

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT 06438
THURSDAY, 3 JUNE 2021
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Gina Block
X	Steven Bull, Vice Chairman
X	Michael Farina
A	Jamin Laurenza, Secretary
A	Wayne LePard
X	Dan Luisi
X	Edward Wallor, Chairman
A	Robert Braren, Alternate
X	Alan Chadwick, Alternate – Seated
X	Larry Maggi, Alternate – Seated
X	Bill Warner, AICP Town Planner
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order

Mr. Wallor, Chairman, called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

The pledge was recited.

3. Attendance/Seating of the Alternates

Attendance was taken and all regular members, as well as alternate members, Mr. Chadwick and Mr. Maggi, were seated.

4. Additions/Corrections to the Agenda

Add: Under New Business – Fieldstone Village - Joe Mingoello.

Change order of New Business: a. Brainerd Memorial Library, b. Fieldstone Village – Joe Mingoello, and c. Prohibited Uses.

The Commission agreed to the amendments.

5. Public Comments

There were no comments from those in attendance.

6. Public Hearing/Public Meeting

There was no public hearing scheduled.

7. New Business

a. Revision of Brainerd Memorial Library Site Plans – Fence on Northern Boundary

Lorraine Riess, Marijean Conrad, Lynne Cooper, Cheryl Czuba, and Elizabeth Anderson, Library Trustees, were present. 920 Saybrook Road

Ms. Riess reported when the fencing was first proposed to be over 100 feet, it was not taken into consideration the site situation, but rather the Porters being protected from parking lot lights at night coming in/out of the parking area. Ms. Riess stated Mr. Warner has spoken to the Porters, and there is garage, RV parked in back, and a line of trees from the garage on back; therefore, the library is requesting the reduction of the fence towards the front where there are no trees. Ms. Riess stated the Porters have agreed to this and it will save the library in terms of cost, supply issues, and completing the project.

Mr. Warner provided a map of the library, 920 Saybrook Road, and Porters, 908 Saybrook Road, properties (Exhibit A; copy on file with the minutes in the Town Clerk's Office and the Land Use Office) and explained that the cars will be parking up against the fence with their headlights facing the Porters property. Mr. Warner stated as there was concern that the headlights from the parking area would be shining directly into the Porters house, a four-foot high, 117 foot long fence was proposed as a shield. Mr. Warner stated what is being recommended is that the red section on the map be eliminated and require that the green section remain. Mr. Warner stated he has spoken to the Porters, they are fine with the 35 feet of fencing, they understand that the garage will be the buffer, and they have no concerns.

Mrs. Block asked if the Porters agreement needs to be on record. Mr. Warner stated no.

Mr. Bull stated the fence was not a last-minute decision as the Commission approved the site plan on November 2017 (fence on the map) and there was a modification in 2018 (not related to the fence). Mr. Bull stated in all due respect to the Porters, this request has everything to do with the next owners (in the future) of the property. Mr. Bull stated the Commission thought the fence was a good idea in 2017 and does not see it as any less of a good idea in 2021. Mr. Warner asked what the four-foot fence accomplishes. Mr. Bull stated it covers the entire parking area, but it could be cut off before the dumpsters, if that is indeed where the dumpsters are going to go, as that area would not be used at night. Mr. Warner stated the garage would be blocking the lights. Mr. Bull stated he knows the property; and although the garage currently exists, it may not in the future; therefore, he does not see a need to change the fence.

Mr. Wallor asked the footage that the green represents on the map and the overall length of the fence. Mr. Warner stated the green represents 35 feet and the overall length is 117 feet. Using a large site plan, Mr. Warner showed the Commission the location of the approved fence. Mr. Bull stated the fence goes past the dumpsters. Mr. Warner stated yes. Mr. Bull suggested the fence could be cut back that far as it will still cover the cars pulling into the area coming in at night.

Mr. Chadwick asked what the 35 feet will do. Mr. Warner stated the 35 feet will be from the road to the front of the garage; and when the cars pull in and are facing the Porters property, the fencing will block the lights.

Mrs. Conrad stated she was present at the early meeting and was aware of what Mr. Bull was talking about. However, the parking lot is designed so the cars will not be directly facing the Porters (angled parking), but there could be some light involved when backing out. Mrs. Conrad stated they originally intended to install a green fence (bushes and trees) and they will still do so in front of the fencing and extend it beyond. Mrs. Conrad also stated the property between the library and the Porters does not belong to the library, but to Gordon Pulis, 916 Saybrook Road, and they had hoped to have a green fence between Mr. Pulis' driveway and the Porters.

Mrs. Block asked if the green fence would extend the full 117 feet. Mrs. Conrad stated she did not know, but they could do that. Mr. Wallor stated it is on the site plan. Mrs. Conrad agreed stating it was on the original site plan. Using Mr. Warner's map to point out the parking and dumpster areas, Mrs. Conrad stated the green fence would extend beyond the parking lot as they need a barrier between the private

driveway and the library. Mrs. Block asked if there was a projected height for the plantings at maturity (comparable or more low lying). Ms. Riess stated the fence is designated as four feet high and they would be putting in evergreens that would be four feet or higher. Mrs. Conrad stated the plantings would be staggered.

Mr. Bull asked if it would be a hardship to bring the four-foot fence to the dumpster. Mrs. Conrad stated it could be considered but noted that a dumpster will not be sitting on site. Mr. Bull stated there is an enclosure. Mrs. Conrad stated yes, to put the trash in. Mrs. Conrad stated there are 17 angled parking spaces with a turnaround for handicapped access.

Using the map, Mr. Warner pointed out the Porters house (back of house almost flush with the garage) and stated the majority of the headlights would be lighting up the back yard which is heavily vegetated. Mr. Warner stated Mr. Bull is correct that anything could be torn down and that it would be incumbent on a new owner to buffer the property should they tear down the garage.

Mr. Wallor asked about a 70-foot fence and the plantings. Mr. Warner stated the plantings are hydrangeas not evergreens. Mr. Wallor talked about trying to prevent young children from running into the neighboring property. Mr. Warner noted it would be 80 feet to the end of the dumpster.

Mr. Bull asked if the fencing has become a financial hardship on the whole project. Mrs. Conrad and Ms. Riess stated yes, due to the cost of wood. Mrs. Conrad also stated it is not aesthetically attractive and is it really needed. Again Mrs. Conrad noted there is a dense line of trees along the Porters property line and that the library will be planting a green fence on library property.

Mr. Luisi asked if there was any buffer from the driveway to the Porters property line. Mr. Warner stated there is heavy growth on the Porters property line. Mr. Luisi asked if the driveway is right on the property line. Mr. Warner stated it is close. Mrs. Conrad stated there is white pine that runs along the property line and is rather dense.

Ms. Cooper stated the library's property line does not touch the Porters property it touches Mr. Pulis' property line, then there's Mr. Pulis' driveway, and then the Porters property line. Ms. Cooper stated the idea was always to protect the Porters privacy and comfort. Ms. Cooper also stated the back of the library property would be used for children's activities keeping them away from the parking lot. Ms. Cooper stated she believes two sets of green fence – library/Pulis property lines and Pulis/Porter property lines would be adequate. Ms. Cooper also stated this request is not a financial consideration, there are some aesthetics to it, and that this is a hundred year project as they want it to look good for the community today and the community of the future.

Looking at the plan, Mr. Bull counted out eight parking spaces; and asked where the shorter fence would stop. Mr. Warner stated the third parking space from Saybrook Road and it would be flush with the Porters garage. Mr. Bull asked for clarification regarding the exact footage. Mr. Warner stated 35 feet.

MOTION: Ed Wallor motioned to approve the reduction in the fence at Brainerd Memorial Library from 117 feet down to 35 feet on the northern boundary off the approved site plan. Dan Luisi second. Motion carried unanimously.

b. Fieldstone Village, Joseph Rini, Esq. and Joe Mingoello

Joseph Rini, Esq., representing Connecticut Concrete Solutions, and Joe Mingoello, construction manager, were present.

Mr. Rini stated he is representing Connecticut Concrete Solutions, which is the proposed builder of the last house in the Fieldstone project. Mr. Rini stated Fieldstone was a planned development that was done many years ago and the issue that had come up recently was whether in the original approved site plan there were side yards. There was a concern because this started as a planned development, a common ownership interest type of legal entity, and at the time to be able to do this if the houses were

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done as a unit, such as a condominium, you would have a situation where there would be easements to each septic field and backup systems. It became apparent by the time it was on the site plan that in this particular planned community you could actually make the area where a line could be drawn and the owner of the unit would own everything – well and septic, and would not have to go through the extra levels of state approvals, state easements, etc. Mr. Rini stated this happened well over a decade ago.

Mr. Rini continued by stating that houses started to be built (currently 17 houses) and in most cases, there were no problems; but in this specific case there was one lot – Unit 5. The designation of the unit was done to accommodate the septic field on Unit 4 and the line is not a straight line, it is not a rectangle. Mr. Rini stated it's a straight line on Lot 6, owned by Mr. Cannon, but on the side of Lot 4, owned by Mr. Thomas, it zig zags; and what happened is the house on Unit 4, Mr. Thomas, is right against (a couple feet of the line) on the one side and part of the stairway off the back house is sitting on Unit 5. Mr. Rini noted there is a common driveway.

Mr. Rini stated in order to get a contract for the last house, there were a couple of things that they had to go before the homeowners association about, which they did, with the association setting up a series of requirements. Mr. Rini stated when this development was first done as one big parcel, Unit 5 was supposed to be one bedroom; however, it is no longer required to be one bedroom for a couple of reasons, but not the least of which is once you made the unit it eliminated that requirement. In addition, it was based on how many bedrooms and that requirement has now, since that time over a decade ago, has been increased from 5,000 gallons to 7,500 gallons and there is more than enough capacity. The septic has to be engineered, that's standard. None of that is changing anything. Mr. Rini stated they went to the association and the association went to their board and have come back with some requirements: the exterior color must be the same as the rest of the complex and they will change the declaration to allow Lot 4 to be a two bedroom unit. Mr. Rini noted this is an over 55 complex – regulated by federal law. The homeowners association takes care of the plowing of the road (private) and a lot of the services within the whole complex.

Mr. Rini provided copies of an email from John Zajac to Joseph Rini, dated 28 May 2021, that contained a letter from the Fieldstone Homeowners Association Board of Directors, dated 28 May 2021 (Exhibit A, 2 pages; on file in with the minutes in the Town Clerk's Office and in the Land Use Office). Mr. Rini stated there will be a slight change – had to redesign the proposed residence in order to move it five feet in from the property line - in order to accommodate the association's terms. Using a site layout plan, Project Title Proposed Ranch Home for Lot 5 Fieldstone Lane, Higganum, CT, prepared by Mingolello & Associates Architects, LLC, Shelton, CT, dated 5-26-21, (Exhibit B; copy on file with the minutes in the Town Clerk's Office and the Land Use Office), Mr. Rini pointed out the lot in question.

Mr. Warner stated the Commission is not here to approve the lot. Mr. Warner stated the lot is a building permit administrative review. Using a large site map, Mr. Warner reported that the entire parcel was approved in 2003 as 20 houses including four duplexes (eight units) on one lot. The 55 and older regulation allowed for the setback to be from the perimeter area only. There was nothing about individual lots. The minimum requirement is five acres and the presumption is individual houses would be built on one big lot with the setback from the perimeter only. So in the regulation there is no setback for each house. Mr. Warner stated what happened, because it's all on one lot and there is a lot of sewage flow, it becomes subject to state health regulation; therefore, every single septic system had to go to the state health department for review and that became a problem for the developer.

Mr. Warner stated they then went to the Commission, they called it a subdivision, and they divided the plan into individual lots. Mr. Chadwick asked how many. Mr. Warner stated 18 lots. So every house was on its own individual lot; and as soon as that was done, the wells and septic became a local review and there was no more need to deal with the state health department.

Mr. Warner stated the issue is now that individual lots have been created and the zoning is R-2A (two acres, 20 feet on one side 30 feet on the other), the Commission at the time approved lots that were as narrow as 60 feet (a ten foot building could be on several of the lots). Although this created the complication, the problems are in the location of the duplexes. Mr. Warner provided an informational sheet

showing the lots and the setbacks for Lots 16, 17, 4, 19, and 20 (Exhibit C; on file with the minutes in the Town Clerk's Office and in the Land Use Office). The setbacks are not 20 feet and 30 feet for a total of 50 feet, they're all significantly less, but they all received building permits, certificates of occupancy, and were signed off on. Mr. Warner stated in the zoning world they should have gone for a variance to be three feet from the property line. Mr. Warner reported that Mrs. Batzner searched the ZBA minutes and found no variances for Fieldstone. Mr. Warner stated someone came before the Commission whether under a planner's report or something else and asked how you would approve these with the presumption being there's only a perimeter, therefore, there are no setbacks among the interior lots.

Mr. Warner stated the last lot, Lot 5, was initially presented with a house 12 inches on one side and 18 inches on the other and they were told to come back with something that had at least five feet and they were also talking to the association. Mr. Warner stated the site plan currently shows five feet on each side. Mr. Warner also stated the association is aware of what's transpiring; and the key thing is, this is the last lot within the community and it should be done right. Mr. Warner noted that one of the houses was built in 2013 and he has asked Jim Puska, Zoning Enforcement Officer, and Liz Glidden, former Town Planner, about the matter and neither could recall how it was handled.

Using an As-Built Plot Plan for Unit 4 (Map 60, Lot 11), Fieldstone Village, Fieldstone Lane, Haddam, CT, prepared by Dutton & Johnston, LLC, Land Surveyors and Civil Engineers, Glastonbury, CT, dated 06/14/2006, revised 10/18/2006 and 10/31/2006, (Exhibit D; on file with the minutes in the Town Clerk's Office and in the Land Use Office), Mr. Rini pointed out the lot in question. Mr. Wallor questioned the property and setback lines on the site layout plan (Exhibit B). Mr. Rini stated the property line is not changing only the setback lines leaving at least five feet all the way on the side that is Lot 4, Mr. Thomas, and on Mr. Cannon's side the line is straight. Mr. Wallor stated he can see that the line goes over the stairs of Lot 4. Mr. Rini stated Lot 4's stairs actually hit Lot 5. Mr. Wallor asked Mr. Rini what specific lines designate. Mr. Rini stated the property line is the zig zag line. Mr. Bull stated the owner of Lot 5 could say he wants the steps from Lot 4 removed. Mr. Warner agreed. Mr. Rini stated the stairs encroachment from Lot 4 has been there for so long, the courts wouldn't require they be removed. Mr. Rini pointed out that the driveway between Lots 4 and 5 is a joint driveway and this is in the deeds. Mr. Wallor asked if the septic will go before local authorities (Connecticut River Area Health District – CRAHD). Mr. Rini stated yes, because it will be a designed and engineered system and by state law all have to be designed for two bedrooms. Mr. Rini stated there is no longer a one bedroom septic system. Mr. Warner clarified that the septic system will not be going to the state health department. Mr. Warner stated he wanted to bring this to the Commission's attention. Mr. Rini stated he believes Geoff Colegrove was the town planner at the time.

John Zajac, representing the Fieldstone Homeowners Association Board of Directors, stated Mr. Rini and Mr. Warner spoke of the original plan and the original plan was a cluster development. Mr. Zajac stated similar newer developments are located in Clinton (off Beach Road), Clinton Nursery property (on Route 1, will be developed), and that there are numerous ones in Middletown, Westbrook, and Old Saybrook. Mr. Zajac stated Mr. Rini submitted a plan with a common septic and border line setback and that was designed by his group Fieldstone LLC. Mr. Zajac stated when they had difficulties getting approvals for the septic, they changed the design to individual lots which now made them subject to zoning variances. Mr. Zajac stated in the past, development on this site was done with no eye towards the declaration that was written by Mr. Rini for this town that was past and approved by this town. The declaration states there will only be 15 one bedroom homes. Currently there are 17 two bedroom homes and the proposed would be 18. Mr. Zajac stated no regard.

Mr. Zajac stated Mr. Cannon's and the other adjacent property were both built illegally. The last house built in 2013 was illegally built and should have been stopped by the building inspector. Mr. Zajac stated it got so bad that the attorney for the adjacent neighbor had to approach the attorney for the perspective buyer so that they wouldn't have to tear down. Mr. Zajac stated shame on the Board of Directors for not getting involved, but what has happened in the past is unclear; however, two wrongs do not make a right.

Mr. Zajac asked the Commission to defer any decision as the plans in front of the Commission are not complete and they cannot be approved because there's a five foot setback. Mr. Zajac stated the neigh-

neighborhood and association provide for garbage pickup and every home has a shed along the garage that extends three feet from the garage with outdoor shed doors and an inside door from the garage. All garbage cans are kept in the shed and the association pays extra for refuse pickup because the garbage man goes to each individual shed (no curbside pickup allowed). Mr. Zajac stated nowhere in the revised plan is there space on either side of the garage for a three foot extension plus the three foot adjacent walkway (a minimum of 6 feet on the side of the proposed garage required).

Additionally, Mr. Zajac stated nowhere on the plot plan does it show what type of heat system will be used noting that most of the homes are heated by propane. If propane is provided by tanks on the outside of the house, as most are aware, a pad and access way are required for the tank. Nowhere on the five foot setback is there provision for this. Mr. Zajac noted most of homes in the neighborhood have inground tanks. Mr. Zajac stated it's unclear where a tank would go because the well and the driveway are to the front and the septic system is to the back of the lot.

Mr. Zajac asked how any construction could be done within a five foot setback without encroaching on two neighboring private properties (would need approval of the neighboring property owners). Mr. Zajac stated nothing was brought up to the association about regrading Mr. Cannon's property, Lot 6, as the whole lot needs to be regraded due to runoff going into his septic system.

Mr. Zajac stated although he appreciates Mr. Rini submitting a revised plan, the plan only dealt with the one foot and fifteen inch setback that was rejected by Mr. Warner. The revised plan does not address a number of other issues to make the lot a viable building lot. Mr. Zajac stated the lot is small, and he would have thought he would have gone before the ZBA as he cannot build the property in accordance with all the other homes in the development and as required by the declaration they wrote without encroaching on other people's property.

Mr. Chadwick stated he lived in a similar development; and asked about the rules – installation of a fence (no), plantings (border only). Mr. Zajac asked Mr. Chadwick if he owned the property with Mr. Chadwick stating yes. Mr. Zajac stated with most of these types of developments people own the building and not the land; however, Fieldstone is different because everyone owns their own lot. The Homeowners Association is responsible for the maintenance of the property and the home owner is responsible for his immediate surrounding shrubs. If a homeowner wants to build an additional island type garden they must seek permission from the homeowners association. Mr. Zajac stated the backyards are considered a common area and have restricted use.

Mr. Rini stated they are not asking for approval to specific plans. Mr. Rini stated the association's requirements as outlined are going to be met, but the plans have to be altered to accommodate that. Mr. Rini stated what the issue is, in part, was to review all records to see if there was a side yard requirement and to the best of his understanding there was never a discussion about the side yard requirements. Mr. Rini stated when he spoke to Mr. Zajac, Mr. Cannon, and another gentleman, he was informed – 1) there needs to be a site plan with revised five foot setbacks approved by the town as well as ZBA variances approved by the town; 2) revised plan would assure the exterior design of the home conforms to the other within the development; 3) present site plan shows "Asphalt Driveway" and all driveways and walkways must be pavers; 4) revised plot plan does not show attached exterior Garbage Storage Shed and required access walkway (must conform with association provided refuse collection requirements); 5) exterior siding color must be consistent with surrounding homes in development – light grey, cream, or yellow; 6) based on construction manager's past performance, an escrow account to be held by the Fieldstone Homeowner's Association in the amount of \$25,000 be set up before any construction to defray any cost to repair damage to common properties or adjacent properties.

Mr. Rini stated all those conditions have to be accommodated; and a setback is a setback, and more work has to be done with the architect. Mr. Rini stated Mr. Warner was kind enough to review the records and he did in his office and did not find anything. Both feel they should address the Commission. Mr. Rini stated although Mr. Warner has administrative ability to approve the plan in regard to the setback, they have to have clearance from the association (have cleared them with a revised plan). Mr. Rini

stated the architect will not do anything further until it's clear that the five feet will be acceptable; and if not, the deals dead.

Mr. Warner stated this meeting is important because there will be record of it and it will show that Lots 16, 17, 4, 19, 20, and 5 are legal with those setbacks. There is nothing within the regulations that allows it and this will make it clear for these lot owners. Mr. Warner stated if a variance is now required, then the other lots are not legal.

Mr. Wallor asked if the original plan was for 15 units. Mr. Rini stated no, it was always 18 units and reviewed the septic requirements - 5,000 gallon limit and each bedroom is 150 gallons (two bedrooms 300 gallons). Mr. Rini stated the way it calculated out 15 units at 300 gallons equaled 4,500 gallons leaving 500 gallons to play with and so to get from 18 to 15 – three – one-bedroom units. Once the lots were made into units, it broke the requirement because it was no longer one large parcel. Mr. Rini stated the current requirement is 7,500 gallons not 5,000 gallons. Mr. Rini also stated according to the association's letter, they have indicated that they would be willing if everything else is acceptable that the declaration could be changed so they would be able to do the two-bedroom house.

Mr. Warner stated for four months in 2003 and 2004 they talked about well and septic. The approved plan was all on one parcel and for 20 units with a handful of duplex units. Mr. Warner noted that the chairman of P&Z signed the plan. Mr. Wallor asked who the chairman was at that time. Mrs. Batzner stated in 2003 it would have been Paul Geraghty. Mr. Warner stated yes.

Mr. Rini stated it took three years, two attorneys, and five applications to get approved. Mr. Warner stated its 18 units and 18 lots. Mr. Warner did not understand where Mr. Zajac came up with 15 lots. Mr. Zajac stated when the declaration was approved (final) it was 18 lots with no more than 15 two-bedroom homes. Mr. Wallor thanked Mr. Zajac. Mr. Zajac stated the septic was driving the declaration and when the septic gallonage changed the declaration should have too. Mr. Luisi stated the declaration is an association issue not P&Z's. Mr. Rini agreed, but they have to clear the association under the declaration. Mr. Rini stated Fieldstone who owns the land has nothing to do with Mr. Mingoello. When the development was created, Mr. Mingoello was the builder and the landowners were a separate limited liability company and to this day remain so. Mr. Rini stated at the time the declaration was drawn up, Mr. Mingoello was Arbutus LLC (name used originally); and Connecticut Concrete Solutions is currently owned by Christine Mingoello and Mr. Mingoello is the construction manager of that entity.

Mr. Warner stated the point is there is no interior setback for this subdivision; therefore, the lots are legal. The Commission is addressing Lot 5, but as said to the association, nothing will be approved until everyone is happy with it. Mr. Zajac stated the association recognizes that it's an approved building lot, but it needs to be understood that the associations roll in this matter; over the years it has been a free for all, build whatever you want, and there were no checks and balances. Mr. Zajac stated now with the people currently sitting on the board (association), they are finding there's no notes, nothing within the minutes, and trying to go forward with any new construction or sale of a unit by the book/law. Mr. Zajac noted that units were sold, but once buyers saw the declaration they couldn't live by them. Hopefully going forward there's a clear understanding of what the rules are. Mr. Zajac stated if this home is built, there needs to be a proper appeals process done and a proper plan with all the extremities on the plan. Mr. Zajac stated there are items missing on the plan. Mr. Warner told Mr. Zajac he (the association) has approval power.

Mr. Rini stated once this gets in, separate from getting the association's approval, if someone wants to add something within the subdivision, they can't go within five feet of their sides. Mr. Zajac stated they need to apply for a variance.

Mr. Wallor asked Mr. Warner where the Commission should go with this matter. Mr. Warner stated he was merely making the Commission aware of the matter and putting it on the record. Mr. Luisi noted this is the last lot. Mr. Wallor stated this is a ZBA issue. Mr. Warner stated no, as there are already five lots that were constructed without ZBA approval; and if this is a ZBA issue, then every one of those lots are illegal. Mr. Warner stated an interpretation was made that there is no interior setbacks and we're working to get this last lot correct so everyone is happy.

John Cannon, owner of Lot 6 adjacent to Lot 5, asked if the Commission was saying that having a house without the shed was o.k. Mr. Wallor stated the Commission is not saying that at all and it is not saying anything regarding this matter. Mr. Cannon asked if the existing border lines from the existing lots are going to be honored and not disputed. Mr. Rini told Mr. Cannon he has an As-Built survey with the lines on it. Mr. Warner stated normally lot lines are required to be staked out before the foundation is dug. Mr. Cannon stated he would like to see some type of survey. Mr. Wallor stated all that information is public and should be filed in the Town Office Building.

Mr. Luisi asked how the Commission can rectify something similar to this from happening in the future. Mr. Wallor stated a better site plan would be required. Mr. Luisi asked if there is something that can be changed. Mr. Warner stated there is nothing on the plan that conforms to the regulations.

Recording Clerk's Note: Mr. Rini used Lot and Unit interchangeably throughout the meeting.

c. Prohibited Use Review

The Commission agreed to table discussion until the 17 June 2021 meeting.

8. Correction/Approval of the Minutes

The Commission agreed to table the approval of the 20 May 2021 minutes until the 17 June 2021 meeting.

9. Chairman's Report

There was nothing new to report at this time.

10. Scheduling of Hearings

Request to Change a Conservation Easement - Mr. Warner reported there is a request to change a conservation easement. **Hearing Date:** Thursday, 1 July 2021. After discussion regarding whether there would be a quorum due to the 4th of July holiday, Mr. Warner will see if the applicant can be ready for the 17 June 2021 meeting.

11. Town Planner's Report

There was nothing new to report at this time.

12. Adjournment

MOTION: Steve Bull motioned to adjourn. Ed Wallor second. Motion carried unanimously.

The meeting was adjourned at 8:11 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 17 June 2021.