



# Town of Griswold

28 Mai Street  
Griswold, CT 06351  
Phone: 860-376-7060 Fax: 860-376-7070



**GRISWOLD PLANNING & ZONING COMMISSION  
REGULAR MEETING MINUTES  
APRIL 12, 2021 at 7:00 P.M.  
GRISWOLD MIDDLE SCHOOL AUDITORIUM  
211 SLATER AVENUE, GRISWOLD, CT**

## **SALUTE TO THE FLAG**

Acting Chairman C. Kinnie asked all present to stand for the Pledge of Allegiance to Our Flag.

### **1. Roll Call**

**Present:** Acting Chairman Courtland Kinnie, Vice Chairman, Secretary Jacob Valentine, Erik Kudlis, Peter Zvingilas, Town Planner Mario Tristany, First Selectman and Griswold Road Superintendent Todd Babbitt

**Absent:** James Krueger, Rob Parrette, David Bennet, Martin McKinney

### **2. Determination of Quorum**

Acting Chairman C. Kinnie seated Peter Zvingilas for Martin McKinney and determined that a quorum of the Commission's Regular Membership was present and seated.

### **3. Approval of Minutes**

#### **A. Approval of the Minutes of the March 08, 2021 Regular Planning and Zoning Commission Minutes.**

- Acting Chairman Kinnie asked for a motion to accept and approve the March 08, 2021 minutes
- Commissioner Kudlis noted that there was a spelling error on page #01 "ice" should be "Vise." The error was noted by Town Planner M. Tristany.
- Commissioner Kudlis made a motion to approve the March 08, 2021 Minutes as presented
- Commissioner Valentine seconded the motion and the Commission voted to approve the minutes. Commissioner P. Zvingilas abstained from voting as he was not present at the March 08, 2021 meeting.

### **4. Old Business**

#### **A. Subdivision Application Sub-02-2021 Jody & Thomas Humble, 135 Sam Chicken Road, applicant desires to create a Two (2) Lot Subdivision.**

- Town Planner M. Tristany updated the Commission regarding the Griswold Wetland Commission March 18, 2021 review of CC 02-2021 and further noted that the P&Z Commission at their March 08, 2021 meeting approved

Sub. 02-2021 with the condition that the Griswold Wetlands Commission approve the application.

- M. Tristany further noted that the Wetland Commission noted that no construction was planned in the 75 ft. Upland Review Area, and approved the application as presented.

**B. Zoning Permit Application ZP 01-2021 DFG, LLC Donald Gordon**, 7 Sheldon Road, applicant desires to construct a 4,634 Storage Building with interior Office Space.

- Town Planner Tristany stated that he received an email this morning from David McKay, P.E., Boundaries, LLC and read said email into the record. D. McKay asked that the application be carried over to the Commission's May 10, 2021 meeting.
- Acting Chairman Kinnie asked for a motion to table ZP 01-2021 to the May 10<sup>th</sup> Planning & Zoning Commission meeting. Commissioner P. Zvingilas made a motion, seconded by Commissioner J. Valentine to table ZP 01-2021 to the May meeting. The motion was unanimously approved.

**C. Subdivision Application Sub 03-21 Maro P. Flagg & James E. Simpson**, 509 Preston Road Proposed 6 Lot Subdivision.

- Town Planner M. Tristany updated the Commission and noted that Sub. 03-2021 is currently before the Griswold Wetlands Commission and it will be reviewed at their April 15, 2021 meeting.
- M. Tristany further noted that the application was put on tonight's agenda as a place holder.

**5. New Business**

**A. SE 03-15 Renewal - Excavation of Earth Products and Removal at 43 Sibicky Road and 176 Rixtown Road.**

- Acting Chairman C. Kinnie asked if there was anyone present to represent application SE 03-15
- Attorney W. McCoy from the firm of Heller, Heller, McCoy was present and stated that he was representing the applicant.
- W. McCoy stated that Phases 1 and 2 were currently in operation.
- W. McCoy further stated that historically there have been no violations or complaints or problems with the earth excavation work.
- Acting Chairman C. Kinnie asked if there was a completion date for the excavation work.
- W. McCoy stated that no there isn't a current completion date and further noted that Tilcon would probably be back in two years for another two-year extension.
- Acting Chairman C. Kinnie asked Town Planner M. Tristany if he had received any complaints regarding the excavation operation.
- Town Planner M. Tristany stated that he has not received any complaints about the Tilcon excavation and he further noted that Tilcon and its C.E.O., Frank Lane have been excellent Stuarts of the land, and have followed their plans that have been submitted for approval.
- W. McCoy noted that the application is a straightforward renewal application and that have not been any changes made to the approved excavation plans.
- Acting Chairman C. Kinnie asked for a motion on Application SE 03-15.

- Commissioner P. Zvingilas made a motion to approve SE 03-15. The motion was seconded by Commissioner Kudlis and the Commission unanimously voted to approve Se 03-15 as presented. The motion was unanimously approved.

**B. Letter dated March 30, 2021 from attorney William Sweeney representing Gotspace Data, LLC to review conceptual plans for Hyperscale Data Centers for Griswold and amendments to the Griswold Zoning Regulations to facilitate Master Plan Districts.**

Acting Chairman C. Kinnie asked if there was anyone present to represent this agenda item.

- Attorney William Sweeney introduced himself as a partner with the Law Firm of TCORS, located in New London, CT.
- W. Sweeney also introduced James Rossman, Principal with the engineering firm Stadia Engineering Associates, also located in New London, CT.
- W. Sweeney stated that they are representing Gotspace, LLC a Hyper Scale Data Center developer, and further noted that the Gotspace C.E.O., is Thomas Quinn.
- W. Sweeney noted that the Gotspace team consists of nationally recognized Data Center experts
- W. Sweeney further noted that data centers as a use typically have developed in built up areas and in rural areas as well.
- W. Sweeney stated that data centers require a lot of power to operate. Hyper Scale facilities are designed to shift their power loads. They are state -of -the-art designed buildings with state-of-the-art electronics and backup power systems.
- W. Sweeney commented that new legislation was recently put into law by the CT General Assembly to address Data Centers in CT.
- W. Sweeney stated that companies like Facebook, Instagram, Google, and cloud-based services are constantly looking for areas in which to construct new data center facilities. It was further noted that the medical and insurance industries also look for data centers to store their records.
- W. Sweeney noted that Data Centers are not here in Ct for the following four reasons.
  - Corporate Tax Incentive
  - Inexpensive Power
  - Ready access to Fiber optics
  - Predictable regulatory Environment
- The cost of taxes and utilities in the Northeast have precluded the development of Data Centers.
- Data Centers are a tax deferred industry with no corporate taxes and no real estate taxes.
- W. Sweeney noted that the Town of Griswold Board of Selectmen recently signed a “Host Agreement” and the Town will get an annual PILOT Payment for each Data Center that is constructed in Griswold.
- W. Sweeney further stated that Gotspace is working with the local Jewett City D.P.U. regarding power and we have access to fiber optic trunk lines along our interstate highway systems.
- W. Sweeney stated that Gotspace is reaching out to towns regarding permitting at the local level as Data Centers have an inherent need for “flexibility” in the local zoning approval process.
- W. Sweeney noted that we have two major sites in Griswold that are under contract to share with you tonight for the location of Data Centers.

- W. sweeney turned the discussion over to James Rossman to talk about the two Griswold sites that are under contract for Data Center Development.
- J. Rossman stated that he is responsible for the site / civil aspect of the Data Center developments.
- J. Rossman referenced the Route 164 / Barber Road Property and noted the following:
  - Three (3) Data Centers proposed
  - Two (2) that require 32 megs of “IT” power and 44 megs of power for peak demand
  - One (1) that requires 16 megs of “IT” power and 22 megs of power for peak demand
- J. Rossman noted that the sites are limited by the current available power.
- J. Rossman commented that we are not a full engineering design, but the Route 164 / Barber Road site has detailed wetland mapping completed.
- J. Rossman referred to the two conceptual plans that were placed for the Commission members to see and noted that the buildings displayed are approximately twice the size (footprint) of the former Ames development now Ocean State Job Lot facility.
- J. Rossman noted that the Data Centers are 90% occupied by computer servers and electrical devices. A small portion is dedicated to office space. The Data Center halls are climate controlled to run at a certain temperature year-round. The servers and electronics and servers require a super dry environment.
- Data centers have a low occupancy rate and an extremely low traffic count. A 32 meg Data Center will have approximately 45 to 60 employees and three shifts of workers.
- J. Rossman stated that the parking requirement will need to be changed. Instead of parking spaces based on the building square footage, parking will need to be scaled down based on the number of employees. The number of spaces required would be approximately 60 to 70 spaces.
- J. Rossman further commented that the Data Centers will need potable water and sanitary sewer access.
- J. Rossman noted that the size of the Data Center buildings will trigger review by the State OSTA (Office of State Traffic Authority) which reviews projects with over 100 parking spaces and/or building containing 100,000 square feet of floor space. Data Centers will be over the 100,000 Square foot building size.
- J. Rossman referenced the former Polinsky property and noted that seven (7) 32 meg Data Centers are planned for this property. We know what infrastructure is needed and where it currently is.
- J. Rossman noted that the building that are shown in the conceptual drawings are not necessarily the actual buildings that would be constructed. Each Data Center has their own standard building.
- J. Rossman noted that we are not showing any signage as some Data Centers want signage and some do not.
- J. Rossman noted that Data Centers are highly secured facilities and operations. Public access is not permitted. Employee or vender access only.
- Commissioner E. Kudlis asked if there are any military or governmental aspects of these proposed projects.
- J. Rossman responded possibly. Any hyper scale facilities lend themselves to governmental entities.

- J. Rossman referenced a document in the package that lists several existing hyperscale data center developments.
- J. Rossman further noted that other users that move a lot of data will locate here.
- J. Rossman stated that Data Centers will locate where there is a heavy data user.
- Commissioner E. Kudlis asked about the significant amount of power and asked about possible fusion.
- J. Rossman noted that we will be working with the municipal power grid (ISO New England) there is approximately 1,000 to 1,500 megs of power that is generated but not used.
- Commissioner E. Kudlis further asked about the generation of heat and asked how the buildings are conditioned and what about excess heat.
- J. Rossman currently using air heat exchangers on the outside of the buildings. Some capacity for geothermal systems.
- Commissioner E. Kudlis asked about 5G and electro-magnetic radiation generation.
- J. Rossman commented yes within the building but n exterior to the building.
- J. Rossman is familiar with 5G. We are fiber optically connected.
- Commissioner E. Kudlis asked about the feasibility of other development within the Barber Road property and will the data center development negate the remaining acreage from being used by other commercial development.
- J. Rossman commented yes. Gotspace will control the entire site.
- Town Planner M. Tristany noted that the property contains approximately 130 acre of land and referred to the 20-acre huge wetland on site and the several smaller wetland areas.
- Town Planner M. Tristany further commented that when you factor in the 150 ft. wetland Upland Review Areas surrounding the existing wetland areas, there is only approximately 45 to 50 acres of developable land.
- J. Rossman pointed to the “purple” areas on the conceptual drawing and noted that these are the mapped wetland areas on the property.
- J. Rossman defined the term “Dark Fiber” which is the industry standard name for existing fiber optic conduit without fiber optic lines in it.
- Commissioner E. Kudlis asked if these facilities use gas.
- J. Rossman noted sometimes for backup generation but we are using diesel backup generators.
- Commissioner J. Valentine asked about the upgrade to the power grid.
- J. Rossman commented that we will either be upgrading the power lines themselves or upgrading the lines to the substations and adding on to the substations to suit their power needs. Currently working with the JCDPU on this.
- Acting Chairman C. Kinnie noted that there is a water tower shown on the Barber Road property and asked if it is going to be the property of Gotspace.
- J. Rossman replied no, it will become the property of the Jewett City Water Company.
- J. Rossman further noted that the tower will be adequately sized to facilitate the needs of the Route 164 area and the needs of the Jewett City Water Company.

- Commissioner Zvingilas asked if these developments are currently allowed under the current zoning.
- Town Planner M. Tristany responded yes. He further noted he had prepared a draft text amendment to address data centers. Our, land use attorney, Mark Branse had reviewed our existing zoning regulations and had determined that data centers would fit in as “offices.”
- W. Sweeney commented not specifically. We need to have the ability to say that we have pre-approved sites in Griswold that will meet your specific needs.
- W. Sweeney further stated that the designs for Google, Apple data centers will be completely different from each other in terms of building design, landscaping, and site layout.
- W. Sweeney referenced his draft text “Overlay Zone” proposed regulation that is designed to give inherent flexibility at a Master Plan level, but still need to fine tune their specific site plan.
- W. Sweeney passed out a flow chart that compared the current site plan process and the Master Plan process. He further noted that a lot of communities use master Plan concepts.
- Town Planner M. Tristany reminded the Commission that the Dakota Partners Oak Tree Village housing development zoning was a Master Plan Overlay Zone specifically for the Route 164 site for Work Force Housing.
- W. Sweeney mentioned that Stonington and Waterford have Master Plan Floating Zones.
- W. Sweeney referenced his Technology Park District Text Amendment.
- W. Sweeney noted that a 32-meg building will pay the Town of Griswold an annual PIOLT (Payment in lieu of taxes) of \$1.5 Million Dollars.
- W. Sweeney noted that because the Griswold Board of Selectman was one of the first communities to sign the “Host Agreement,” Griswold is one of, if not the “TOP” contender for Data Center development in the State.
- Amazon wants to hear that there is a Town in eastern Connecticut that is all ready set up to permit the development of data centers.
- Town Planner M. Tristany noted that this matter will be continued to our May meeting.
- Town Planner M. Tristany stated that there is a guy sitting at this table namely First Selectman Todd Babbitt who is the most responsible person for bringing Data Centers to Griswold.
- Town Planner M. Tristany stated that this has been a three (3) year project that collectively we have been working on and the effort has finally come to fruition with William Sweeney, Jim Rossman and Tom Quinn the owner of GotSPACE, LLC.
- Town Planner M. Tristany continued to note that we owe Todd Babbitt a debt of gratitude for his due diligence and persistence and not giving up on this economic development.
- First Selectman T. Babbitt commented that this has been a three-year process that was somewhat dragged out due to Covid. He further noted that approximately a third of the land that GotSPACE has acquired in CT is in Griswold.

**C. Zoning Permit ZP 02-21 – Home Occupation Request, Mario J. Tristany, Jr.  
23 Harry Hall Drive, Griswold, CT – Repair, Transfer and Limited Sale of Firearms.  
Zoning Approval is a prerequisite for applying for a Federal Firearms License.**

- Acting Chairman C. Kinnie read the Zoning Permit ZP 02-21 into the record and asked if there was anyone present to represent the application.
- M. Tristany stated that he was present.
- Acting Chairman C. Kinnie started the application review by addressing each of the sub-sections of Section 11.7 of the Griswold Zoning Regulations entitled: Home Occupations.
- The Sections reviewed were: 11.7.1, 11.7.2, 11.7.3, 11.7.4, 11.7.5, 11.7.6, 11.7.7, 11.7.8, 11.7.9, 11.7.10, and 11.7.11
- Following a review of the Home Occupation subsections, it was noted that all of the sub-sections have been satisfactorily complied with except for section 11.7.11 which requires an accurately drawn floor plan of the basement area to be utilized by the proposed home occupation.
- Acting Chairman C. Kinnie asked if M. Tristany could add the floor plan drawing to the file.
- M. Tristany stated yes.
- Acting Chairman C. Kinnie asked if any Commission member had any questions regarding the application.
- Commissioner E. Kudlis made a motion to approve Zoning permit ZP 02-2021 with the contingency that a diagram of the basement area be placed in the home occupation file. The motion was seconded by Commissioner P. Zvingilas and the Commission unanimously voted to approve ZP 02-2021.

**6. Reports from the Zoning Enforcement Officer**

**A. 15 Susan Avenue - Denise Zarick has filed a Motion to Open Judgment so we must hold off tearing down the illegal shed.**

- Town Planner Mario Tristany noted that the Susan Avenue – Illegal construction of several storage sheds including a two story shed without permits has been issued a court judgement that the owner has to remove the illegal structure within 30 days of being served by the Town and further has to pay fines totaling approximately \$10,000.00 in fines and our court and attorney fees.  
First Selectman T. Babbitt noted that a request was made for an open summary judgement. He further noted that the owner was served both in New York and here in CT.

**B. 177 Sheldon Road – Ariste Johnson – Illegal Fence, Tractor Trailer Boxes  
Awaiting Court hearing & decision.**

- Town Planner Mario Tristany noted that there are currently two Zoning Matters before the court as follows:
- 177 Sheldon Road – A. Johnson property for illegally constructed fence, two tractor trailer storage boxes and one unregistered motor vehicle. We are currently waiting for a court judgement on the multiple zoning infractions.

**7. Any other business that may properly come before this Commission.**

- Acting Chairman C. Kinnie asked if there is any new business.
- Town Planner M. Tristany noted no.

- Acting Chairman C. Kinnie asked First Selectman T. Babbitt if he had anything that he wanted to say.
- Selectman T. Babbitt noted that we have been working on the Data Center projects since 2018 and following some restructuring by the developer we are a lot closer than we have ever been. He noted that the Board of Selectmen signed the Host agreement and hoped that we continue to move forward
- Selectman T. Babbitt continued to note that since the agreement was signed, 3 or 4 clients have reached out and now 7 to 10 clients have reached out to Gotspace. He further noted that the payments in lieu of taxes will significantly off set our mil rate and taxes.
- Selectman T. Babbitt stated that the proposed water tower will be paid for by the developer which will not only benefit the data center but the town as well.
- Selectman T. babbitt commented that because of the data centers locating in Griswold, there will be interest from support industries for example companies that change out the servers every two years so there is a lot of potential moving forward.

#### **8. Adjournment**

- Commissioner E. Kudlis made a motion to adjourn the meeting at 8:39 p.m. The motion was seconded by Commissioner J. Valentine and the Commission unanimously voted to adjourn.

**Respectfully prepared and submitted by:**

*Mario J. Tristany Jr.*

**Mario J. Tristany, Jr.  
Town Planner**