

**GRISWOLD PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
MINUTES**

AUGUST 8, 2005

GRISWOLD TOWN HALL

I. PUBLIC HEARING (7:00 P.M.)

1. Call to order:

Clyde Seaman called this public hearing to order at 7:00 p.m.

2. Roll Call:

Present: Clyde Seaman, Gail Rooke-Norman, Philip Anthony, Daniel DeGuire, Town Planner
Demian Sorrentino, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Roland Harris, Paul Wolinski, Alternates Martin McKinney, and Anne Hatfield

3. Determination of Quorum:

C. Seaman stated that we have four regular members. It was determined that there is a quorum for this meeting.

4. Matter Presented for Consideration:

A. ZC 06-05 Griswold Planning & Zoning Commission. 28 Main St., Jewett City, CT –
Applicant requests approval of amendment to the fee schedule, also identified as “Appendix A” of the Town of Griswold Zoning Regulations. Proposed is an increase in required fees for Text and Map amendments to the Zoning Regulations, Residential Zoning Permits (including Home Occupations), Residential Special Exceptions, Subdivisions & Re-subdivisions, to more accurately reflect actual costs incurred by the Town in the review of land use applications.

C. Seaman explained that the Planning and Zoning Commission would review changes to the fee schedule of Appendix A of the Town of Griswold Zoning Regulations. He asked D. Sorrentino to explain the changes.

Demian Sorrentino, Town Planner gave his presentation of the proposed amendments to the fee schedule. He presented copies of zoning fees of towns in the region from the Southeastern

Council of Governments to the Commission. He explained that on page four and five of this town fee schedule. it shows that Griswold's fees are some of the lowest fees in the region.

D. Sorrentino passed out a sample cost analysis for the Quiet Cove Subdivision application land development review. He outlined the town's expenditures for this application that included code compliance reviews, legal advertising, engineering review, general review of roadway design, grading, drainage, stormwater management, legal reviews of the bond form, easement dedication, Homeowners Association documents, underground infrastructure inspection, final inspection for plan conformance, and roadway core sampling testing. D. S. submitted this cost analysis to the record. P. Anthony asked if this was representative of the average subdivision. D. Sorrentino stated yes. There was discussion of this matter.

D. Sorrentino explained the changes to the Fee Schedule Appendix A to the Commission. He explained the Text Amendments and Map Amendments fees were separated as in Plainfield. D. Sorrentino stated that the courts upheld the map amendment fees. G. Rooke-Norman stated that it was upheld in the courts. There was discussion of this matter.

D. Sorrentino explained his recommendations for Commercial and Residential and Home Occupation zoning permits. There discussion of this matter including a per unit fee.

D. Sorrentino stated that he did not make any changes to the Commercial and Industrial fees. There was discussion of this matter.

D. Sorrentino explained his recommendations for the Special Exceptions fee changes including separation of Residential and Commercial. There was discussion of this matter including a per unit fees for Special Exceptions.

D. Sorrentino explained his recommendations for the Subdivision fees changes. There was discussion of this matter that included residential subdivisions and commercial subdivisions.

D. Sorrentino explained his recommendations for Re-subdivision fee changes to the Commission.

D. Sorrentino stated that the fee changes for ZBA applications would be discussed with the Zoning Board of Appeals, as would the fee changes be discussed with the Inland Wetlands & Watercourses Conservation Commission.

C. Seaman asked if there were any questions from the Commission.

G. Rook-Norman had a question on the Council of Government's table concerning regulation amendment and how it would fit into the town's fee schedule. D. Sorrentino stated that it would be the same as a zone change.

C. Seaman stated to let the record show that Alternate Martin McKinney arrived at 7:15 p.m. C. Seaman appointed M. McKinney to sit for member Roland Harris.

C. Seaman asked if there were comments from the audience. Peter Zvingilas had a question concerning zoning permits. He stated that his department issues zoning permits for two-family dwelling units. There was discussion of this matter regarding zoning permits for multi-family dwelling units as well as for boarding or rooming houses. D. Sorrentino read the definition for unit into the record. There was further discussion of this matter including a flat fee for residential zoning permits with Town Attorney Mark Branse gave his opinion on this matter.

P. Zvingilas stated that if a hotel was to come to the town that the fee would be the proposed flat fee. He stated that there would be a lot of review for a commercial development. D. Sorrentino stated that the fees for the commercial and industrial review were not changed.

M. McKinney asked what the intent of the fee changes were to be, and was it was profit making or did it just cover the costs. D. Sorrentino stated that it covered the costs. There was discussion of this matter of expanding the fees for commercial and industrial development.

P. Anthony stated that he didn't see keeping the commercial and industrial fees lower as a major incentive. M. McKinney stated that these rates are reasonable. There was discussion of this matter.

Paul Brycki, First Selectman, stated that he would like to see something decided this evening. He suggested that after a period of time, such as one year, to review and adjust the fees.

G. Rooke-Norman asked about the sample subdivision and whether the roadway core sampling was the largest expense. She asked if a subdivision requires a road, would it make sense to have the applicant bear the cost. She also asked about the table of which towns charge per application or per unit fee. D. Sorrentino stated that on page 3 site plan special exception permit. Atty. M. Branse stated that it could be on a sliding fee based on some numeric factor such as square footage etc. He cited some examples. There was lengthy discussion of increasing the fees to include a flat fee plus so much for square footage for commercial and industrial applications including citing several examples.

C. Seaman asked for further comments from the audience. He asked for comments from the Commission.

G. Rooke-Norman had questions about changing the roadway core-sampling fee. Atty. M. Branse gave his opinion for charging so many dollars per fee of new road. P. Brycki explained a typical standard for testing a new road. There was lengthy discussion of this matter.

P. Brycki stated again that he would like to see something decided this evening and suggested to review and adjust the fees after one year.

C. Seaman asked if there were any further questions or comments.

D. Sorrentino reviewed the changes made to the fee schedule by the Commission attained at this public hearing.

C. Seaman asked for comments. Hearing none, he closed the public hearing at 8:00 p.m.

II. PUBLIC HEARING (7:15 P.M.)

1. Call to order:

Clyde Seaman called this public hearing to order at 8:00 p.m.

2. Roll Call:

Present: Clyde Seaman, Gail Rooke-Norman, Philip Anthony, Daniel DeGuire, Alternate Martin McKinney Town Planner Demian Sorrentino, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Roland Harris, Paul Wolinski, and Alternate Anne Hatfield

3. Determination of Quorum:

C. Seaman appointed Alternate M. McKinney to sit for member Roland Harris. It was determined that there is a quorum for this meeting.

4. Matter Presented for Consideration:

A. SRC 02-05 Griswold Department of Planning & Community Development, 28 Main St., Jewett City, CT – Applicant requests approval of text amendments to the Griswold Subdivision Regulations addressing the implementation of Conservation Subdivision Design standards and procedures. Sections to be amended as a result of said proposal are Sections 5, 6, 7, 8 and 9.

C. Seaman stated that this is a continuation of a public hearing. He asked D. Sorrentino to present this application to the Commission.

D. Sorrentino explained the finalized copy of the Conservation Subdivision Design Standards that were reviewed at the last public hearing. He stated that he forwarded the finalized copy to Atty. Branse for review. He stated that he had a letter from Atty. M. Branse to incorporate into the record by reference.

D. Sorrentino explained Atty. Branse's recommendations to the Commission. D. Sorrentino stated that Section 6.6.3 had a blank for the number of lots for open space. D. Sorrentino stated that there was a 10-lot cut off in the conventional subdivision and recommended a 10-lot subdivision in the conservation subdivision for open space of 2 or more acres. He asked the Commission for their opinion on active open space. There was discussion of this matter including intensity of use.

D. Sorrentino read Section 6.6.8 recommendations from Atty. Branse into the record regarding the seeking of advise from the Inland Wetland & Watercourses Conservation Commission regarding open space decisions.

D. Sorrentino stated that those two items were the only changes to address.

C. Seaman asked for comments from the Commission. He asked for comments from the audience.

Ed Wisniewski, Quiet Cove, LLC. He stated that having open space was a very good thing. He suggested being flexible with building lot sizes or allowing for some cluster housing. D. Sorrentino stated that this public hearing is for exactly that being the Conservation Subdivision.

C. Seaman asked for any other comments from the Commission. Hearing none, he closed the public hearing at 8:12 p.m.

III. PUBLIC HEARING (7:30 P.M.)

1. Call to order:

Clyde Seaman called this public hearing to order at 8:12 p.m.

2. Roll Call:

Present: Clyde Seaman, Gail Rooke-Norman, Philip Anthony, Daniel DeGuire, Alternate Martin McKinney Town Planner Demian Sorrentino, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Roland Harris, Paul Wolinski, and Alternate Anne Hatfield

3. Determination of Quorum:

Seaman appointed Alternate M. McKinney to sit for member Roland Harris. It was determined that there is a quorum for this meeting.

4. Matter Presented for Consideration

A. ZC 04-05 Griswold Planning & Zoning Commission, 28 Main St., Jewett City, CT – Applicants request approval of a text amendment to the Griswold Zoning Regulations which creates a BP – Business Park zoning classification and other associated bulk regulation amendments regarding said zoning classification

C. Seaman stated that this was a continuation of the public hearing on July 11. He asked D. Sorrentino to explain the changes reached to the Commission. D. Sorrentino passed out a finalized version containing Atty. Branse comments to the Commission. He incorporated Atty. Branse's letter by reference for the record.

D. Sorrentino read Atty. Branse's comments on Section 8.5.1 Access into the record recommending that "use of any" to be added for town roads.

D. Sorrentino read Atty. Branse's comments on Section 8.8 into the record regarding two sets of dimensional requirements.

D. Sorrentino read Atty. Branse's comments on Section 21 regarding the definition of a Warehouse and a Wholesale Distribution Center into the record. He read the new definition 21.37 for Warehouse into the record including recommendations by Atty. Branse. D. Sorrentino read the new definition of Section 21.38 Wholesale Distribution Center into the record including Atty. Branse's recommendations. He stated that the definition of Yard would be Section 21.39. G. Rooke-Norman asked what the former definition was for Warehouse and Wholesale Distribution Center. D. Sorrentino read the former definition of Warehouse and Wholesale Distribution Center into the record. There was discussion of this matter including the distinctions between warehousing, wholesale and retail.

C. Seaman asked for comments from the Commission. He asked for comments from the audience.

D. DeGuire asked what the definition of practicable meant in Section 8.5.1. D. Sorrentino read the section to the record. D. Sorrentino explained that it would be limiting the use of frontage on existing state roads. There was discussion of this matter including special exceptions that would be the determination of the Commission.

Robert Osko, Geer Road, He stated that his understanding of what a warehouse was seemed to be different and asked about warehousing in this section. D. Sorrentino explained that it was concerning any onsite sale of the product. He also explained that it can be associated with manufacturing operation but there are no onsite sales.

D. Sorrentino asked Atty. Branse if it was necessary to vacate and resubmit a new application for the changes presented. Atty. M. Branse stated no, it is in the structure of what was originally proposed and the Commission has refined the language and has not added any new concepts and it is not fundamentally different. There was discussion of this matter.

C. Seaman asked for any other comments.

Joe Foy, Geer Road, He asked a question on Section 8.5.1 stating that there would be only one road going in and one road go out and that road has to be on a state highway. D. Sorrentino stated no and explained that there could be two entrances as long as they are on state roads. J. Foy asked that if there were two entrances on a state highway, how close can the roads to each other. D. Sorrentino stated that the CDOT would make that determination. There was discussion of this matter including state road frontage and Section 8.5.2 concerning the use of town roads for emergency vehicle access.

C. Seaman asked for any other comments. Hearing none, he closed this public hearing at 8:38 p.m.

IV. REGULAR MEETING (8:00 P.M.)

1. Call to order:

Clyde Seaman called this public hearing to order at 8:12 p.m.

2. Roll Call:

Present: Clyde Seaman, Gail Rooke-Norman, Philip Anthony, Daniel DeGuire, Alternate Martin McKinney Town Planner Demian Sorrentino, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Roland Harris, Paul Wolinski, and Alternate Anne Hatfield

3. Determination of Quorum:

Seaman appointed Alternate M. McKinney to sit for member Roland Harris. It was determined that there is a quorum for this meeting.

4. Approval of Minutes:

A. Approval of the minutes of the Public Hearing of July 11, 2005

C. Seaman asked for a motion for approval of the minutes of the Public Hearing of July 11, 2005. P. Anthony so moved. D. DeGuire seconded the motion. C. Seaman asked for a vote. All were in favor. Motion was passed.

B. Approval of the minutes of the Regular Meeting of July 11, 2005

C. Seaman asked for a motion for approval of the minutes of the Regular Meeting of July 11, 2005. P. Anthony so moved. D. DeGuire seconded the motion. C. Seaman asked for a vote. All were in favor. Motion was passed.

C. Seaman stated that he would like to move Item E under New Business. D. Sorrentino asked the Commission to address to issues A & B under Additional Business. He stated that these items have people waiting to address these issues.

C. Seaman stated that D. Sorrentino has asked the Commission rearrange the agenda to move Items A & B under Additional Business of the Agenda to address those issues now. P. Anthony so moved. D. DeGuire seconded the motion. C. Seaman stated that a motion has been made and seconded to move Items A & B under Additional Business. C. Seaman asked for a vote. All were in favor. Motion was passed.

A. Quiet Cove, LLC. Applicants request approval of the Commission to change the name of the proposed street in approved subdivision SUB 09-05 from "Quiet Cove" to "Quiet Cove Lane".

D. Sorrentino explained that the applicant is requesting to change the road name from Quite Cove to Quiet Cove Lane. There was discussion of this matter.

P. Anthony made a motion to approve. M. McKinney seconded the motion. C. Seaman stated that the motion was made and seconded and asked for a vote. All were in favor. Motion was passed.

B. Newbridge Homes at Lily Pond Estates, LLC. In accordance with Section 6.9 of the Griswold Subdivision Regulations, Applicants request approval of the Commission to relocate a property line between lots 27 and 28 in approved subdivision SUB 02-04.

C. Seaman asked if anyone was present to represent Lily Pond Estates. John Farrell, Project Manager for Newbridge Homes. J. Farrell showed the plans to the Commission. He explained that they would like to adjust the property line of lots 26 and 27. Footage would be taken off lot 27 and added to lot 26.

G. Rooke-Norman asked D. Sorrentino why this was not a re-subdivision. D. Sorrentino stated that it is a relocation of a property line and not the creation of an additional lot. He explained it is before the Commission because of Section 6.9 of the subdivision regulations and read that section into the record. There was discussion of this matter.

C. Seaman asked for a motion. P. Anthony made a motion to approve. D. DeGuire seconded the motion. C. Seaman stated that the motion has been made and seconded and asked for a vote. All were in favor. Motion was passed.

C. Seaman asked for a motion to move Item 9 E.

D. DeGuire made a motion not to go into executive session. G. Rooke-Norman seconded the motion. D. DeGuire asked Atty. M. Branse if he was the Commission's lawyer. Atty. Branse explained that he is representing the Zoning Enforcement Officer in the case and that the Commission is not part of the case. D. DeGuire asked Atty. Branse if he was the Commission's lawyer. Atty. M. Branse answered yes. There was lengthy discussion of this matter as it related to Item 9 E of the agenda and Atty. Branse's letter to rescind of his resignation

P. Anthony asked for an informal vote to go into executive session. P. Anthony read a letter dated 8/8/05 from Atty. M. Branse rescinding his resignation into the record. There was discussion of this matter.

P. Anthony made a motion to go into executive session to discuss litigation. M. McKinney seconded the motion. C. Seaman asked for a vote. 3 aye votes by C. Seaman, P. Anthony, M. McKinney, 1 nay vote by D. DeGuire and 1 abstain by G. Rooke-Norman. Motion was passed.

D. DeGuire left the meeting. P. Anthony recused himself. The Commission entered executive session at 9:00 p.m.

D. Sorrentino stated that the Commission came out of executive session at 9:15 p.m. There were no decisions made during the executive session. D. DeGuire returned to the meeting.

The following items were not discussed:

5. Correspondence and Attachments:

A. Letter dated June 27, 2005 from Connecticut Department of Transportation regarding Authorization under the General Permit for Utilities and Drainage for the Drainage Maintenance Plan.

B. *“Planning & Zoning Newsletter*, Volume IV, Number 1, June 2005 of the Connecticut Bar Association.

C. Smart Growth: Is it Practical for Connecticut? Seminar, September 16, 2005 9:00 am – Noon at Four Points by Sheraton, Meriden CT. Sponsored by the Eastern Connecticut Association of REALTORS®, Inc. et. al.

C. Seaman stated that the Commission would take up the matters to be presented for consideration all of which were prior public hearings.

6. Matters Presented for Consideration:

A. **ZC 06-05 Griswold Planning & Zoning Commission. 28 Main St., Jewett City, CT** – Applicant requests approval of amendment to the fee schedule, also identified as “Appendix A” of the Town of Griswold Zoning Regulations. Proposed is an increase in required fees for Text and Map amendments to the Zoning Regulations, Residential Zoning Permits (including Home Occupations), Residential Special Exceptions, Subdivisions & Re-subdivisions, to more accurately reflect actual costs incurred by the Town in the review of land use applications.

C. Seaman stated that the first item was an amendment to the fee schedule. P. Anthony moved to approve the new fee schedule as amended with an effective date of August 18, 2005. G. Rooke-Norman asked if the changes should be recited. D. Sorrentino stated that they were recited during the public hearing. G. Rooke-Norman seconded the motion as recited during the public hearing. C. Seaman asked for a vote. All were in favor. Motion was passed.

B. **SRC 02-05 Griswold Department of Planning & Community Development, 28 Main St., Jewett City, CT** – Applicant requests approval of text amendments to the Griswold Subdivision Regulations addressing the implementation of Conservation Subdivision Design standards and procedures. Sections to be amended as a result of said proposal are Sections 5, 6, 7, 8 and 9.

C. Seaman asked for a motion on this item that was a prior public hearing. G. Rooke-Norman made a motion to approve with the changes recited during the prior public hearing with an effective date of August 18, 2005. M. McKinney seconded the motion. C. Seaman asked for a vote. All were in favor. Motion was passed.

C. ZC 04-05 Griswold Planning & Zoning Commission, 28 Main St., Jewett City, CT – Applicants request approval of a text amendment to the Griswold Zoning Regulations which creates a BP – Business Park zoning classification and other associated bulk regulation amendments regarding said zoning classification.

C. Seaman asked for a motion on this item that was a prior public hearing. G. Rooke-Norman made a motion to approve including all of the changes recited by the planner during the prior public hearing with an effective date of August 18, 2005. M. McKinney seconded the motion. C. Seaman asked for a vote. All were in favor. Motion was passed.

D. ZC 05-05 Griswold Department of Planning & Community Development, 28 Main St., Jewett City, CT – Applicant requests approval of a map amendment to the Borough of Jewett City Zoning Regulations to change the zoning classification of properties located on School Street from Borough Residence (B-R) to Borough Residence Multi-Family (B-RM). Zoning lines through adjacent parcels will be adjusted to eliminate “split-zoning”. A total of 15 properties will be affected. This matter is on the agenda to set an effective date.

C. Seaman stated that this item was a prior public hearing from July 11. D. Sorrentino stated that an effective date was not set so the decision has not been published. He stated that the decision was made July 11, 2005 to approve as amended. He asked the Commission to set an effective date. P. Anthony made a motion to approve an effective date of August 18, 2005. G. Rooke-Norman seconded the motion. C. Seaman stated the motion was made and seconded and asked for a vote. All were in favor. Motion was passed.

7. Additional Business:

These items were moved by motion and discussed earlier in the meeting.

A. Quiet Cove, LLC. Applicants request approval of the Commission to change the name of the proposed street in approved subdivision SUB 09-05 from "Quiet Cove" to "Quiet Cove Lane".

B. Newbridge Homes at Lily Pond Estates, LLC. In accordance with Section 6.9 of the Griswold Subdivision Regulations, Applicants request approval of the Commission to relocate a property line between lots 27 and 28 in approved subdivision SUB 02-04.

8. Old Business

A. Schedule next workshop meeting of the 2005 Plan of Conservation & Development Committee

C. Seaman asked for a date for the next workshop meeting. There was discussion of the date. The next workshop was set for August 29, 2005.

9. New Business

A. Discussion regarding bi-monthly meetings of the Planning & Zoning Commission.

C. Seaman asked if the Commission wanted to discuss this item tonight. This item was not discussed.

B. Discussion of Griswold Planning & Zoning Commission By-laws (Chapter 232 of the Code of the Town of Griswold).

This item will be discussed an the next regular meeting.

C. Discussion of appointment of two (2) Commission members to the Southeastern CT Council of Governments Regional Planning Commission.

C. Seaman asked for any volunteers. M. McKinney stated he would volunteer for this commission. G. Rooke-Norman nominated Anne Hatfield to that commission. There was discussion of this matter. G. Rooke-Norman moved to appoint A. Hatfield to sit as a member and M. McKinney as an alternate for the Council of Governments Regional Planning Commission. P. Anthony seconded the motion. C. Seaman stated that a motion has been made and seconded and asked for a vote. All were in favor. Motion was passed.

D. Discussion regarding future use of property owned by Mr. Glen Reil at Barber Rd. w/ possible connection to Albemarle Drive.

D. Sorrentino stated that this item can go off the agenda.

E. Commission may enter into executive session to discuss pending litigation against the town planner/acting zoning enforcement officer

10. Reports from the Enforcement Officer:

C. Seaman asked P. Zvingilas if lake camping was allowed and explained that a boat was staying on the pond and moved from place to place every day on the pond. P. Zvingilas stated that the pond was regulated by the DEP. There was discussion of this matter. M. Branse stated that it could possibly be a health code issue. C. Seaman asked P. Zvingilas and Sanitarian A. Gosselin to look into the matter.

C. Seaman asked P. Zvingilas to check the status of the gas station on Route 138. He stated that there were a lot of signs. There was discussion of this matter.

C. Seaman asked for a motion to go into executive session. M. McKinney made a motion to go into executive session to discussion pending litigation. C. Seaman seconded the motion. C. Seaman asked for a vote. 3 aye votes by C. Seaman, M. McKinney, G. Rooke-Norman, and 1 nay vote by D. DeGuire. P. Anthony recused himself. D. DeGuire left the meeting.

The Commission entered executive session at 9:30. C. Seaman called the Commission out of executive session at 10:10. Atty. M. Branse stated that guidance was provided to the Zoning Enforcement Officer.

11. Adjournment:

C. Seaman asked for a motion to adjourn. G. Rooke-Norman made a motion to adjourn. M. McKinney seconded the motion. All were in favor. The meeting adjourned at 10:10.

Respectfully Submitted,

Donna M. Szall
Recording Secretary