

**MINUTES OF THE CHESHIRE TOWN COUNCIL PUBLIC HEARING HELD ON
TUESDAY, SEPTEMBER 11, 2018 AT 7:00 P.M. IN COUNCIL CHAMBERS, TOWN
HALL, 84 SOUTH MAIN STREET, CHESHIRE CT 06410**

**Public Hearing Subject Matter
Proposed amendment regarding Building
Permit Late Fees Section 3-3 (e)**

Present

Robert J. Oris Jr. Chairman; Paul A. Bowman, Vice-Chairman; Patti Flynn-Harris, Jeffrey Falk, Thomas Ruocco, Timothy Slocum, Peter Talbot, David Veleber.

Absent: Sylvia Nichols

Staff: Town Manager Sean Kimball; Asst. Town Manager Arnett Talbot; Town Attorney Al Smith; Finance Director James Jaskot; Gerald Sitko, Economic Development Coordinator; Neil Dryfe, Police Chief; Brian Pichnarcik, Deputy Police Chief; Lt. Michael Durkee; Police Officers Lespier and McClelland.

Special Guest: Police Officer Alysha Pirog

1. ROLL CALL

The clerk called the roll and a quorum was determined to be present.

2. EXPLANATION OF HEARING PROCEDURE AND AGENDA

3. READING OF LEGAL NOTICE

The clerk read the legal notice into the record.

4. PRESENTATION ON HEARING SUBJECT

Mr. Veleber stated this late fee matter is similar to the IWW late fee proposed. The building permit fees address the issue of people performing work without appropriate permits, and not doing the work in the proper order.

Keith Darin, Building Official, explained the surge of permits for completed work by homeowners involved in a real estate transaction, with buyers putting the burden on the seller for work done without a building permit. With real estate closings pending, this requires quick action and inspections by the Building Department to move the transaction forward. In these instances, the property owner wants enhanced value of the home when it is being sold with appropriate permits in place for completed work. The department encourages people to take out permits before the work is done, and have the required inspections completed to insure the work is safe.

5. QUESTIONS AT THE DISCRETION OF THE CHAIR.

Frank Gomes, Regent Court, said he respects the Planning and Building Departments and inspectors and the work they perform, particularly related to safety of structures. He questioned whether an inspection is required for basic repairs inside the walls of his home, and if a permit is required.

Building Official Darin explained there is a Connecticut Supplement, Residential Code 105.2, which lists the work exempt from permit for residential buildings. This would include plumbing, heating, electrical and other exemptions. He cited an example of a remodeled kitchen...cabinets, counter tops, tile work...which is work exempt from a building permit. A copy of the code is available to residents.

Mr. Gomes commented on homeowners not knowing the law, wanting to abide by the law, and as things change, not wanting to violate any laws. He has concerns about the "penalty" for a homeowner.

In response, Chairman Oris informed Mr. Gomes that if he or anyone has any questions about building permits or other inquires, they can reach out to the Building Department staff and have then answered. Town staff is available to assist residents on any and all matters.

Tom Norback, Gunner Court, talked about the after the fact fee being characterized as a "penalty", and said it is just a fee schedule. When doing work without a permit, someone should pay an additional fee, and this does not seem onerous to hm. The after-the-fact fee is not a penalty...it is a fee.

6. PROPONENTS AND OPPONENTS STATEMENTS ALTERNATELY EXPRESSED.
7. REBUTTAL AT THE DISCRETION OF THE CHAIR.
8. ADJOURNMENT

Chairman Oris adjourned the public hearing at 7:13 p.m.

Attest:

Marilyn W. Milton, Clerk