



# Town of Griswold



28 Main Street  
Griswold, CT 06351  
Phone (860) 376-7060, Fax (860) 376-7070

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

APPROVED MINUTES  
AUGUST 08, 2016

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

1. **Call to order:**

M. McKinney called this regular meeting to order at 8:45 p.m.

2. **Roll Call**

**Present:** Martin McKinney, Courtland Kinnie, Alternates Robert Parrette, Peter W. Zvingilas, Town Planner Mario Tristany, ZEO Peter Zvingilas, Recording Secretary Donna Szall

**Absent:** E. Kudlis, C. Geer, James Krueger, Alternate Tom Palasky, Recording Secretary D. Szall

3. **Determination of Quorum**

M. McKinney sat P. W. Zvingilas to sit for E. Kudlis and R. Parrette to sit for C. Geer. There was a quorum for this regular meeting

4. **Approval of Minutes**

M. McKinney asked for approval of past minutes.

**A. Approval of Minutes of the Regular Meeting of July 11, 2016**

M. Tristany stated that there were no minutes due to D. Szall's recovery from back surgery.

5. **Correspondence and Attachments**

There was no correspondence and attachments

6. **Matters Presented for Consideration**

There were no matters for consideration.

7. **Additional Business**

There was no additional business.

7. **Old Business**

**A. Discussion of letter dated June 24, 2016 from CT Siting Council of their meeting of June 23, 2016 update of Windham Solar, LLC, solar f Farm Proposal for 121901240**

M. Tristany read the letter from the Siting Council stating that the proposal does not have any substantial adverse environmental impact and would not require a certificate of environmental compatibility and public need and listing conditions for a development & management plan for site compliance with state statutes and sent to the town of Griswold for comments. He read item 2 of the letter regarding a 3 year construction period by the facility. There was discussion of this matter.

**B. Discussion of letter dated June 28, 2016 from Bryan Burns, Commercial Construction Development requesting release of a cash bond posted for SE 01-11 DELMAC, LLC.**

M. Tristany stated that Brian Burns and Greg Mackin are here tonight. He explained that you have three

letters from Commercial Construction Development: **1)** a revised letter of credit that was approved by Town Attorney Mark Branse; **2)** a letter dated August 8, 2016 signed by Brian Burns and Greg Mackin which M. Tristany read for the record regarding the approval of SE 01-11 bond form transfer to an irrevocable letter of credit form.

M. McKinney stated that that was what we were concerned about this. M. McKinney asked if the bank had changed. M. Tristany stated no, that the bank has always been United Bank for the irrevocable letter of credit; the cash bond is at Putnam Bank. M. McKinney stated that the irrevocable letter of credit be extended. M. Tristany explained that the irrevocable letter of credit be for two years and can be extended for two years to 2020 per the town attorney. There was discussion of this matter. M. McKinney asked the commission what they wanted.

**MOTION:** C. Kinnie moved to approve the transfer from a cash bond form to an irrevocable letter of credit for SE 01-11 and that the letter being for two years with a two year extension at the expiration of the initial two years. P. W. Zvingilas seconded the motion. All were in favor. The motion was carried.

### **C. Food Vending Operation with a discussion regarding tent structures.**

M. Tristany explained that last month the commission asked him to look at drafting an amendment to the Food Vending Regulations to allow some kind of tent structure. He stated that there was a complaint registered by Mr. Philips that there was a tent at Bigg Dawggs at DiRoma Garden Center. He stated that the Fire Marshal Fred Marzec inspected this complaint about the then and that the structure the Fire Marshal inspected was not defined as a tent under the State Fire Code; but that it was as canopy. He stated you have a copy of that outlined narrative of the State Fire Code for tents and canopies. He stated that the draft regulations submitted refers to canopies as being permitted as opposed to tent structure. M. Tristany read Section 2403.2 of the State Fire Code Approval Required for the record citing that tents in excess of 200 sq. ft and canopies in excess of 400 sq. ft. require approval to be erected. He cited the exceptions of Section 2403.2 for tents for recreational camping non-commercial purposes and canopies that comply with Sections 2.1, 2.2 and 2.3. He stated that because these are considered places of assembly fall under the fire code. M. Tristany stated that the draft regulation talks to canopies and not to tents based on State fire Code. He read for the record, the draft regulation to the Griswold Zoning Regulations Section 7.2.5 Food Vending Operations General Requirements to be added **Section 7.2.5.20 Temporary Fabric Canopy Structures Shall Comply With The Following Regulations:** **a)** a manufactured canopy size not to exceed 300 sq. ft in area; **b)** a minimum clearance of 15 feet from all structures and the food vending cart/ vehicles; **c)** canopy structures shall be anchored to manufacturers specifications and stakes lines shall be marked to avoid a trip hazard and **d)** the maximum number of canopy structures is two, spaced 10 feet apart; **e)** canopy approval shall run concurrently with the annual permit issued to the food vending property owner / lessee. The annual canopy fee shall be \$150 each. M. Tristany read the food vending permits section fees for the record.

M. McKinney stated that this proposal is a good compromise and also suggested going through all the vending regulations should be updated in the near future. He asked what the commission would like to do. C. Kinnie stated that under 400 sq. ft does not require a fire code permit. M. Tristany stated yes. R. Parrette asked how the 300 sq. ft was arrived at. M. Tristany explained that he took the measurement of two picnic tables with some overhang if it rained. R. Parrette stated that we should look at other instances where a canopy may be used. M. McKinney stated that we are looking at a short term issue so we must look at the whole food vending regulation. M. Tristany stated that a public hearing is required to make changes to the zoning regulation. P. Zvingilas stated that the fee for the canopy should be concurrent with the length of the permit type being sought. There was discussion of this matter. M. McKinney stated that the canopy structure shall not exceed ICC/NFPA square footage guidelines. M. Tristany. To remove the word annual and the canopy fee shall be \$150 for each canopy and the permit fee shall run concurrently with the vending permit being requested.

**MOTION:** R. Parrette moved to set a public hearing for the revision of **Section 7.2.5.20** Food Vending Operations at the next monthly meeting on September 12, 2016 at 6:30 pm. C. Kinnie seconded the motion. All were in favor the motion was carried.

## **9. New Business**

### **A. Letter dated July 13, 2016 from Lauren Churchill to be placed on the PZC 2017 Plan of Conservation and Development sub-committee**

M. McKinney stated that there are two member at large positions available on the subcommittee for the 2017 Plan of Conservation and Development. He stated that we have three members now.

**MOTION:** C. Kinnie moved to appoint Lauren Churchill to be placed on the subcommittee to update of the Plan of Conservation and Development. R. Parrette seconded the motion. All were in favor.

**B. Letter dated July 14, 2016 from Anthony Cardin to be placed on the PZC 2017 Plan Of Conservation And Development Sub-Committee**

Anthony Cardin, 300 Bitgood Road voiced his desire to be places on this sub-committee

**MOTION:** C. Kinnie moved to appoint Anthony Cardin to be placed on the PZC 2017 Plan of Conservation and Development Sub-Committee for 2017. P. W. Zvingilas seconded the motion. All were in favor. The motion was carried.

**10. Reports from the Enforcement Officer**

P. Zvingilas stated that he has a request to put a rooftop antenna on the elementary school at for a Verizon cell tower through the Siting Council. M. McKinney asked how tall it will be. There was discussion of this matter and that it is 30 feet tall. P. Zvingilas stated that this needs an 8-24 Review. M. McKinney stated that we should speak with the town Attorney regarding this matter.

P. Zvingilas stated that the building code for a shed under two square feet requires a zoning permit but not a building permit.

**11. Adjournment**

M. McKinney asked for a motion to adjourn.

**MOTION:** P. W. Zvingilas moved to adjourn. R. Parrette seconded the motion. All were in favor. The meeting adjourned at 7:42 p.m.

Respectfully Submitted,

Mario J. Tristany, Jr.  
Town Planner