



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION REGULAR MEETING MINUTES

SEPTEMBER 12, 2005

GRISWOLD TOWN HALL

I. 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 8:00 pm.

2. Roll Call:

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

Absent: Chair F. Clyde Seaman, Member Roland Harris and Alternate Paul O. Wolinski

3. Determination of Quorum:

G. Rooke-Norman appointed M. McKinney to sit for Clyde Seaman and A. Hatfield to sit for Roland Harris. There was a quorum for this meeting.

4. Approval of Minutes:

G. Rooke-Norman asked for a motion on the minutes of the public hearing and regular meeting of August 8, 2005. P. Anthony made a motion to approve the minutes as presented. D. DeGuire seconded the motion. There was no discussion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

5. Correspondence and Attachments:

G. Rooke-Norman read the list of Correspondence and Attachments.

A. Letter dated August 4, 2005 from Cynthia Kata, Warden to the Borough of Jewett City regarding Notice of Intent to Request Release of Funds to the DECD for \$510,000 of Federal Funds under Title I of the Housing and Community Development Act of 1974 (PL 93-383) for Waste Water Collection Project.

- B. Letter dated August 17, 2005 from The Nature Conservancy and a summary report of the Regional Land Use in the Pawcatuck Borderlands Clinic held on May 19, 2005 at the Tamarack Lodge in Voluntown.
- C. Letter dated August 25, 2005 to James S. Butler, Southeastern Connecticut Council of Governments from Demian Sorrentino, Town Planner regarding the appointment of two Griswold Planning and Zoning Commission Members to the SCCOG Regional Planning Commission. G. Rooke-Norman asked if D. Sorrentino had any confirmation for A. Hatfield and M. McKinney from Mr. Butler. There was discussion of this matter.
- D. Memorandum to the Griswold Planning & Zoning Committee dated August 26, 2005 from Demian Sorrentino, Town Planner regarding proposed street names for 822 Voluntown Road, LLC Approved Subdivision SUB 10-05.
- E. Smart Growth: Is It Practical for Connecticut Seminar, September 16, 2005 at the Four Points by Sheraton, Meriden, CT from 9:00 a.m. – Noon. Sponsored by the Eastern Connecticut Association of REALTORS[®], Inc. et al. There was discussion of this matter.
- F. *Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter*, Summer 2005, Volume IX, Issue 3.

6. Matters 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. This application requires a public hearing.

G. Rooke-Norman stated that this matter requires a public hearing. She asked for a motion. P. Anthony made a motion to set a public hearing for October 11, 2005 for 7:45 p.m. M. McKinney seconded the motion. There was discussion of this matter. 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. This application requires a public hearing.

G. Rooke-Norman stated that this matter requires a public hearing. She asked for a motion. D. DeGuire made a motion to set a public hearing for October 11, 2005 for 7:15 p.m. P. Anthony seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

C. SUB 01-06 Kisilywicz, Joseph & Lisa A., 40 BMW Drive, Griswold, CT. Property location: 151 Rixtown Road. - Applicant requests approval of a 2-lot re-subdivision with a shared driveway for property located at 151 Rixtown Road. The subject property is located in the R-60 zoning district. This application requires a public hearing.

G. Rooke-Norman stated that this matter requires a public hearing. She asked for a motion. P. Anthony made a motion to set a public hearing for October 11, 2005 for 7:00 p.m. A. Hatfield seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

D. ZP 01-06 Integrated Construction Services, Inc. 4303 Trays Valley Road, Scott Depot, WV 25560. Property Location: 459 & 461 Voluntown Road, Griswold. - Applicant requests approval of a zoning permit for renovation of existing commercial building and site for use as a farm supply and hardware store. The subject property is located in the C-1 zoning district.

G. Rooke-Norman asked D. Sorrentino if this required a public hearing. D. Sorrentino explained that it was a zoning permit and did not require a public hearing.

G. Rooke-Norman asked if anyone was present to represent the applicant. John Faulise, Boundaries, LLC was present to represent the applicant. Scott Melton, ICS, and the store manager were also present. P. Anthony recused himself from this matter and left the room at 8:10 p.m.

J. Faulise handed plans to the Commission that addressed changes discussed with D. Sorrentino. He explained where the site was located and how it will occupy a portion of the Ocean State Job Lot building. He explained that fencing and a paved display area adjacent to the store would be installed. He stated that the store retail space would be 18,500 square feet. He explained that 9 parking spaces would be used for an outdoor sales location.

J. Faulise explained sheet to for the existing site. J. Faulise explained the existing curbs, loading areas, dumpsters and the site for the outdoor display area north of the building. G. Rooke-Norman asked what type of trailers would be on display for sale. J. Faulise explained that they would be small utility trailers. There was discussion of this matter including the grading of the slope closer to Route 138 with plantings to screen the view from Route 138 and the adjacent residences.

J. Faulise explained and submitted photos of the bank to the Commission. **Exhibit A.**

A. Hatfield asked about lighting for this location. J. Faulise stated that the lighting was already in place as well as catch basins for additional drainage when the original site plan was proposed. A. Hatfield asked about the hours of operation. J. Faulise stated that Tractor Supply Company would be open to 8 p.m. weekdays and Saturday and to 6 p.m. Sunday. He stated that the utility lights are currently on through most of the night now. He stated that signage lighting would be timed with the hours of operation.

J. Faulise stated the existing sidewalk would be extended to the existing masonry wall and a black-coated chain link fence would house fencing products accessed through an internal door. J. Faulise explained the main entrance to the store is adjacent to the Ocean State Job Lot entrance. J. Faulise explained sheet three in regard to drainage improvements, sidewalk and landscaping. M. Faulise explained the elevation drawings of the improvements to the proposed building explaining the new entrance and the side entrance with an eight-foot fence.

J. Faulise submitted the drainage calculations that were prepared by CLA Engineers to the Commission. **Exhibit B.**

A. Hatfield asked if there would be manufacturing or repairs at this site. J. Faulise stated that it was a retail sales business. G. Rooke-Norman asked D. Sorrentino if the Town engineer had reviewed the bond. D. Sorrentino stated that the Town engineer had reviewed the bond and he read the letter dated September 12, 2005 from Bob Schuch of GEI into the record.

J. Faulise submitted a copy of a schematic with a layout of the TSC display area for their products to the Commission. **Exhibit C.** D. Sorrentino showed a photo of the Enfield store to the Commission. J. Faulise submitted photographs to the Commission for the record. **Exhibit D.** There was discussion of this matter.

J. Faulise submitted a schematic layout of the store interior showing the interior access to the fenced display area to the Commission. **Exhibit E.** There was discussion of this matter.

D. DeGuire asked how far the fence came out. J. Faulise explained that the travel way was 32 ft. D. DeGuire asked if there was lighting on the building. J. Faulise stated that there would be additional shielded lights for security purposes.

D. DeGuire asked about signage. J. Faulise explained the signage to the Commission. He stated the existing pylon sign would be changed to the TSC sign and the Ocean State sign would be moved into the Slater Village Center section. G. Rooke-Norman asked about the square footage for the signage. D. Sorrentino explained the signage square footage was based on linear square footage of the building. There was discussion of this matter.

G. Rooke-Norman asked about the chain link fence. J. Faulise explained where the black-coated chain link fence would be located. There was discussion of this matter. D. Sorrentino explained that a variance was obtained for the fence height.

G. Rooke-Norman asked for questions from the Commission. M. McKinney stated that he would like to see something done with the entrance to the site. A. Hatfield asked what the expected additional traffic. J. Faulise stated that there would be a need for 60 parking spaces with patrons coming in and out through the day. There was discussion of this matter.

D. DeGuire asked what the square footage of the building would be. J. Faulise explained that it would be 18,500 square feet for the store.

G. Rooke-Norman stated that the entrance should be addressed and was concerned where the road narrows to 32 feet and had no centerlines. J. Faulise explained that the width was not being reduced and explained that the previous department store generated more traffic. There was lengthy discussion of this matter for the safety of pedestrians including centerline striping, stop bars, stop signs, drainage, pedestrian signage and a more defined crosswalk.

G. Rooke-Norman asked D. Sorrentino if he had any further concerns. D. Sorrentino stated he was concerned that the proposed trailer display would cause problems with the traffic circulation and possibly damaging the merchandise. J. Faulise stated that the display could be surrounded by another island and the parking lot drainage would be addressed. There was lengthy discussion of this matter that included signage and striping.

Scott Melton, of ICS, explained that a double row of parking blocks and solid striping could be used to deter traffic from entering the display area. He also explained that curbing would become damaged with snow removal. He also explained that it was easier when moving equipment to have drive through access to the area. There was lengthy discussion of this matter.

G. Rooke-Norman voiced her concern for the safety of pedestrians at the three-way traffic intersection. J. Faulise stated that the traffic patterns are well established and he did not see it as a problem. There was discussion of this matter.

G. Rooke-Norman asked for other comments. P. Zvingilas stated that it would be cutting into the parking spaces. J. Faulise stated that Ocean State Job Lot and Tractor Supply Company requires 185 spaces and the existing parking has 270 in the front and also there was existing parking on the side of the building by Big Gary's. There was discussion of this matter.

D. Sorrentino' stated that should the Commission approved this application he would like to see the stipulations of Fire Marshall approval and that that it is one lot on the site. J. Faulise stated that the owner has agreed they would be merging the separate tracts of land together. G. Rooke-Norman asked if this was a re-subdivision. D. Sorrentino stated no. He read the regulation regarding re-subdivision in to the record.

P. Zvingilas asked about any hazardous materials in the store. S. Melton stated that there would be motor oils and antifreeze as at the Wal-Mart There was discussion of this matter.

D. Sorrentino stated that there should be stipulations. S. Melton asked if the stipulations would be part of the building permit or part of the approval for this application. D. Sorrentino stated that it would part of this permit application if approved. There was discussion of the stipulations that included 1) Merging the tracts to be incorporated with the rest of the property into one lot; 2) Fire Marshall approval; 3) Curb blocks for the outdoors display area; 4) two stop bars at the intersection; 5) move the crosswalk closer to the corner; 6) add road centerline. 7) Striping on the ends of the display area.

P. Zvingilas asked if the outdoor display areas were handicapped accessible. J. Faulise stated that is was all on grade.

G. Rooke-Norman asked if there were no additional questions, she would ask for a motion.

M. McKinney made a motion to approve the application with the following stipulations. 1) Fire Marshall approval. 2) Stripe bars before and after display area. 3) Merge the tracts into one lot; 4) double curbing on the unprotected side of the parking area. 5) Two stop bars for display area; 6) move the crosswalk in line with the sidewalk, 7) Stripe road centerline from the entrance. D. DeGuire seconded the motion. G. Rooke-Norman asked for further discussion. Hearing none, she asked for a vote. All were in favor. Motion was passed.

E. SE 2-97 Laser Sand Enterprises, Inc., 376 Rixtown Road, Griswold. – Applicant requests approval of a 2-year extension of the gravel excavation located at 326 Rixtown Road. The subject property is located in the R-80 zoning district.

G. Rooke-Norman asked if there was any one to represent the applicant. Glen Reil presented his request to the Commission. He explained that the material is used for his own jobs. He explained that it is taking longer that expected.

G. Rooke-Norman stated to let the record show that P. Anthony returned to the meeting at 9:04 p.m.

G. Rooke-Norman asked if the property had been inspected for any reclamation or is open. D. Sorrentino stated he has not been out to inspect the site. P. Zvingilas stated that it is an ongoing activity. He stated that half of it has been seeded and loomed and no erosion takes place. G. Rooke-Norman asked how much is open for excavation.

D. Sorrentino stated that he has the 1997 plan that was shown to the Commission. He stated that there is no new site plans on file. G. Rooke-Norman asked how much acreage overall for the site. G. Reil stated that it was a total of 17 acres. M. McKinney asked if there was a bond posted. D. Sorrentino stated that it was a bond for \$20,000 continued from 1997.

G. Rooke-Norman asked if this was to be phased. G. Reil stated yes but that he has not gotten to the second phase as yet. He showed the Commission on the site plan what phase the site was in at this point in time. G. Reil stated that there should have been a phase site plan. D. Sorrentino stated that he only had this site plan. There was discussion of this matter.

D. DeGuire asked why the extension had lapsed. G. Reil stated that it was his fault that he let the extension lapse. P. Anthony stated that since the extension had lapsed the Commission could legally look at the site. There was discussion of this matter including an increase in the bond.

G. Rooke-Norman asked if there were any other questions. P. Anthony made a motion to approved with the condition that a phase map be submitted. M. McKinney seconded the motion. G. Rooke-Norman asked for discussion M. McKinney suggested getting more current and complete maps. D. DeGuire stated that the bonding should be checked. G. Rooke-Norman stated that a written report is needed from the Zoning Enforcement Officer and the Town Planner's review of the calculation of the bond. There is discussion of this matter.

P. Anthony amended his motion to include 1. An updated phase map. 2. Applicant will review the bonding with the Town Planner and 4. The extension will expire on July 18, 2007. G. Rooke Norman asked for further discussion. Hearing none, she asked for a vote. All were in favor. Motion was passed.

7. Additional Business:

A. Approval of proposed street names for 822 Voluntown Road, LLC, Approved Subdivision SUB 10-05.

D. Sorrentino explained that due to an oversight, no road names had been proposed per the subdivision regulations when the application was presented for approval. He asked the applicant to place names on the roads. He stated that the road names had been reviewed by the Assessor and the Fire Marshal. D. Sorrentino stated that the names are Business Park Way and Commerce Circle. P. Anthony made a motion to approve Business Park Way and Commerce Circle as the

official street names. D. DeGuire seconded the motion. G. Rooke-Norman asked for discussion. Hearing none, she asked for a vote. All were in favor. Motion was passed.

8. Old Business:

A. Workshop for Plan of Conservation and Development.

G. Rooke-Norman asked for a motion to place Item 8A to the end of the agenda. A. Hatfield made a motion to place Item 8A to the end of the agenda. D. DeGuire seconded the motion. All were in favor. Motion was passed.

9. New Business:

A. M. Tristany will be present to discuss preliminary commercial development plans for parcels located on Route 164.

G. Rooke Norman asked Mario Tristany to address the Commission. Mario Tristany, McFarland Johnson, New London. He gave a presentation to share a development plan of Donal Associates and L. Traffe of Hunter Construction owner of the Hampton Inn & Suites hotel project being proposed for the parcel located on Route 164. He submitted handouts of the maps to the Commission for their information. M. Tristany explained that the Hampton Inn & Suites proposal is a flag ship hotel and conference facility. There was lengthy discussion of this matter including the need for Inland Wetlands review, parcel, building composition and height and number of proposed buildings for the site and estimated cost for the project of \$20 million.

D. Sorrentino stated that there are people asking to be placed on the agenda under new business. G. Rooke-Norman asked who wanted to be on the agenda. D. Sorrentino stated that Berman Associations for the Albemarle Condominiums to establish a procedure, Richard and Ed Wisniewski are asking for a change to a drainage structure installation on Quite Cove Road and Peter Zvingilas is asking for a bond reduction for Zvingilas Court.

1. M. Tristany with Berman Associates asked to be placed on the agenda. G. Rooke-Norman asked for a motion to place Berman Associates on the agenda.

P. Anthony made a motion to place Berman Associates of Albemarle on the agenda. D. DeGuire seconded the motion. All were in favor. Motion was passed.

D. Sorrentino stated that he did not know what procedure to follow regarding any changes to an approved plan.

M. Tristany. McFarland Johnson presented a concept plan handout to the Commission regarding a 2004 approval of the 102 units of Albemarle Condominium. He stated that it is being sold to Daniel Gracenstein and Dean Berman, Project Architect and Dick Harold of Harold Mikilowski. He explained that the new owner would like to make an improvement to the building type by changing the façade of the structures to include garage units with each of the condo units.

M. Tristany read 13.8 of the Zoning regulations into the record regarding authorization of administrative approval by the town planner, zoning enforcement officer and building official. There was discussion of this matter.

Dick Harold, Harold Mikilowski, submitted a handout to the Commission and he explained graphics the proposed changes for the site of the six unit buildings and the four unit buildings. He requested to be on the agenda for the next meeting. There was discussion of this matter including the parking, landscaping and architectural roofline changes to the buildings.

Dean Berman, Berman Associates explained that the approved plans are currently three stories on one side and two stories on other. He stated that the proposed changes would be the same height. There was discussion of this matter.

P. Anthony made a motion to table this item to the next regular meeting to review the documentation submitted. M. McKinney seconded the motion. All were in favor. Motion was passed.

2. J. Faulise, Boundaries, LLC representing Quite Cove, LLC asked to be placed on the agenda.

G. Rooke-Norman asked for a motion to place Quite Cove, LLC on the agenda. P. Anthony made a motion to place Quiet Cove, LLC on the agenda. M. McKinney seconded the motion. All were in favor. Motion was passed.

J. Faulise stated that Nick Reitzel of CDS Technologies and Richard and Ed Wisniewski were also present. He read a letter from Bob Schuch, GEI into the record to replace the Stormceptor drainage system with an acceptable replacement model produced by CDS Technologies. He explained the proposed replacement stormwater drainage system to the Commission. J. Faulise stated that he is asking for the town planner to be authorized for administrative approval to allow the change of the drainage structure. There was discussion of this matter.

Ed Wisniewski, Quiet Cove, LLC. He explained why he was changing manufacturers due to lack of availability of the Stormceptor system and cost of the product in question. He explained that the CDS Technologies product functioned in the same capacity and serviceability. P. Anthony stated that the Town engineer should review this structure. There was discussion of this matter including an Inland Wetlands review of the change of the stormwater treatment drainage system.

P. Anthony asked the applicant if he was willing to pay the engineer review fee. The applicant agreed to pay the engineer review fee. There was discussion of this matter.

P. Anthony made a motion to grant D. Sorrentino administrative authority with the conditional approval by the Town engineer and the applicant's agreement to pay the review fees and contingent on Inland Wetland approval. A. Hatfield seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was passed.

3. D. Sorrentino asked to place P. Zvingilas request for a Bond Reduction on the agenda.

G. Rooke-Norman asked for a motion to place Peter Zvingilas on the agenda. P. Anthony made a motion to place Quiet Cove, LLC on the agenda. A. Hatfield seconded the motion. All were in favor. Motion was passed.

D. Sorrentino read a letter from Peter Zvingilas requesting a reduction of the bond in the amount of \$69,278.10 with a remainder to complete the work of \$32,205.00. D. Sorrentino submitted photographs to the Commission on the construction of the road. **Exhibit A.** D. Sorrentino read a memorandum dated September 12, 2005 from P. Brycki, Superintendent of Roads into the records recommending reducing the bond to \$32,205.00.

P. Anthony asked if the site had been inspected. G. Rooke-Norman asked if D. Sorrentino was acting zoning enforcement officer in this matter. D. Sorrentino stated there is no zoning enforcement action for this matter and that he is acting as the town planner. He stated that he has processed all of the bond reductions in coordination with the superintendent of roads for this Commission. G. Rooke-Norman asked what the changes to the bond were. D. Sorrentino explained the bond requirements and the remaining items for the record. There was discussion of this matter.

G. Rooke-Norman asked for questions from the Commission. D. DeGuire made a motion to reduce the bond to \$32,205.00. P. Anthony seconded the motion. All were in favor. Motion was passed.

10. Reports from the Enforcement Officer:

- A. Drager, Tina, 2 Pleasant View, Jewett City. – Violation of Section 10.5 Junk Yard Prohibited in all Zones.
- B. Jordan, Virginia L, c/o David Jordan, 39 Monroe Avenue, Griswold. – Violation of Section 11.17 Unregistered Motor Vehicles.
- C. Furr, James C, III, 498 Voluntown Road, Griswold. – Violation of Section 11.17 Unregistered Motor Vehicles and Section 2.2.6.1.4 Junk Yards Prohibited in All Zones.
- D. Brown, Eugene 16 Soule Street, Jewett City. – Violation of Section 10.5 Junk Yard Prohibited in all Zones.
- E. Tong, Ady Sai-Kuen, 24 Wedgewood Drive, Jewett City. – Violation of Section 10.5 Junk Yard Prohibited in all Zones.
- F. Smith, Fabiola M., 243 Taylor Hill Road, Griswold. – Violation of Section 11.17 Unregistered Motor Vehicles.
- G. Drager, Leilani, 178 Ashland Street, Jewett City. – Violation of Section 10.5 Junk Yards Prohibited in All Zones.

H. Smirl, James, Trustee, 258 Taylor Hill Road, Griswold. – Violation of Section 11.17 Unregistered Motor Vehicles and Section 2.2.6.1.4 Junk Yards Prohibited in All Zones.

I. Cofone, Vincent M., 14 Tabor Road, Griswold. – Violation of the conditions imposed by Zoning Permit ZP 11-05: “Home Occupation is for the sale of nothing other than fruits and vegetables”, and violation of Section 4.2.5d signage for seasonal roadside stands.

G. Rooke-Norman asked P. Zvingilas to prepare an updated report for the next meeting for items A-H. P. Zvingilas stated that he would give a report to the Commission of those who are in compliance.

D. Sorrentino asked to discuss item I regarding Vincent Cofone who was granted a zoning permit to run a vegetable stand in a private right-of-way permitted to sell “nothing other than fruits and vegetables”. He stated that a complaint was filed for other items were for sale as well as an excessive amount of signs on a private right of way. D. Sorrentino stated that he is now in compliance with the zoning permit. There was discussion of this matter including developing a policy for revocation of zoning permits with direction from the Town Attorney.

8. Old Business

A. Workshop for Plan of Conservation and Development.

A. Hatfield stated that the transportation section was well done. She stated that infrastructure should be addressed and where we expect to go in the future for the plan of development. There was discussion of this matter including an up-to-date road survey.

G. Rooke-Norman suggested that the Commission should consider scheduling regular meetings at 7:30 p.m. M. McKinney suggested holding public hearings on a day separate from the regular meeting. G. Rooke-Norman asked that D. Sorrentino put the plan of conservation and development on the agenda for October. There was discussion of this matter

D. Sorrentino handed updated Town Zoning Regulations and Subdivision regulations to the Commission.

G. Rooke-Norman asked the Commission if they wanted a seconded meeting in September to discuss the Plan of Conservation and Development. There was discussion of this matter to set a date and time. P. Anthony suggested Tuesday, September 27, 2005 as the workshop for the Plan of Conservation and Development. G. Rooke-Norman asked for a motion. P. Anthony made a motion to set the workshop for the Plan of Conservation and Development for Tuesday, September 27, 2005 at 7:00 p.m. M. McKinney seconded the motion. All were in favor. Motion was passed.

11. Adjournment:

G. Rooke-Norman asked for a motion to adjourn. P. Anthony made a motion to adjourn.

D. DeGuire asked a question of the Commission about the policy of upgrading a town road that should have been completed last year. There was discussion of this matter. G. Rooke-Norman state that a second was needed on the motion. M. McKinney seconded the motion.

G. Rooke-Norman stated a motion was made and seconded to adjourn and asked for a vote. All were in favor. Motion was carried. The meeting adjourned at 10:40 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary