

**THE COMMISSION HAS NOT YET
READ OR APPROVED THESE MINUTES**

**EASTFORD TOWN PLANNING COMMISSION
TUESDAY, AUGUST 11, 2020 -7PM
Ivy Glenn Memorial Library & Zoom**

Regular Meeting

Members Present: Effie Vinal, Chair; Chuck Lee, Vice-Chair; Rob Torcellini, Denis Day, Mary Scalise

Members Absent: None

Also Present: Jim Larkin, Planning Agent; Susan Welshman, Recording Secretary

Meeting was called to order at: 7:00 pm

Old Business: None

New Business: None

Planner's Report: Jim Larkin reported that the Planning Commission that he had received the mylar for Scott Perry's property which will need to be signed and recorded. Paul Torcellini commented that it appears that all the work done at this property appears to be done according to plans and the conditions of approval. Paul and Effie Vinal also commented on the neatness of the completed project.

J Larkin also reported that he had been contacted about various lot line adjustment questions, had received a garage request for a subdivision lot and has received no new Planning applications.

Inland Wetlands and Watercourse Report: Jim Larkin, Wetlands Agent reported:

- Two Notices of Violation for two properties on Old Colony Road. Owner is looking into the repair or replacement of the culvert on one property and the second property reports that a survey of the property is in progress in order to possibly expand one building. A discussion occurred among Commission members concerning violations and real estate transactions as Notice of Violations do not appear on Land Records. It was suggested that this topic be raised to the IWWC for further discussion.
- J Larkin reported that he issued 2 Agent Permits. One for a swimming pool on Rte 198 and another for drainage on Old Colony Road.
- Issued a Notice of Violation for property at 120 Union Road for work done without a permit. Limited disturbance occurred. Property owner working with J Larkin toward permit.

- Pertaining to the Jurisdictional Ruling given to George Jung for his property development at the corner of Ashford and Westford Roads, J Larkin reports that a letter was sent to Mr. Jung informing him that he was not adhering to the conditions of the plan submitted. J Larkin has had multiple conversations with Mr. Jung with repeat visits. J Larkin spoke with Town attorney who feels that the IWWC is in a grey area due to the jurisdictional ruling and the fact that no work has been performed in the upland review area. J Larkin is working with the Selectmen's Office, Building Official, Mr. Jung, Mr. Jung's engineer and attorney to get the project back on track. The IWWC was provided a plan showing 24 units but the Department of Health received a plan for 12 units. J Larkin has tried to contact the Department of Health about the matter and has provided the Selectmen's Office with the plan received by the IWWC. J Larkin states that if the plan submitted to the Department of Health is different from previously submitted to the IWWC, it should be also be submitted to, at a minimum, the IWWC Agent for review in order to determine potential effects to the Jurisdictional Ruling. Per plans sent to the Selectman's Office, J Larkin observed that the Erosion and Sedimentation Control measures had changed and that the trenches for the septic had needed to be enlarged by 3-4 feet. Calculations for trenches had not yet been done when plan was received by the IWWC. J Larkin noted that the First Selectman felt this project needed to come before the Planning Commission. Effie Vinal said that the only reason to come before Planning, in this instance, would be for the sign off sheet as the Planning Commission has No Jurisdiction in this matter. Paul Torcellini stated that this is all laid out in the driveway permit application as a first step or first permit issued. Effie Vinal asked about what happens if Wetlands directives are ignored and construction just continues. J Larkin responded that an attorney is then contacted for an injunction. The attorneys and court are the enforcers of an injunction. Paul Torcellini noted that the Building Permit process is governed by State Statute and it is against the law to construct without a building permit resulting in civil penalties and possible jail time, etc.
- J Larkin reported that the Wetland application for 221 Eastford Road has to be withdrawn and reapplied for due to expiration date. Will be checking on Erosion and Sedimentation Controls already installed. Stated that Cease and Desist Order has been recorded on the land records.
- J Larkin stated that a Cease and Desist Order issued to George Jung for second phase of development (8 units) at 123 Ashford Road has yet to be lifted with a formal release. Effie Vinal asked as to who is responsible for bringing this forward to the IWWC. Mary Scalise responded that Mr. Jung is responsible since the land deeds will not be transferred to the Condo Association until a certain percentage of condos are occupied.

Paul Torcellini ask J Larkin as to wether the Dollar General project had reached completion and had been signed off on. J Larkin responded in the affirmative.

J Larkin returned to the topic of the George Jung properties and the involvement of the Planning Commission. He asked if this topic should be considered for an agenda item at next month's Planning Meeting; specifically the issue of sign off sheets when no jurisdiction has been determined. P Torcellini stated that someone needs to make the determination that properties were not subdivided before 1967. Discussion of amended subdivisions took place. Paul Torcellini stated that driveway permits concern construction on Town property with safety and

sedimentation issues also being a Town concern and do fall under the jurisdiction of the Planning Commission.

J Larkin stated that if the driveway is on a public road or in a subdivision then the Planning Commission has some jurisdiction and oversight.

Chuck Lee asked for the floor. Permission granted by Chair. C Lee stated that the Commission was off of the agenda and that the current discussion should be placed on the agenda for next month's meeting.

Susan Welshman stated that a Zoom Attendee named Kathy Shrock had requested ,through private chat, permission to ask the Commission a question. Chair gave permission. K Shrock asked for clarification as to what Jung property was previously discussed as requiring more information for Wetlands. She was unsure as to wether or not it was the property at the corner of Westford and Ashford or the property behind the existing Nahaco development accessible by 122 Ashford Road. E Vinal stated that she was unaware that Mr. Jung owned the property accessible by 122 Ashford. J Larkin confirmed that the discussion in question applied to 117 Ashford (corner of westward and Ashford).

Kerry Jung, Meeting attendee (in person) asked if audio and chat responses would be recorded. S Welshman responded in the affirmative.

Chairman's Report: None

Communications: None

Approval of Bills: None

Minutes of the Previous Month's Meeting: None

Adjournment: 8:04 pm

Respectfully Submitted,
Susan Welshman
Recording Secretary

Approved: