



# Town of Griswold



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## GRISWOLD PLANNING & ZONING COMMISSION PUBLIC HEARINGS & REGULAR MEETING

MINUTES

NOVEMBER 14, 2005

GRISWOLD TOWN HALL

### I. PUBLIC HEARING (7:30 P.M.)

#### 1. Call to order:

Vice Chair Gail Rooke-Norman called this public hearing of the Griswold Planning & Zoning Commission to order at 7:35 p.m.

#### 2. Roll Call:

**Present:** Members, Gail Rooke-Norman, Philip Anthony, Daniel DeGuire, Alternates Martin McKinney, and Anne Hatfield, Town Planner Demian Sorrentino, ZEO Peter Zvingilas, Recording Secretary Donna Szall

**Absent:** Chair Clyde Seaman, Member Roland Harris

#### 3. Determination of Quorum:

Vice Chair G. Rooke-Norman appointed Anne Hatfield to sit in place of Clyde Seaman and Martin McKinney was appointed to sit in place of Roland Harris. It was determined that there is a quorum for this public hearing.

#### 4. Matter Presented for Consideration:

**A. SE 02-06 Baron, Elias, 2281 Glasgo Road, Griswold. – Property Location: 2247 Glasgo Road, Griswold, CT** – Applicants request approval of a Special Exception for gravel extraction operations associated with the construction of a farm pond for agricultural use. The subject property is located in the R-80 zoning district. Continuation from October 11, 2005.

G. Rooke-Norman asked if someone was here to represent the applicant. Charles Camp, Cooperative Land Surveyors, was present to represent the applicant. He submitted the abutters' notices to the Commission. G. Rooke-Norman asked if there was a list of abutters that could be checked against these notices. There was discussion of this matter.

C. Camp explained the farm pond excavation to the Commission. He stated that there would be approximately seven acres of disturbance on a 12 acre leased area and that an A-2 survey is provided for around the perimeter of the leased area. He explained that the 145,000 cubic yards of material will be excavated below the proposed water line at elevation 74. He stated that the drainage calculations, the bond requirement and the approval of the review agency for the sedimentation erosion control are in the file. He stated that it will be managed in 3 separate phases; explaining phase one (vertical phase) and the two horizontal phases.

C. Camp explained that there would be approximately 20 truck loads per day. He stated that CT DOT has granted approval for access to the excavation site from the existing driveway of the Elias Baron property.

P. Anthony asked the specific purpose of the pond. C. Camp explained that it would be for watering of the farm animals. G. Rooke-Norman asked what animals are on the farm. E. Baron stated that there are cows and horses. G. Rooke-Norman asked if it was a working farm. E. Baron stated that it is a hobby farm and he planned to stock trout in the pond which will be deep enough for the trout to survive. He explained that ground water and rain water will keep it full. There was discussion of this matter.

G. Rooke-Norman asked for an explanation of the vertical phase at 74 feet. C. Camp stated that excavation will be to elevation 76 just be for hitting water and water should be hit at elevation 74. He further explained the vertical phase one. There was discussion of this matter.

M. McKinney asked about the lease area. G. Rooke-Norman asked if there was a lease on record. C. Camp stated no. D. Sorrentino stated that the landowner has signed the application. C. Camp stated that the lease would be obtained when approval is granted. He stated that the applicant is the owner of the property. E. Baron stated that there was documentation in the original file that he is conservator of his grandmother. There was discussion of this matter including a request by the Commission for an up-to-date signed Fiduciary Probate Certificate.

P. Anthony asked about the erosion barriers. C. Camp explained that the site is self-contained and he explained the erosion and sedimentation control measures to be used. There was discussion of this matter.

G. Rooke-Norman asked if there was wetland commission approval. D. Sorrentino stated that in a Declaratory Ruling that no activity would occur within 150 feet of a regulated area. There was discussion of this matter.

G. Rooke-Norman asked if the Commission had any questions. D. DeGuire asked if the lease area was a part of the whole area. M. McKinney asked if it was all 12 acres. C. Camp stated that the A-2 survey is for the 12 acres and was noted on Page 3 of the plan. There was discussion of this matter.

A. Hatfield asked how long it would take to remove the material. C. Camp stated that it would be for two years and stated that he was not sure of the time limit on the permit. There was discussion of this matter.

D. DeGuire asked if the material would be removed from the site. C. Camp stated that the material will be going off-site somewhere. There was discussion of this matter.

G. Rooke-Norman asked about the topsoil. C. Camp stated that all the top soil that will be required will remain on the site. E. Baron stated that there is a calculation on the back of the plan. M. McKinney asked if the material would be processed. C. Camp stated that it will be going out in raw form. E. Baron explained that there would be both and that there would be some dry screening on the site but no processing. There was discussion of this matter.

G. Rooke-Norman asked was the number of cubic yards that can be removed incidental to an excavation. D. Sorrentino stated that it was 5,000 cubic yards of material. He stated that there is a certain amount for an agricultural pond which is 1 acre. D. Sorrentino stated that this is a correct application as a special exception for a gravel excavation. There was discussion of this matter.

G. Rooke-Norman stated that this is a leased land use and that the lease area has not been defined. C. Camp showed the Commission where the lease area was defined on the plan. There was discussion of this matter including a written agreement on file with C. Camp explaining that the applicant is the lessee.

P. Anthony asked if D. Sorrentino has any problems with the application. D. Sorrentino stated that there were issues with the previous application. He stated that he did not have a problem with this application. He stated that there is an approval letter from Southeastern Connecticut Conservation District where an extensive erosion and sedimentation control plan was done. There was discussion of this matter including forwarding the bond for review by the Town engineer.

G. Rooke-Norman asked what the impact was to the underlying aquifer. C. Camp stated that it would be going into ground water. D. DeGuire asked if there would be an effect on the aquifer. C. Camp stated that there would be no permanent impact. There was discussion of this matter.

G. Rooke-Norman asked who would be doing the digging. E. Baron stated that he would be doing most of the digging. M. McKinney asked if there was any intention of re-leasing the property. E. Baron stated that once the pond is done that was it; he stated he would not lease this as a gravel operation to take it down. There was discussion of this matter.

G. Rooke-Norman asked if there were other questions from the Commission. D. Sorrentino stated that he would ask the engineer regarding digging into the water table. There was discussion of this matter.

G. Rooke-Norman asked for comments from the audience.

Robert Stachon, 2263 Glasgo Road. He stated that he was in favor of the farm pond. He stated that it would improve the view and the neighborhood. He stated that there would be noise for a little while. He asked the Commission to consider this application in a favorable way.

Mary Bentley, 2216 Glasgo Road. She stated that she is in support of keeping the area agricultural. She asked the Commission to define what a special exception was. She asked if the plans had changed from the last application. She voiced her concerns for the traffic created by the excavation. She stated that there were 20 truck-loads a day and asked how many trucks would actually be running a day. G. Rooke-Norman asked the applicant to address M. Bentley's questions.

C. Camp stated that 145,000 cubic yards of material will be moved and that there were no design changes from the last application. There was further discussion of this matter.

D. Sorrentino stated that there would be 20-25 trucks a day and explained the requirements of a special exception. D. Sorrentino read Section 12.4.9 into the record for excavation below the water table. There was discussion of this matter of excavating for a farm pond.

G. Rooke-Norman stated that information was needed from the Town engineer, information on the proposed bond and current fiduciary certificate and asked the applicant to provide an extension for the public hearing in order to get the necessary documentation.

M. McKinney asked about the third party inspection time table. D. Sorrentino stated that the Town engineer can provide a time table for the excavation. A. Hatfield stated that the cost of the inspection be paid by the applicant.

G. Rooke-Norman asked the applicant to grant a thirty day extension. D. Sorrentino stated that the applicant has granted an extension last month. G. Rooke-Norman stated that in fairness to the applicant, that he should request an extension from the Commission. E. Baron stated that he would do so.

Chad Deroy, Glasgo Road. He stated that he was concerned with the hours of operation of 7 a.m. to 7 p.m. He asked the Commission to limit the hours of operation on a Saturday. G. Rooke-Norman asked E. Baron to amend his application to regarding Saturday operations. There was discussion of this matter.

D. Sorrentino read 12.4. 11 read into the record regarding on site dry screening for commercial and industrial applications. P. Zvingilas stated that E. Baron could obtain a variance from the ZBA to have dry screening. There was discussion of this matter.

Lisa Marcy, 2280 Glasgo Road. She stated that she lives directly across from the exit to this proposed project. She stated that it was not conducive for the area in which they want to do it. She voiced her concern for the truck traffic and children's safety at the bus stop. She suggested that the Commission go out and look at it. She stated it was not in the best interest for the residents.

G. Rooke-Norman read the 30-day extension for an excavation permit application into the record. G. Rooke-Norman stated the Commission will continue this public hearing to the next regularly scheduled meeting and that a motion was needed.

P. Anthony made a motion to continue this public hearing to December 12, 2005 at 7:30 p.m. D. DeGuire seconded the motion. G. Rooke-Norman stated the motion has been made and seconded and asked for a vote. All were in favor. Motion was passed.

## **II. PUBLIC HEARING (7:45 P.M.)**

### **1. Call to order:**

Vice Chair Gail Rooke-Norman called this public hearing of the Griswold Planning & Zoning Commission to order at 8:33 p.m.

### **2. Roll Call:**

**Present:** Members, Gail Rooke-Norman, Philip Anthony, Daniel DeGuire, Alternates Martin McKinney, and Anne Hatfield, Town Planner Demian Sorrentino, ZEO Peter Zvingilas, Recording Secretary Donna Szall

**Absent:** Chair Clyde Seaman, Member Roland Harris

### **3. Determination of Quorum:**

Vice Chair G. Rooke-Norman appointed Anne Hatfield to sit in place of Clyde Seaman and Martin McKinney was appointed to sit in place of Roland Harris.

It was determined that there is a quorum for this public hearing.

### **4. Matter Presented for Consideration:**

**A. SE 01-06 Franciscan Friars of the Immaculate, 199 Colonel Brown Road, Griswold.** – In accordance with Section 10.6 of the Griswold Zoning Regulations, applicant requests approval of a Special Exception for construction of a bell tower in excess of 35 ft. in height. The subject property is located in the R-80 zoning district. Continuation from October 11, 2005.

G. Rooke-Norman asked if anyone was here to represent the applicant. A. Hatfield asked to recuse herself from this public hearing at 8:35 p.m. G. Rooke-Norman stated to let the record show that A. Hatfield who is appointed to sit for C. Seaman has recused herself.

Fr. Bonaventure McGuire was present to present the application to the Commission. He submitted the abutters' notifications to the Commission. He explained that they are asking for a special exception to exceed the height requirement from 35 feet to 50 feet, a fifteen foot

difference. He explained that there is a firm who will do the architectural engineering for the project.

G. Rooke-Norman asked D. Sorrentino if he had any comments. D. Sorrentino stated that it was pretty straight forward and that they had reviewed the plans a few months ago, and they have seen the clay model. He stated that it is of natural materials and stone. There was discussion of this matter.

Fr. Bonaventure explained that the architect suggests the floor should be of thicker concrete reinforced with steel and that the interior will also be of stone which will make it stronger than the steel structure mentioned at last month's meeting.

G. Rooke-Norman asked if there were any comments from the Commission. D. DeGuire asked P. Zvingilas if there were issues with the building of this bell tower. P. Zvingilas stated that he would need to see signed and sealed plans. There was discussion of this matter.

G. Rooke-Norman stated that this was a request for a waiver of the height requirement and that there no survey requirements were needed. D. Sorrentino stated that P. Zvingilas would go out to insure zoning compliance to property lines. There was discussion of this matter.

P. Anthony asked if the bell tower would be higher than the other structures on the site. Fr. Bonaventure explained that the church is 38 ft to 40 ft. and the bell tower will be the highest structure to date. There was discussion of this matter.

P. Zvingilas stated that the bell would be heard all over. Fr. Bonaventure stated that it was a low tone bell. P. Anthony asked when the bell would be rung. F. Bonaventure stated that it would ring at 6 a.m., 12 Noon, and 6 p.m. There was discussion of this matter.

G. Rooke-Norman asked if there were any comments from the Commission. She asked if there were comments from the audience.

Warner Moore, Colonel Brown Road. He stated lived across from the Friary. He stated the he thought the bell was great and that it would be wonderful to have a bell and it will make things nicer.

G. Rooke-Normans asked if there were any other comments. Hearing none, she closed the public hearing at 8:38 p.m.

### **III. REGULAR MEETING (8:00 P.M.)**

#### **1. Call to order:**

Vice Chair Gail Rooke-Norman called this regular meeting of the Griswold Planning & Zoning Commission to order at 8:42 p.m.

## **2. Roll Call:**

**Present:** Members Gail Rooke-Norman, Philip Anthony, Daniel DeGuire, Alternates Martin McKinney, and Anne Hatfield, Town Planner Demian Sorrentino, ZEO Peter Zvingilas, Recording Secretary Donna Szall

**Absent:** Chair Clyde Seaman, Member Roland Harris

## **3. Determination of Quorum:**

Vice Chair G. Rooke-Norman appointed Anne Hatfield to sit in place of Clyde Seaman and Martin McKinney was appointed to sit in place of Roland Harris. It was determined that there is a quorum for this public hearing.

## **4. Approval of Minutes:**

**A.** Approval of Minutes of the Special Meeting of September 27, 2005

**B.** Approval of Minutes of the Regular Meeting of October 11, 2005

**D.** DeGuire made a motion to approve the minutes of the Special Meeting of September 27, 2005 and the minutes of the Regular Meeting of October 11, 2005. M. McKinney seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

## **5. Correspondence and Attachments:**

**A.** Letter dated September 19, 2005 from John S. DeCastro, P. E. of the CT Dept. of Transportation to Vincent Cofone regarding illegal signage.

**D.** Sorrentino stated that he took down the signs,

**B.** Connecticut Planning Newsletter, October –December 2005.

**C.** Letter dated October 21, 2005 from Atty. Mark K. Branse of Branse, Willis & Knapp, LLC regarding Griswold ZBA v. Harvey Polinsky (Variance Denial).

**D.** Letter dated October 26, 2005 from the Nature Conservancy, Save the Date November 29, 2005 to discuss regional opportunities for addressing land use.

**D.** Sorrentino stated that he will be attending the November 29<sup>th</sup> workshop of the Pawcatuck Borderlands. There was discussion of this matter.

**E.** Memorandum dated November 1, 2005 from Ellen DuPont, Town Clerk, requesting the Schedule of Meetings for 2006.

**G.** Rooke-Norman asked for a motion to add this to new business. M. McKinney made a motion to add the 2006 Schedule of Meetings to new business. P. Anthony seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

## **6. Matters Presented for Consideration:**

**A. Griswold Plan of Conservation and Development.** Discussion and review of the Griswold Plan of Conservation and Development.

G. Rooke-Norman asked the Commission if the other matters to be considered should be taken care of first. There was discussion of this matter. P. Anthony made a motion to take care of the other matters before the Griswold Plan of Conservation and Development. D. DeGuire seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

**B. SE 02-06 Baron, Elias, 2281 Glasgo Road, Griswold. – Property Location: 2247 Glasgo Road, Griswold, CT** – Applicants request approval of a Special Exception for gravel extraction operations associated with the construction of a farm pond for agricultural use. The subject property is located in the R-80 zoning district.

G. Rooke-Norman stated that this matter is the subject of the prior public hearing that has been continued to December. D. DeGuire made a motion to table this matter to December 12, 2005. P. Anthony seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

**C. SE 01-06 Franciscan Friars of the Immaculate, 199 Colonel Brown Road, Griswold.** – In accordance with Section 10.6 of the Griswold Zoning Regulations, applicant requests approval of a Special Exception for construction of a bell tower in excess of 35 ft. in height. The subject property is located in the R-80 zoning district.

G. Rooke-Norman stated that this was an application by the Franciscan Friars for a bell tower that was in excess of 35 feet in height. She stated that the bell tower was 50 feet in height and with the statue, 53 feet in height.

G. Rooke-Norman stated to let the record show that A. Hatfield has recused herself from this vote. G. Rooke-Norman asked for any discussion or a motion

P. Anthony made a motion to approve the application. M. McKinney seconded the motion. G. Rooke-Norman asked for a vote. D. DeGuire asked if bonding should be considered for this. G. Rooke-Norman stated the Commission was only concerned with the amount of the tower in excess of 35 feet and that this is not a site plan review. There was discussion of this matter. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

A. Hatfield returned at 8:50 p.m.

**D. OR 01-06 Griswold, Town of, Albemarle Drive.** In accordance with Section 8, sub-sections 8.51 and 8.5.2, the Griswold Development & Industrial Commission requests an official ruling as to whether the use of Albemarle Drive as part of a new BP roadway system is permitted or prohibited, as the road has been intended for access to commercial uses.

G. Rooke-Norman asked if the applicant was present. D. Sorrentino made his presentation on behalf of the Industrial and Development Commission. He read Section 8.5.1 into the record. He explained the Industrial Development Commission is working with private landowners to develop a business park behind the area of Ablermarle Drive which is already zoned Commercial. He asked the Commission to make a determination based on Section 8.5.1 and that one of the accesses to the proposed site could be Albemarle Drive as it was identified for commercial use and terminates before these properties. D. Sorrentino stated that Albemarle Drive is not internal to the district based on Section 8.5.1. There was lengthy discussion of this matter.

G. Rooke Norman stated that the correct response would be to table pending the planner's proposal of a change to Section 8.5.1. There was discussion of this matter including Town roads without residential uses.

D. Sorrentino stated that he formally withdraws the application on behalf of the IDC. G. Rooke-Norman stated she wanted it on the record that this Commission is very pro for a good commercial park development. There was discussion of this matter.

**E. SUB 02-06 Laiser, Bernard T., 288 Brewster Road, Griswold. Property Location: Pine Road, Browning Road, Brewster Road.** Applicant requests approval of an 8-lot subdivision. The subject property is located in the R-80 zoning district.

G. Rooke-Norman stated that she understands in talking with D. Sorrentino earlier today that the Commission can either hear this tonight or ask for a public hearing on this subdivision. There was discussion of this matter. D. Sorrentino stated that the Commission could decide if there should be a public hearing. A. Hatfield stated that there should be a public hearing. There was discussion of this matter.

A. Hatfield made a motion to hold a public hearing. P. Anthony seconded the motion. G. Rooke-Norman asked a date and time for the public hearing. There was discussion of this matter. D. Sorrentino stated that a certified letter is needed from Ernestine Stokes as one of the property owners and waiting for wetlands approval.

G. Rooke-Norman stated that A. Hatfield made a motion to set the public hearing for December 12, 2005 at 7:15 p.m. and P. Anthony seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

## **7. Additional Business:**

G. Rooke-Norman read a hand written request from Nelson Rodriguez to be put on the agenda to request a bond reduction. P. Anthony made a motion to put Nelson Rodriguez on the agenda. D. DeGuire seconded the motion. G. Rooke-Norman asked if there should be a time limitation on this. D. Sorrentino stated that this would not take long. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

Nelson Rodriguez stated that there was a mistake made by the engineer to the bond calculation for item 17 on the bond estimate for the external parking lighting. D. Sorrentino stated that he has been to the site and the figure for the lighting should be \$2,700 not \$27,000. There was discussion of this matter.

P. Anthony made a motion to approve the bond reduction of the \$24,300 overage miscalculated on the lights. M. McKinney seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

D. Sorrentino asked about the status of the DOT approval. R. Rodriguez stated that he has been in touch with DOT and the permit it is still pending. There was discussion of this matter.

### **8. Old Business:**

There was no old business.

### **9. New Business:**

**A. Griswold Plan of Conservation and Development.** Discussion and review of the Griswold Plan of Conservation and Development.

G. Rooke-Norman stated that this is a large packet to be reviewed. She asked for questions and comments. She stated that the Commission should review it section by section.

M. McKinney stated that he had issues with the School section. There was discussion of this matter.

D. DeGuire voiced his concerns that the Fire Marshal wants to create a public safety complex at the Town Garage. There was discussion of this matter of the combining of the fire companies.

M. McKinney stated that the Plan of Conservation and Development is what you have now. D. Sorrentino stated that it is also what is needed for the future. There was discussion of this matter.

D. Sorrentino asked the Commission if it is their wish for him to edit the Plan of Conservation and Development to be consistent and to identify the needs of the Town. G. Rooke-Norman stated yes and that it should be edited for consistency. There was lengthy discussion of this matter.

A. Hatfield stated that a full meeting is needed to review this Plan of Conservation & Development. D. Sorrentino stated Wednesday, November 30 could be used for this meeting. There was discussion of this matter.

The following sections of the Plan of Conservation and Development were discussed.

#### 1. Table 3.A.1 Total Miles of Arterial Roadways

2. Table 3.A.2 1997 Griswold Roadway Summary Pavement Condition Index
3. Section 3.B.3 Subsidized Housing
4. Section 3.C.1 Griswold Town Hall, Riverside Grammar School/Old Town Hall, Pachaug Town Hall, Griswold Volunteer Fire Col, Inc.
5. Section 3.C.3 Health Care Facilities
6. Section 3.C.4 Educational Facilities
7. Section 3.C.5 Youth & Family Services & Recreation - Griswold Recreation Department
8. Section 3.C.6 Senior Citizen Services – Municipal Agent
9. Section 3.D Economic Development
10. Section 3.D.1 The Jewett City Central Business District
11. Section 3.E.3 Perceived Open Space
12. Section 3.F.5.2 Wells and Aquifers
13. Section 3.G.1 Land Use Pattern

There also was discussion of the Sewer and Water infrastructure.

**E.** Memorandum dated November 1, 2005 from Ellen DuPont, Town Clerk, requesting the Schedule of Meetings for 2006. G. Rooke-Norman stated the Commission if they were in agreement with the meeting schedule for 2005. P. Anthony made a motion to accept the 2006 Schedule of Meetings dates as presented. M. McKinney seconded the motion. All were in favor. Motion was passed.

D. DeGuire stated that D. Sorrentino had explained how the Town is expecting a lot of residential subdivision growth very soon, and he asked about a moratorium on residential subdivisions for a period of time. D. Sorrentino explained that when a residential moratorium is set, there must be a planning goal in place at the end of the moratorium to fix the subdivision regulations. There was discussion of this matter.

G. Rooke-Normans stated that there should be an open space requirement for any subdivision for 3 lots or more. She also stated that a developer could make dollar payment in lieu of open space. Open space would be purchased with those dollars through a fund created for that purchase. There was discussion of this matter.

P. Anthony asked D. Sorrentino to find out how to legally change subdivision regulations for creating a moratorium. D. Sorrentino stated that he will investigate the matter for discussion at the November 30<sup>th</sup> meeting.

## **10. Reports from the Enforcement Officer:**

## **11. Adjournment:**

P. Anthony made a motion to adjourn. D. DeGuire seconded the motion.

M. McKinney asked P. Zvingilas about the Driving Range. P. Zvingilas explained that it is waiting for permits from the CT DOT. There was discussion of this matter including a letter from CT DOT for curb cuts.

G. Rooke-Norman stated that a motion has been made and seconded to adjourn. All were in favor. Meeting adjourned at 10:50.

Respectfully Submitted,

Donna M. Szall  
Recording Secretary