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Town of Griswold

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**GRISWOLD PLANNING & ZONING COMMISSION
REGULAR MEETING MINUTES
May 10, 2021 at 7:00 P.M.
GRISWOLD TOWN HALL
28 MAIN STREET, JEWETT CITY, CT**

SALUTE TO THE FLAG

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

1. Roll Call

Present: Chairman Martin McKinney, Vice Chairman Courtland Kinnie, Peter Zvingilas, David Bennet, Town Planner Mario Tristany, First Selectman and Griswold Road Superintendent Todd Babbitt

Absent: James Krueger, Rob Parrette, Erik Kudlis, Jacob Valentine

2. Determination of Quorum

Chairman M. McKinney seated Peter Zvingilas for Erik Kudlis and seated David Bennet for Jacob Valentine. Chairman M. McKinney 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 April 12, 2021 Regular Planning and Zoning Commission Minutes.

Chairman McKinney asked if any members had any questions regarding the April 12, 2021 meeting minutes.

- Commissioner D. Bennet questioned the statement about a 32meg building will pay the Town of Griswold an annual PILOT payment of \$1.5 Million.
 - Town Planner M. Tristany stated that the statement is verbatim
 - Commissioner D. Bennet also questioned the statement made by First Selectman Todd Babbitt that one third of the property that Gotspace has acquired in Connecticut is in Griswold
 - Town Planner M. Tristany stated that the statement is factual and is a verbatim statement
- Chairman McKinney asked if there were any other questions. There being none, Chairman McKinney asked for a motion to approve the minutes.
- Vice Chairman C. Kinnie made a motion to accept and approve the minutes as presented

- The motion was seconded by Commissioner P. Zvingilas and the Commission voted three (3) in favor with Commissioner D. Bennet abstaining from voting
- The April 12, 2021 meeting minutes were approved

4. Old Business

A. Zoning Permit Application ZP 01-2021 DFG, LLC Donald Gordon, 7 Sheldon Road, applicant desires to construct a 4,634 Storage Building with no interior Office Space – existing structure to be used as office space.

Chairman McKinney read item A and asked if there was anyone present to represent the applicant.

- J. Faulise, Principal of Boundaries, LLC stated that he was present to represent the applicant
- J. Faulise stated that D. McKay, P.E. with Boundaries, LLC was also present to represent the applicant
- J. Faulise noted that the application was tabled at the May 10th meeting as the elevation drawings of the proposed building were not available from the original manufacturer and the applicant had to change the manufacture
- J. Faulise noted the changes made to the site plan as follows:
 - The proposed gravel parking lot area has been changed to asphalt millings
 - The Connex Box will be removed from the site and not relocated on the site
 - Building drawings are the last item left for consideration
 - Typical 5 bay garage structure with a door on the Route 138 side of the building. The east and south sides are bare walls
- J. Faulise stated that the proposed landscaping is in compliance with the Griswold Zoning Regulations. The arborvitaes consist of a double row of staggered plantings
- J. Faulise noted that the driveway entrances will remain the same and wheel stops have been added to the 10 parking spaces
- J. Faulise further noted that two copulas will be added to the roof structure
- J. Faulise commented that any future changes to the site plan will have to come back before the Planning Commission and he further noted that Town Planner M. Tristany has some degree of latitude with minor changes
- Vice Chairman C. Kinnie noted that the proposed copulas should be in scale with the building
- Chairman M. McKinney asked if any Commission members had any questions about the application
- Commissioner D. Bennet asked if the handicap space is to be paved
- J. Faulise responded by saying “Yes” and the proposed sidewalk will also be paved
- Chairman McKinney asked for a motion on the application
- Vice Chairman C. Kinnie made a motion to approve ZP 01-2021 with the condition that the Town Planner reviews the proposed copulas prior to their placement on the building
- Commissioner D. Bennet seconded the motion and the Commission unanimously voted to approve ZP 01-2021

B. Subdivision Application Sub 03-21 Maro P. Flagg & James E. Simpson, 509 Preston Road Proposed 6 Lot Subdivision – Wetlands Commission Approved Application CC#10-2021 on April 15, 2021.

Chairman McKinney read item B asked if anyone was present to represent the applicant.

- Attorney H. Heller stated that he was present to represent the applicants
- H. Heller noted that J. Faulise and D. McKay are also present to represent the applicants
- H. Heller noted that the subdivision was before the Commission at their April and May meetings and was tabled to await the review by the Griswold Wetlands Commission
- H. Heller stated that the subdivision consists of 6 lots with the town boundary line running diagonally to Burton Road
- H. Heller stated that lots 2 thru 6 are partially in Griswold and the only lot to have development in Griswold is lot #6
- Chairman McKinney asked Town Planner M. Tristany if he had any comments on the application
- Town Planner M. Tristany stated that lot #6 has meet all of Griswold's Zoning and Subdivision regulation requirements and the remaining lots will have to meet the Town of Preston Zoning and Subdivision Regulation requirements
- H. heller suggested that the Griswold approval should be predicated on the application being approved by the Town of Preston
- Chairman McKinney asked if the Commission members had any questions regarding the proposed subdivision application
- There being no additional questions, Chairman McKinney asked for a motion on the application
- Vice Chairman C. Kinnie made a motion to approve subdivision application Sub 03-2021 Maro P. Flagg & James E. Simpson, 509 Preston Road Proposed 6 Lot Subdivision conditioned on the approval by the Town of Preston with no changes to Griswold
- The motion was seconded by Commissioner P. Zvingilas and the Commission voted unanimously to approve the subdivision application

C. Gotspace Data, LLC to continue the review on the proposed Master Plan / Overlay Zone Text Amendment, and to continue discussion on the conceptual plans for Hyperscale Data Centers for Griswold. Set Public Hearing for the June 14, 2021 meeting.

Chairman McKinney read item C asked if anyone was present to represent the applicant.

- Attorney William Sweeney, Partner with TCORS Law Firm, New London, CT stated that he was present to represent the applicant
- W. Sweeney referenced last months meeting and their lengthy presentation on the proposed data center development and the proposed Technology Park Overlay Zone Text Amendment

- W. Sweeney stated that he would forward the proposed text amendment document to M. Tristany tomorrow, May 11, 2021 but first wanted to see if the Commission had any specific questions on the document or wanted any additional language in the document
- Chairman McKinney asked W. Sweeney to give a brief overview of the proposed text amendment
- 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 for the location of Data Centers.
 - A brief discussion ensued regarding the Data Centers and the payment of taxes
 - W. Sweeney stated that a 32 meg building will pay the Town of Griswold an annual PILOT Payment of \$1.0 Million and he further noted that a 32 meg building has an additional power load for the ancillary power to run the building which increases the

megawatt load to 48 megs that will pay the Town of Griswold \$1.5 Million annually for the life of the building

- W. Sweeney referenced the Community Host Agreement which the Griswold Board of Selectman signed
- A discussion ensued regarding cell tower development and them being tax exempt
- W. Sweeney again reiterated that the Data Centers, by virtue of the recent legislation passed by the State of Connecticut and the signing of the Host Agreement, the Town of Griswold will receive considerable tax payments
- W. Sweeney stated that to attract development centers there needs to be flexibility in the zoning regulations and to be able to market the property to an end user. Once a data center is interested in locating in Griswold, it would have to come back before the Commission with a specific detailed plan for approval
- W. Sweeney noted that there would be a two-step process. Step 1 would be the Master Plan Concept presentation and Step-2 would be the detailed site plan presentation
- Commissioner D. Bennet expressed his concern about tractor trailer traffic
- W. Sweeney stated that as part of the detailed application process we must undertake a Traffic Analysis Study
- W. Sweeney noted that Data Centers do not produce a lot of traffic
- Vice Chairman C. Kinnie asked when do Public Hearings kick in
- W. Sweeney responded for the Master Plan and further noted that Public Hearings are required for:
 - The proposed Text Amendment
 - For the Master Plan
 - For the Detailed Site Plan Approval
- Chairman McKinney asked Town Planner M. Tristany if a Public Hearing Could be scheduled without an application for a text change
- M. Tristany stated that yes, the Commission has the ability to schedule a public hearing
- W. Sweeney commented that he is prepared to file the Text Amendment Application tomorrow, Tuesday, May 11, 2021 but prior to doing so, he wanted to know if the Commission had any additional topics that they wanted included in the amendment
- Town Planner M. Tristany further noted that all abutting towns and Councils of Government are required to be notified by the Planning Department
- Commissioner Zvingilas commented that the proposed amendment should contain language that addresses any future parking needs if there is a change in the use of the data center that might require additional parking spaces
- Commissioner P. Zvingilas made a motion to set a Public Hearing date for June 14, 2021 for the Technology Park District Overlay Zone
- The motion as seconded by Vice Chairman C. Kinnie and the Commission unanimously voted to approve the Public Hearing date

5. New Business

Chairman McKinney stated that the Air B&B issue has come up again.

- A general discussion ensued regarding developing an Ordinance vs. a Zoning Text Amendment
- Chairman McKinney suggested setting up a committee or forwarding it to the Griswold Ordinance Committee and it was noted that there were two Ordinance Committee member present
- Chairman McKinney stated that the matter would be forwarded to the Board of Selectmen

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 a request was made for an open summary judgement by the defendant. We are awaiting a court date

B. 177 Sheldon Road – Ariste Johnson – Illegal Fence, Tractor Trailer Boxes

- Town Planner M. Tristany stated that we are awaiting Court hearing date

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

- Chairman M. McKinney asked if there is any new business to report
Town Planner M. Tristany noted no

8. Adjournment

- Commissioner C. Kinnie made a motion to adjourn the meeting at 8:05 p.m. The motion was seconded by Commissioner P. Zvingilas and the Commission unanimously voted to adjourn.

Respectfully prepared and submitted by:

Mario J. Tristany Jr.

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

Note: The Planning and Zoning Commission approved these minutes at their June 14, 2021 Regular Meeting.