



Town of Griswold



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**GRISWOLD PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
MINUTES OCTOBER 10, 2017
GRISWOLD SENIOR CENTER**

SALUTE TO THE FLAG

Chm. McKinney asked all present to stand for the Pledge of Allegiance to Our Flag.

I. PUBLIC HEARING (6:45 PM)

1. Call to order:

Chairman Martin McKinney called the public hearing to order on July 10, 2017 at 6:45 p.m.

2. Roll Call

Present: Martin McKinney, Courtland Kinnie, Charlotte Geer, Alternate Robert Parrette, Town Planner Mario Tristany, ZEO Peter Zvingilas.

Absent: James Krueger, Alternate Tom Palasky, Peter W. Zvingilas, Erik Kudlis

3. Determination of Quorum

Chm. Martin McKinney appointed R. Parrette to sit for J. Krueger. Chm. McKinney determined that a quorum of the Commission was seated.

4. Matter Presented for Public Comment

Chm. McKinney read the following application into the public hearing Record.

A. ZC 01-18 OSGA, BRIE, PROPERTY AT 383 BETHEL ROAD, GRISWOLD, CT. Applicant request a text amendment to Section 11.7 Home Occupation to allow: (1) Permit on a case by case basis, the leasing of an approved unique home occupation to a bone fide business operator. (2) Amend Section 4 – R80, R60 & R40 Zones to allow Special Private Events such as Farm Dinners, Cooking Classes, and Food Tasting Events.

- Town Planner M. Tristany stated that the subject public hearing was formally advertised in the Norwich Bulletin as required by the Griswold Zoning Regulations.
- M. Tristany stated that first legal notice was published on September 26, 2017 and the second notice was published on October 05, 2017.
- M. Tristany further stated that because the proposed text change could affect property in Griswold that is within 500 ft. of all adjoining municipalities, Section 8-3b of the CT General Statutes require the application to be forwarded to the Southeastern

- Connecticut Council of Governments (SECCOG), the Northeast Council of Governments (NECOG) and to the Town Clerks of all adjoining towns.
- M. Tristany read the September 12, 2017 letter from the SECCOG and noted that the staff conclusion was that the proposed amendments would not have an “adverse inter-municipal impact.”
- M. Tristany also read the September 12, 2017 email from the NECOG and noted that the staff conclusion was “all set.”
- M. Tristany read the October 10, 2017 letter from the Chairman of the Town of Lisbon Planning and Zoning Commission. The Lisbon P&Z reviewed the proposed amendments at their October 03, 2017 meeting and that the amendments would not have “any adverse inter-municipal impact.”
- M. Tristany concluded by saying that the referenced documents are part of the official public hearing record.
- Chm. McKinney asked if there was anyone present to represent the application.
- The applicant Brie Osga stated that the intent of the proposed text amendments are to permit on a case by case basis the leasing of an approved unique home occupation to an approved business operator and to allow the hosting of farm dinners, cooking classes and food tasting events.
- Brie Osga present several photographs of various farm dinners and other events that she has hosted in other communities.
- C. Kinnie noted that the majority of Planning and Zoning Commission members had visited the applicant’s farm property and inspected her commercial kitchen.
- C. Kinnie further noted that nothing adverse jumped out at him at the site walk.
- C. Kinnie stated that he had no further comments at this time.
- Chm. McKinney stated that he had also visited the applicant’s property and concurred with Courtland’s assessment.
- Chm. McKinney asked ZEO P. Zvingilas if he had any questions regarding the proposed application.
- ZEO P. Zvingilas responded no.
- Town Planner M. Tristany stated that the applicant’s property has 11.7 acres of land and therefore exceeds the minimum “farm definition” requirements and qualifies as a “farm.”
- T. Planner M. Tristany read the “farm” definition from Section 21 of the Griswold Zoning Regulations and noted that the definition does not quantify a minimum of “domestic and other animals.”
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- T. planner M. Tristany noted that the applicant has horses, raises chickens for egg production that she uses in her culinary business, raises vegetables and herbs as well.
- T. planner M. Tristany further noted that the applicant recently renewed her commercial kitchen home occupation and stated that everything is satisfactory.
- Chm. McKinney asked if there was anyone present to speak in favor or against the proposed zoning text change application.
- David Vieaux, 59 Leha Avenue asked the following questions:
 - Does the Home Occupation regulations still allow for one full time and one part time employee?
 - Questioned how the “case by case” basis works and wanted to know who makes the decision?
 - Does the proposed amendment allow the serving of alcohol?
- T. Planner M. Tristany commented that the Home Occupation regulations allows for one full time and one part time employee.
- T. Planner M. Tristany stated that the “case by case” determination will be made by the Planning and Zoning Commission.
- Regarding the alcohol question ZEO P. Zvingilas stated that if the alcohol is “sold,” a license from the State Liquor Commission would be required.
- Chm. McKinney stated that the original application was significantly modified / reduced in scope.
- Chm. McKinney re-read the proposed amendment details.
- David Vieaux asked “don’t we have an ordinance committee that deals with this?”
- T. Planner M. Tristany stated that the Ordinance Committee deals with “Town” Ordinances. M. Tristany further stated that the Connecticut General Statutes provide that the only entity that can change zoning regulations is a Planning and Zoning Commission.
- David Vieaux asked if the applicant’s septic system was sized to deal with any of the proposed events as he did not want the applicant to served with a cease and desist order when planning an event.
- Dean Christie, 373 Bethel Road an abutting property owner to Brie Osga commented that the applicant’s septic system was sized for a five bedroom home.
- R. Parette asked what in Section 4 of the Zoning Regulations is being changed.
- T. Planner M. Tristany stated that Section 4 deals with the Residential districts and what uses are currently permitted. M. Tristany read the permitted uses and noted that there is a detailed language that relates to “Commercial Farms.”
- R. Parette noted that the applicant clearly has a “farm.”

- C. Kinnie stated that the applicant has to meet the definition of a farm.
- R. Parette asked if the applicant is already a farm, why the amendment is needed.
- T. Planner M. Tristany stated that Section 4 currently does not allow as a permitted use the following uses that the applicant desires to establish i.e., Private Events such as Farm Dinners, Cooking Classes and Food tasting Events.
- R. Parette stated that the proposed amendment will be a new section 4.2.10 correct?
- T. Planner M. Tristany stated yes.
- R. Parette commented that the term “amending” is confusing as we are not amending Section 4 we are adding to Section 4.
- T. Planner M. Tristany that the term that is “standard” when changing zoning regulations is “amending.” M. Tristany noted that is somewhat semantics.
- Chm. McKinney asked if any commission members or staff had any additional questions, comments or concerns. There being none, Chm. McKinney as for a motion to close the public hearing.
- R. Parette made a motion, seconded by C. Kinnie to close the public hearing at 7:05 p.m. The motion passed unanimously.

II. REGULAR MEETING (7:05 P.M.)

1. Chairman Martin McKinney called the Regular Meeting to order at 7:05 p.m.

2. Roll Call

Present: Martin McKinney, Chairman, Courtland Kinnie, Charlotte Geer, Alternate Robert Parrette, Town Planner Mario Tristany, ZEO Peter Zvingilas.

Absent: James Krueger, Alternate Tom Palasky, Peter W. Zvingilas, Erik Kudlis

3. Determination of Quorum

Chm. Martin McKinney appointed R. Parrette to sit for J. Krueger. Chm. McKinney determined that a quorum of the Commission was seated.

4. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of September 11, 2017.

Chm. McKinney asked if there were any corrections and/or omissions. There being none, Chm. McKinney asked for a motion to approve the September 11, 2017 minutes.

- R. Parrette made a motion, seconded by C. Geer to approve the minutes of the September 11, 2017 regular meeting. The motion passed unanimously.

5. **Correspondence and Attachments**

A. None

6. **Matters Presented for Consideration**

B. **ZC 01-18 OSGA, BRIE, PROPERTY AT 383 BETHEL ROAD, GRISWOLD, CT.** Applicant request a text amendment to Section 11.7 Home Occupation to allow: (1) Permit on a case by case basis, the leasing of an approved unique home occupation to a bone fide business operator. (2) Amend Section 4 – R80, R60 & R40 Zones to allow Special Private Events such as Farm Dinners, Cooking Classes, and Food Tasting Events.

- Chm. McKinney stated that ZC 01-18 was the subject of the previous public hearing and asked if the commission had any additional questions or comments. There being none, Chm. McKinney asked for a motion on the application.
- C. Kinnie noted that the amendment will require an effective date and asked T. Planner M. Tristany for a date.
- T. Planner M. Tristany suggested November 01, 2017 as the effective date.
- C. Kinnie made a motion, seconded by C. Geer to approve ZC 01-18 as presented with an effective date of November 01, 2017. The motion passed unanimously.

7. **Additional Business**

- Chm. McKinney asked if there was any new business to come before the Commission.
- T. Planner M. Tristany stated that a new Zoning Permit Application was received after the October 10, 2017 Agenda deadline.
- T. Planner M. Tristany stated that the new application ZP 03-18 filed by the Jewett City Department of Public Utilities for the construction of a Flood Wall at the Waste Water treatment Facility at 51 / 52 Wedgewood Drive.
- R. Parette made a motion, seconded by C. Geer to add ZP 03-18 to tonight's agenda. The motion passed unanimously.
- T. Planner M. Tristany stated that copies of the proposed Flood Wall Site Plan are on the table.
- T. Planner M. Tristany stated that the Griswold Inland Wetlands Commission reviewed and approved the Flood Wall application at its September 21, 2017 meeting. T. Planner M. Tristany stated that the Commission has received a Zoning Permit Application ZP 03-18 from CLA Engineers for the Jewett City Dept. of Public Utilities for a proposed Flood Wall at their Wedgewood Drive Waste Water Treatment Plant. M. Tristany noted that a couple of years ago the plant was partially inundated and the National Guard and local fire Departments sand bagged and pumped flood water to prevent the plant from being inundated.
- R. Parette stated that we need a motion to place ZP 03-18 on tonight's agenda.

- Chm. McKinney asked for a motion to add ZP 03-18 on tonight's agenda.
- R. Parette made a motion, seconded by C. Geer to place ZP 03-18 on tonight's agenda. The motion passed unanimously.
- B. ZP 03-18 Jewett City Dept. of Public Utilities, 9 East Main Street, Jewett City, CT.** Applicant desires to construct extensions to the existing flood wall and to flood proof the existing Heard works building and regarding of the entrance driveway to create a berm to prevent flood water from entering the site.
- T. Planner M. Tristany noted that the Griswold Inland Wetlands Commission has reviewed and approved the Flood Wall application at its September 21, 2017 meeting.
- T. Planner M. Tristany further noted that the site plan has been reviewed by David Held, P.E., and Peer Engineer for the Town of Griswold and has approved the plan as presented.
- T. Planner stated that the Planning and Zoning Commission, by State Statute must first received a report from the Wetland Agency prior to taking any action on an application that contains regulated soils and or water.
- C. Kinnie noted that the application is straight forward and needed to protect the treatment plant from flooding.
- Chm. McKinney asked if the Flood Wall Project is Federally funded.
- T. Planner M. Tristany stated that to his knowledge, he doesn't believe that any funding is in place to construct the flood walls.
- Chm. McKinney asked the Commission if they were comfortable with voting on ZP 03-18 tonight.
- Chm. McKinney asked for a motion to approve ZP 03-18.
- R. Parette stated "so moved."
- Chm. McKinney asked if the applicant paid the filing fees.
- T. Planner M. Tristany stated that the applicant has requested that the filing fees be waived.
- C. Kinnie commented that the Board of Selectmen waived the Wetland Application filing fee and thought that their action would have also included the Planning Commission fees but wasn't sure.
- C. Kinnie stated that the one concern that the Wetland Commission has was related to the proposed Backflow Preventers proposed for the flood wall.
- C. Kinnie further noted that the Town Planner had researched the specific backflow preventer type and found that the particular backflow preventers are of high quality.

- T. Planner M. Tristany noted that the Wetlands Commission approval requires the Jewett City Dept. of Public Utilities to develop an annual maintenance program for the backflow preventers.
- C. Kinnie also noted that the joints at the location where the Flood Wall meets the existing Head Works building was also of concern.
- ZEO P. Zvingilas stated that the Flood Walls will be pinned to the Head Works building foundation.
- C. Kinnie made a motion, seconded by R. Parette to approve ZP 03-18. The motion passed unanimously.

8. Old Business

There was no old business.

9. New Business

- C. Discussion and possible action for proposed farming regulations changes recommended by the Town Attorney.
 - T. Planner M. Tristany noted that P. Zvingilas has been working with the Town Attorney regarding this matter.
 - P. Zvingilas noted that the Town Attorney has provided two different farm definitions for consideration,
 - Chm. McKinney asked C. Kinnie if he has had time to review the subject document.
 - C. Kinnie stated that he has not.
 - Chm. McKinney asked for a motion to table this matter to the November regular meeting.
 - C. Kinnie made a motion, seconded by C. Geer to table the proposed farm regulations to the November meeting and further asked T. Planner M. Tristany to re-send the Town Attorney's document with the November agenda.

10. Reports from the Enforcement Officer

Chm. McKinney asked ZEO P. Zvingilas if he had anything to report.

- ZEO P. Zvingilas made reference to a Blight problem on Mechanic Street and noted that he has been working with the town attorney on fixing the problem.
- ZEO P. Zvingilas noted that the problem has been corrected.

11. **Adjournment**

Chm. McKinney asked for a motion to adjourn tonight's meeting.

- C. Kinnie made a motion, seconded by C. Geer to adjourn at 7:25 p.m. The motion passed unanimously.

Respectfully Submitted,

Mario J. Tristany Jr.

Griswold Town Planner