



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
GRISWOLD TOWN HALL
SALUTE TO THE FLAG

APPROVED MINUTES
MARCH 13, 2017

I. **REGULAR MEETING (7:00 P.M.)**

1. **Call to order:**

M. McKinney called this regular meeting to order at 7:00 p.m.

2. **Roll Call**

Present: Martin McKinney, Courtland Kinnie, Charlotte Geer, Erik Kudlis, James Krueger
Alternates Tom Palasky, Robert Parrette, Peter W. Zvingilas, Town Planner Mario Tristany, ZEO Peter Zvingilas, Recording Secretary Donna Szall

3. **Determination of Quorum**

There was a quorum for this regular meeting.

4. **Approval of Minutes**

A. Approval of Minutes of the Regular Meeting of February 13, 2017.

M. McKinney asked a motion on the minutes. R. Parrette cited corrections on page 5 for missing text after RS Means; page 6, reads vive years should be five years; page 8 reads "no" response should read a response; page 8, remove before; page 11 reads story, should read storing snow plows. M. McKinney asked for a motion since these were typos that will be corrected.

MOTION: C. Geer moved to approve the minutes of February 13, 2017 contingent upon the corrections of the typos. C. Kinnie seconded the motion. There were 3 ay votes and 2 abstentions. The motion was carried.

5. **Correspondence and Attachments**

A. Letter dated February 21, 2017 from Turner Environmental, LLC regarding a copy of their application to Request Reauthorization under the General Permit for Diversion of Water for Consumptive Use, River Ridge golf course, 301 Preston, Road, Jewett City, CT to DEEP, Bureau of Water Protection and Land Reuse, Water Planning & Management Division

P. Zvingilas stated that this is a DEEP general permit for the golf course for irrigation and is for our information. There was discussion of this matter.

6. **Matters Presented for Consideration**

A. SUB 01-17 GEER, THOMAS D. & RICHARD B., PROPERTY AT 141 NORMAN ROAD, GRISWOLD, CT. Request for an approval of a re-subdivision to create Lot 1 consisting of 2.01 ± acres. The property is zoned R-60.

C. Geer recused herself from this matter. M. Tristany stated that this requires a public hearing. C. Geer did not leave the room. M. McKinney asked M. Tristany to go over this application. M. Tristany stated that this application requires a public hearing because State statutes require a public hearing for re-subdivisions and recommended that a public hearing be set for April 10, 2017 at 6:45 p.m.

M. McKinney asked for a motion to set a public hearing.

MOTION: J. Krueger moved to set a public hearing for SUB 01-17 Thomas and Richard Geer for April 10, 2017 at 6:45 p.m. E. Kudlis seconded the motion. All were in favor. The motion was carried.

B. ZC 02-17 TOWN OF GRISWOLD PLANNING AND ZONING COMMISSION, 28 MAIN STREET, JEWETT CITY, CT. Text amendments to the Town of Griswold Zoning Regulations to 1) remove Section 1.3 "Official Rulings"; 2) removed Section 13.5 "Waivers"; 3) add to Section 21 Definitions for "Farm" and "Housing Unit"; Change Section 11.8.2.2c "Front Landscaping Areas" from 4 inch caliper to 2 inch caliper. Amend Section 4.2.4, Section 4.2.5; Section 4.2.5d, Section 4.2.5f, Section 4.2.5.f.10, and add Section 4.2.5.f.12.

M. McKinney asked M. Tristany to explain the text amendments. He explained that removing the official ruling section from the regulations since 1) the state statues do not allow for official rulings; and 2) that there have been situations where an applicant has used a previous official ruling decisions of the commission as a basis to approve application that are a grey area. M. McKinney stated that the town attorney has recommended that an official ruling is making a ruling that has not come before the commission.

M. Tristany stated that section 13.5 Waivers to be removed from the regulations because the Commission has allowed for waivers of certain zoning requirements. He explained that the MacKenzie rule that the court ruled that the only entity that can waive zoning regulations is the Zoning Board of Appeals. M. Tristany stated that this would apply to special exceptions or zoning permits for commercial applications. There was discussion of this matter including that this does not affect a home occupation application.

M. Tristany stated that the Definition of Farm and Housing units and accessory structures. M. McKinney asked members who were not comfortable with this. P. Zvingilas stated that he got information from Attorney Branse regarding the farming section. P. Zvingilas handed out an email that he received from the town attorney. There was discussion of this matter. P. Zvingilas stated that he thought that it would be better handled as a special exception to give the commission more control rather than as a zoning permit. C. Geer asked if it has ramifications on a property's taxes. P. Zvingilas stated that there is the agricultural tax rate and then there is a commercial tax rate when it different from a farming operation. M. McKinney stated that this application should be looked at more thoroughly at the next meeting and then a public hearing can be set after we review.

M. McKinney asked about the caliper. M. Tristany explained that when he wrote those regulations, planning and zoning at the time wanted the trees to be 4 inch caliper. He explained that with a 4 inch caliper is a big tree, it is expensive and for it to fail to root. M. McKinney asked that we want to go back to the 2 inch caliper. M. Tristany stated yes. J. Krueger had a question about races on the farm for foot races. M. Tristany stated that this already exists in the regulations. M. McKinney asked if there was anything in the regulations regarding farm mazes and parking. He asked that members review the information from Attorney Branse for the farming section.

M. McKinney asked for a motion to postpone this matter for discussion of this matter to the next regular meeting.

MOTION: C. Geer moved that ZC 02-17 be put on agenda for the April 10, 2017 meeting for discussion and a date for a public hearing. J. Krueger seconded the motion. All were in favor. The motion was carried.

C. ZC 03-17 TOWN OF GRISWOLD PLANNING AND ZONING COMMISSION, 28 MAIN STREET, JEWETT CITY, CT. Text amendments to the Borough of Jewett City Zoning Regulations to 1) add new language to Section 7.1 "Permitted Uses"; 2) new language to Section 11.4 "Off Street Loading"; 3) remove section 13.4 "Waivers".

M. Tristany explained that there has been a problem in the Borough when there is a change of use; the regulations require that all the requirements for off-street parking and landscaping be satisfied. He cited the Zuckerbruan building as an example of a change of use and that there is only on-street parking for customers. He stated that Borough zoning must be updated to deal the off-street load parking and

landscaping requirements. He stated that the waiver clause allowed a way to skirt those requirement issues; but the waiver regulation must be removed.

M. Tristany stated that we have to update the Borough regulations for the loading requirements; existing buildings would not have to deal with the loading requirements. He stated that the C-Commercial District runs from Slater Avenue up North Main Street. He stated that these are housekeeping regulations so that existing commercial buildings won't have to deal with the parking and loading issues in the Borough. M. McKinney stated that no one on Main Street has loading docks.

M. McKinney asked if the two applications s can be reviewed in one meeting for the town and borough regulations in one public hearing. M. Tristany stated yes.

P. Zvingilas stated that the off street loading requirement says that it doesn't apply for existing building. He said it should apply to existing commercial buildings. M. Tristany stated that it does. E. Kudlis read the proposed language for the record. M. McKinney asked if all off-street loading should be removed from the borough regulations. M. Tristany stated that there are lots on Main Street that can have off street parking. M. McKinney stated that he was talking about off-street loading. There was discussion of this matter.

M. Tristany stated the intent was that should someone acquire property that has the ability to provide off=street parking; do away with loading in its entirety. He stated that some buildings are not just commercial, they include residential and offices. M. McKinney stated that because of the mixed use in the Borough, it should be all or nothing and not require off street loading for all businesses in the Borough. He stated then it should read off-street loading spaces shall not be required for existing buildings located in the C-Commercial District.

M. McKinney asked for a motion to combine the Jewett City Zoning changes with the Griswold Zoning changes on to one public hearing to be presented at the April meeting for discussion.

MOTION: C. Geer moved that ZC 03-17 Town of Griswold Planning and Zoning Text Amendment to the Borough of Jewett to postpone this matter to the April 10, 2017 meeting at which time a public hearing will be scheduled. J. Krueger seconded the motion. All were in favor. The motion was carried.

7. Additional Business

There was no additional business.

8. Old Business

A. Discussion of Connecticut Federation of Planning & Zoning Agencies 69th Annual Conference on March 23, 2017.

M. Tristany stated that this was discussed at last month's meeting and you have a list of people who have been involved with the land use commissions. He cited the names and the years of service. He stated that this was to formally send the name of these people to the Connecticut Federation of Planning and Zoning Agencies. M. McKinney stated that he thought that T. Faulise and D. Doucette should have their names submitted for the Lifetime Achievement. There was discussion of this matter.

MOTION: E. Kudlis moved to submit the names of Theodore Faulise and Dorothy Faulise Doucette for the Lifetime Achievement Award using the form provided by the Connecticut Federation of Planning and Zoning Agencies. J. Krueger seconded the motion. C. Kinnie asked how many years W. Przylucki had. D. Szall stated that he was on ZBA from 1997 to 2017. C. Kinnie stated that there are two who have been more than 25 years. All were in favor. The motion was carried.

9. New Business

A. Election of Officers

C. Kinnie moved to elect M. McKinney as Chairman. C. Geer seconded the motion. All were in favor. The motion was carried. E. Kudlis moved to elect C. Kinnie as Vice Chair. C. Geer seconded the motion. All were in favor. The motion was carried. J. Krueger moved to elect C. Geer as Secretary. E. Kudlis seconded the motion. All were in favor. The motion was carried.

10. Reports from the Enforcement Officer

P. Zvingilas stated that there was a trial in the court for Griswold Drive for the accumulation of junk and we are awaiting the judge's decision.

He stated that we will go to court on Mechanic Street, where 20 cars have accumulated on the property.

M. McKinney asked if there is another mechanism for the ZEO other than if they comply, the cease and desist is dropped. P. Zvingilas stated that when they complied, he sends them a letter that they have complied and expect that they continue to comply. P. Zvingilas stated that he can get you copies of the letters.

P. Zvingilas stated that Haley Meadow Road property has removed most of the snow plows and he is almost in compliance.

11. Adjournment

M. McKinney asked for a motion to adjourn. J. Krueger moved to adjourn at 7:50 pm. E. Kudlis seconded the motion. All were in favor. The meeting adjourned at 7:50 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary