely estimated cost of \$5,000. The matter may be presented for B/F approval for FY 83-84 unless other funding is appropriated sooner. He alerted the B/F that a way is needed to pay for the enclosure that went out with the tax bills.

The meeting adjourned at 8:34 P.M.

Respectfully submitted,

Donna White

Donna D. White
Secretary