

**PLANNING & ZONING COMMISSION  
TOWN OF SCOTLAND  
P.O. Box 122, 9 Devotion Rd, Scotland, CT 06264  
Telephone: (860) 423-9634**

**September 20, 2017 REGULAR MEETING  
7:30 PM –SCOTLAND FIRE DEPARTMENT MEMORIAL HALL  
47 BROOK ROAD, SCOTLAND, CT**

**MEETING MINUTES**

- I. Call to Order.**Chairman Gary Greenberg called the meeting to order at 7:35 p.m.
- II. Roll Call/Seating of Alternates.**  
In Attendance: Chairman Gary Greenberg, Vice-Chairman Terry Delaney, Secretary Larry Miller, Peter Martin, George Perry, Alt. Jeff Jakubowski, and Alt. Wendy Sears. Absent: Lee Hebert, Robert Brautigam and Alt. Henry Bowers. Commissioners Sears and Jakubowski were seated for Brautigam and Hebert. Staff in Attendance: Liz Burdick, ZEO, and John Filchak, Executive Director, NECOGG.
- III. Additions to and/or Changes in the Order of the Agenda.**None.
- IV. Approval of the Minutes**–August 16<sup>th</sup>, 2017 Meeting.
- Upon MOTION by Terry Delany, Seconded by Jeff Jakubowski. It was voted unanimously to APPROVE the minutes of the 08/16/2017 PZC meeting minutes.*
- V. Audience of Citizens.**None.
- VI. New Business:**
- A. Commission Discussion/Public Informational Session – Eagle Scout Project – Relocation of World War II Observation Building to Town Property.**

No representative Eagle Scout was in attendance to present the proposed project to the PZC.

*Upon MOTION by Terry Delaney, Seconded by Peter Martin, it was voted unanimously to TABLE Commission Discussion/Public Informational Session – Eagle Scout Project – Relocation of World War II Observation Building to Town Property to the October 18, 2017 meeting.*

**B. Discussion of Draft Zoning Regulations Regarding Temporary Health Care Structures.**

Liz Burdick addressed the PZC and discussed temporary health care structures or “granny pods” and presented draft proposed regulations prepared for another town as an example. Per discussion of the commission last month, this would be something that the town would like to allow since we already have something in place for mobile homes for the elderly by special permit. Chairman Greenberg would like to discuss the regulations with the Town Attorney and schedule a public hearing next month (October), if possible if the Town has chosen to not exercise its right to “opt out” of the state law that begins its effectiveness on October 1<sup>st</sup>, 2017.

Chairman Greenberg asked for clarification if the temporary healthcare structure was for care giver or the one needing care. Burdick replied that the statute allows for the impaired person to live in the structure, but is contradictory in places, but that in the other town the regs were written for, it would like to allow either the care giver or the impaired person to reside in the temporary structure, reasoning if you have an impaired person with their own home it would not make sense to move them out of their home and into the granny pod and for the care giver to move into the impaired person’s home. Chairman Greenberg stated if you go online and look at these granny pods they are basically a pre-fabricated hospital rooms, piped for oxygen and other medical necessities. Following discussion, Burdick was instructed to modify the proposed regulations to state that either party, the impaired person or care giver, can reside in the temporary health care structure and that it does not require ownership.

Vice-Chairman Delaney made a suggestion to strike out the “paid” implication of the statue in regards to section 8.21.3. and additionally questioned the requirement for Health Department approvals for sanitary septic systems for the pods. ZEO Burdick stated that to allow a pod, one will have to meet building code, zoning code and health codes. There was Commission discussion that it does not want to require the \$50,000.00 bond (allowed by the new law) to ensure that these temporary health care structures are removed when no longer in use.

Burdick stated that a site plan would still be applicable, that “the Town”, collectively, has 120 days to approve or deny the temporary health care structure and that the person placing the granny pod has to send certified letters of notice to abutting property owners.

Chairman Greenberg stated that we should proceed with getting this into our regulations and Burdick stated the soonest she could advertise for a hearing allowing time for attorney review would be for the November 2017 meeting.

*Upon MOTION by Terry Delaney, Seconded by George Perry, it was voted unanimously to set a public hearing for proposed zoning regulations regarding temporary health care structures for the November 15<sup>th</sup>, 2017 meeting.*

**C. PZ1704SUP (RENEW) Annual Renewal – Gravel Operation  
302 Bass Rd, Scotland, CT – Peter and Lucille Savino**

Vice Chairman Terry Delaney read an email from Wetlands Officer, John Valente, recommending approval of the annual renewal into the record. ZEO Burdick stated she spoke John Valente, who inspected the site, said it has changed very little since last year and it is well maintained and suggests a renewal for another year.

*Upon MOTION by Terry Delaney, Seconded by George Perry, it was voted unanimously to APPROVE PZ1704SUP (RENEW) Annual Renewal – Gravel Operation, 302 Bass Rd, Scotland, CT – Peter and Lucille Savino.*

**D. PZ1705SUP (RENEW) Annual Renewal – Gravel Operation  
Palmer Rd (Route 14), Scotland, CT – Steven Coit.**

Vice Chairman Terry Delaney read an email from Wetlands Officer, John Valente, recommending approval of the annual renewal into the record. ZEO Burdick stated she spoke John Valente, who inspected the site, said it has changed very little since last year and it is well maintained and suggests a renewal for another year.

*Upon MOTION by Terry Delaney, Seconded by George Perry, it was voted unanimously to APPROVE PZ1705SUP (RENEW) Annual Renewal – Gravel Operation, Palmer Rd (Route 14), Scotland, CT – Steven Coit.*

**VII. Public Hearings:None.**

**VIII. Old Business.**

**A. PZ1703POCD – Application of the Town of Scotland for amendment to the Scotland Plan of Conservation and Development – Adoption of the 2017-2027 Scotland Plan of Conservation and Development.**

Chairman Greenberg stated that the public hearing for the adoption of the 2017-2027 Scotland Plan of Conservation and Development was opened and closed by the Commission at its August 16, 2017 regular meeting and public hearings. He stated that, at this point, other than a final proof read through, the document is ready to go after John Filchak, Ex. Director of NECCOG added PZC changes from said meeting and added the recreation chapter. There was no further

discussion by the PZC. Vice-Chairman Delaney suggested the PZC should adopt the plan now, and the Commission agreed.

***Upon MOTION by Terry Delaney, Seconded by Wendy Sear, it was voted unanimously to APPROVE PZ1703POCD – Application of the Town of Scotland for amendment to the Scotland Plan of Conservation and Development – Adoption of the 2017-2027 Scotland Plan of Conservation and Development with an Effective date of October 8<sup>th</sup>, 2017. All in Favor.***

Vice-Chairman Delaney wanted to thank the POCD Subcommittee for putting so much time and effort into revamping the POCD and that it is a much more comprehensive and in depth version than way back when he did the last one. He congratulated them for doing such a great job and it was much appreciated. Wendy Sears added that it was a large group who put in so much effort. Chairman Greenberg suggested writing a letter of acknowledgement and Sears stated she will do so.

**IX. Sub-Committee Reports.** None.

**X. Audience of Citizens.**None.

**XI. Administrative Reports.**

Chairman Greenberg asked ZEO Burdick for an update on the alleged kennel at 49 Devotion Road owned by Beakey. Burdick stated she sent her a Notice of Possible Violation and that she with Mrs. Beakey, who vehemently denies any sort of kennel operation. However, Mrs. Beakey added in conversation with Burdick that she just runs the facebook page “Tiny Paws” and it is a collaboration of many people. Mrs. Beakey will not allow the ZEO to view her property and continues to deny any sort of puppy sales. Burdick informed her that if she is doing any sort of brokering of puppies or sales that it is still considered an illegal commercial business.

Chairman Greenberg commented that it was brought to the Town’s attention because a couple people had anonymously reported they bought puppies from Mrs. Beakey that were being kept in poor conditions and that puppies had died shortly after. The people tried to settle the problem with Mrs. Beakey and when they did not get anywhere, they contacted the Animal Control Officer (ACO) Nancy Bard, who has been there, who then brought it to the Town’s attention. The reason that the town cannot pursue said complaints any further than what they have already done is because these people who spoke with the ACO are choosing to remain anonymous. Also, the town cannot confirm that there are more than 5 dogs on the premises. A consultation with the Town lawyer will be necessary to pursue further. It was suggested by John Filchak of NECCOG to use the

Department of Agriculture Animal Control Division to pursue the matter further, because they have the authority to go in.

**XII. Communications and Bills.** None.

**XIII. Commission Open Discussion.**

Chairman Greenberg stated that he had asked John Filchak to return in the October meeting to describe to the Commission what is “state of the art in zoning” currently, such as form based zoning regulations in order to help evolve the Commission and see what direction it needs to move.

**XIV. Adjournment.**

*Upon MOTION by Terry Delaney, Seconded by Jeff Jakubowski, it was voted to ADJOURN the meeting at 8:17 p.m.*

Respectfully submitted,

Joanna Fisher  
Recording Secretary

APPROVED BY THE SCOTLAND PLANNING & ZONING COMMISSION ON \_\_\_\_\_, 2017.