



# Town of Griswold



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

## GRISWOLD PLANNING & ZONING COMMISSION

### PUBLIC HEARING & REGULAR MEETING

FEBRUARY 14, 2005

GRISWOLD TOWN HALL

#### I. PUBLIC HEARING

##### 1. Call to Order

Chairman, Clyde Seaman called this public hearing to order at 6:55 p.m.

##### 2. Roll Call:

**Present:** Clyde Seaman, Gail Rooke-Norman, Phillip Anthony, Daniel Deguire, Alternates Anne Hatfield, Martin McKinney, Town Planner, Demian Sorrentino, ZEO, Peter Zvingilas, Recording Secretary, Donna Szall

**Absent:** Roland Harris, Paul Wolinski, Alternate

##### 3. Determination of Quorum:

He appointed Martin McKinney to sit for Roland Harris, Anne Hatfield is an alternate. C. Seaman stated that there is a quorum for this meeting.

##### 4. Matters Presented for Consideration

**SRC 01-05 Griswold Department of Planning & Development, 28 Main St., Griswold, CT** – Applicant requests approval of text amendments to the Griswold Subdivision Regulations regarding improvements to Town Streets in Sections 4 and 5.

C. Seaman asked Demian Sorrentino, Town Planner, to present the application to the Commission to change the Subdivision Regulations for Sections 4 and 5 dealing with off-site improvements when land is subdivided and supposed to be accessed by a street that does not meet the standard of the Griswold Road Ordinance. He proposed to give this Commission authority to require some equitable amount of off-site improvements to streets when land is being subdivided. He also stated that this is not to be construed as mandatory. It would be at the request of this Commission.

D. Sorrentino read the proposed changes to Section 4.4 into the record. D. Sorrentino read the changes to Section 5.3.1 into the record. He read the changes to Section 5.3.6 into the record.

D. Sorrentino stated that when he discussed this with Town Atty. Mark Branse, the attorney stated that it was lacking a nexus test and needed to be more descriptive if the Commission was to prescribe off-site improvements.

D. Sorrentino stated that Sections 5.3.6, Section 5.3.7 and Section 5.3.8 as proposed deal with the authority this Commission has to deal with this; and Section 5.3.8 deals specifically with the rational nexus proving on the record that the off-site improvements are directly related to the additional demand that the proposed subdivision would place on existing street. He read Sections 5.3.6, 5.3.7 and 5.3.8 into the record.

He submitted Exhibit 1: a letter from Atty. Mark Branse explaining the need for the regulation changes into the record. A. Hatfield questioned whether these off-site expenses would be applied to commercial uses. D. Sorrentino explained that the subdivision regulations don't speak to commercial development projects. There was discussion of this matter regarding the expense to developers and the idea of the rational nexus. M. McKinney stated that the regulations needed revision.

P. Anthony asked D. Sorrentino to cite an example of where the off-site expenses would be implemented by a developer. D. Sorrentino explained that there are substandard and unimproved dirt roads that would handle current traffic; if a property would be subdivided the substandard dirt road could not handle the increased traffic. There was discussion of this matter

D. DeGuire asked whether this regulation would apply to the borough regulations. D. Sorrentino stated that though there is very little sub dividable land in the borough, it would apply to the borough as well. There was further discussion of this matter.

A. Hatfield asked what the test was for the rational nexus; she stated that it was not explained the Atty. Branse's letter. G. Rooke-Norman explained that nexus is a test where a circumstance fits a test using exact language. G. Rooke-Norman suggested editing Section 5.3.6 to add beyond the limits of the proposed subdivision, as long as the road section within those limits is deemed directly impacted by the creation of the subdivision, the Commission may disapprove such plan or may condition its approval upon alteration of such street within those said impacted limits by and at the expense of the subdivider, as long as it is reasonable and necessary to maintain the health and safety of the public, or may disapprove such plan until the Board of Selectmen has authorized expenditures for such improvements. She stated that this would create a nexus text. There was discussion of this matter.

C. Seaman asked for further questions from the board. Hearing none, he asked for questions for the audience.

Paul Brycki, First Selectman, stated that he has been working with D. Sorrentino regarding this issued and cited examples of improved and unimproved town roads and their expense and the impact on the taxpayers and on the town.

C. Seaman asked for other comments. A. Hatfield stated that she would like to see this type of regulation for the commercial properties to have the same responsibility for off-site

expenses. G. Rooke-Norman cited Triangle Plastic Wire and Cable with that section of Balfour Street is not up to Town code. There was discussion of this matter.

C. Seaman asked for any further questions or comments from the Commission. Hearing none, he closed the public hearing at 7:26 p.m.

## **II. PUBLIC HEARING**

### **1. Call to Order**

Chairman, Clyde Seaman called this public hearing to order at 7:26 p.m.

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

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

**Absent:** Roland Harris, Paul Wolinski, Alternate

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

He appointed Martin McKinney to sit for Roland Harris, Anne Hatfield is an alternate.

C. Seaman stated that there is a quorum for this meeting.

### **4. Matters Presented for Consideration**

**SUB 09-05 Quiet Cove, LLC, 6 Weber Farm Road, Norwich, CT Property Location: 55 Osga Lane, Griswold, CT.** Applicant request approval of an 11-lot subdivision with a proposed new street located at 55 Osga Lane, Griswold. The subject property is located in the R-60 zoning district.

C. Seaman asked if anyone was present to represent the applicant. John Faulise, of Boundaries, LLC, was present to represent the applicant. He asked the Commission to continue this hearing to the next meeting. C. Seaman asked for discussion of this matter with the Commission to set a time and date. J. Faulise explained that this application will be presented on February 17, at the Inland Wetlands Commission. G. Rooke Norman asked if the applicant would submit a written request to waive the extension of time so that the Commission can hear the application. P. Anthony made a motion to table this until April 11, 2005 at 7:45 p.m. at the applicant's request. D. DeGuire seconded the motion. C. Seaman stated that a motion has been made to continue this hearing at 7:45 pm. on April 11, 2005. He asked for a vote. All were in favor. Motion was passed.

### **III. PUBLIC HEARING**

#### **1. Call to Order**

Chairman, Clyde Seaman called this public hearing to order at 7:28 p.m.

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

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

**Absent:** Roland Harris, Paul Wolinski, Alternate

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

M. McKinney recused himself from this hearing. C. Seaman appointed Anne Hatfield to sit for Roland Harris. C. Seaman stated that there is a quorum for this meeting.

#### **4. Matters Presented for Consideration**

**ZC 04-05. Griswold Industrial Development Commission, 28 Main Street, Griswold, CT.** Applicant requests approval of a map amendment to the Griswold Zoning Map to change the zoning classification of three (3) properties located at 225, 236, and 244-246 East Main Street from R-20 to Industrial.

C. Seaman asked if anyone was present to represent the applicant. Tom Giard, Chairman, Industrial Development Commission, presented the application before the Commission. He stated that the IDC was sponsoring this application in an ongoing effort to attract business to the Town of Griswold. He stated that Brodeur's Oil Company was interested in locating their business offices at this site. T. Giard stated that in order to do this, the R-20 zone must be changed to Industrial. He explained how the three parcels were used for Industrial purposes for years even though they were in the R-20 zone.

P. Anthony asked if the owners had been notified. D. Sorrentino stated that notice was sent to the owners of the property as well as the abutting property owners; and the return receipts all have been received. D. Sorrentino stated that the owner of Triangle PWC was to send a letter that was to be received today but that has not yet been received.

A. Hatfield asked how many acres were in this parcel. D. Sorrentino state there were 3 acres. A. Hatfield stated that the regulations stated that 10 acres are needed. D. Sorrentino explained that in his opinion, that this parcel is an expansion of the existing Industrial Zone that consists of 20 acres. G. Rooke-Norman question what was within the 3 acre parcel and D. Sorrentino produced an aerial photo of the area for the Commission's review. There was discussion of this matter with concerns for the small pocket of R-20 at Mary Street and buffers. T. Giard stated that the site was determined by lot size and deeded property. There was further discussion of the matter of zoning lines and buffers.

T. Giard stated that if the industrial use was expanded, the Commission has the authority to require buffers during the site plan review process. G. Rooke-Norman asked that creating a protection buffer, if it would adversely impact the users use of the property. He stated that the interested party would not be using the Triangle PWC larger parcel. He explained that the two adjacent properties would be utilized. It was discussed that the zone change was for those parcels and would not impact Mary Street. D. Sorrentino stated that there are no proposed plans for the Triangle PWC building at this time. There was further discussion of this matter.

C. Seaman stated that it is being rezoned for the purpose for which it is already used. D. Sorrentino stated yes and explained that the tank farm is a legal non-conforming use that Brodeur's Oil will be bringing his business here. There was further discussion of the parcels containing abandoned buildings.

D. Sorrentino stated that should the Commission not agree that this is an extension of an existing zone, he would have to file for a waiver for Sections 9.2.1 and 9.2.2. He also stated that Mr. Lombardi was to have a site plan to show his proposed use of the site; but it was not done at this date. A. Hatfield had a question on Section 9.2.2 for the waiver. D. Sorrentino stated that the language in 9.2.2 speaks to creating or establishing industrial districts. He stated that this would not be an establishment of a district but an extension of an existing district.

D. DeGuire asked why the IDC was requesting the zoning change rather than the applicant. D. Sorrentino stated that the IDC is the applicant and is charged with helping businesses to locate in the Town. D. Sorrentino read a letter, dated February 14, 2005 from him, into the record and a statement of consistency of the zone change with the 1993 Plan of Conservation and Development.

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

Pamela Reinholtz asked how many trucks would be involved in the Brodeur project. C. Seaman stated that that would be addressed later.

Don Eldridge, 252 East Main Street, questioned the impact on 252 East Main Street by this Company. C. Seaman asked where he was located. D. Eldridge showed the Commission where he lived. He explained that he had plans for this area and felt that he would have to make changes to his plans for developing in the R-20 such as a small retirement community. His concern was to have fencing as a buffer and also was concerned for the volume of truck traffic. There was discussion of this matter.

Steve Lombardi from Brodeur's Oil explained his proposed development for the parcel. He presented copies of his plans to the Commission to locate his business to Griswold. He stated that he owns the oil terminal as well as the red abandoned house adjacent to it. He explained that he had done an environmental survey on the property with the soil tests and the ground water tests, the parcel was shown to be environmentally clean. He stated that it is currently a non-conforming use and, at this time, is an unattended 24-hour terminal. He stated that he has plans for improving the property. S. Lombardi also stated that he had discussed his plans with Don Eldridge.

P. Anthony asked S. Lombardi what would be the day-to-day operations. S. Lombardi explained the number of trailers using the facility as half a dozen or so trailers. There was discussion of this matter concerning expansion of the current non-conforming use.

C. Seaman asked what would be the hours of operation. S. Lombardi explained that it was a 24-hour terminal but it does not operate 24-hours since it is an unattended terminal. P. Anthony asked about the trailer currently on the site. S. Lombardi stated that it is used as a spill and supply trailer holding supplies for spills. He stated that the trailer would not stay on the site were he to develop the site for his business.

G. Rooke-Norman asked if the appropriate safe guards for spills were in place such as holding tanks. S. Lombardi stated that it is one of the most modern facilities for spillage. He explained how the safe guards would operate including his own quality control measures.

C. Seaman asked for comments from the audience or further comments from the Commission. G. Rooke-Norman thanked S. Lombardi for offering information for this hearing.

D. Sorrentino stated that he has made an interpretation and it was up to the Commission to agree or not agree that Brodeur's Oil Service would qualify as a truck terminal as a permitted use in the Industrial district and the administrative offices and showroom would qualify as accessory uses under Section 9.3.5 to the existing bulk storage. G. Rooke-Norman suggested that that determination would be done outside of a public hearing. There was agreement from the Commission. C. Seaman closed the public hearing at 8:02 p.m.

#### **IV. PUBLIC HEARING**

##### **1. Call to Order**

Chairman, Clyde Seaman called this public hearing to order at 8:02 p.m.

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

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

**Absent:** Roland Harris, Paul Wolinski, Alternate

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

C. Seaman appointed Martin McKinney to sit for Roland Harris. Anne Hatfield is an alternate. Seaman stated that there is a quorum for this meeting.

##### **4. Matters Presented for Consideration**

**SUB 07-05 Zvingilas, Peter M. 607 Roode Road, Griswold, CT. Property Location: 607 – 589 Roode Road, Griswold, CT –** Applicant requests approval of a 6-lot subdivision with a proposed new street. The subject property is located in the R-80 zoning district.

C. Seaman asked if anyone was present to represent the applicant. Atty. Tim Wentworth was present along with Land Surveyor, Mark Sullivan and Engineer, Mark Reynolds to represent the applicant. He explained the proposed 16-acre parcel was to be subdivided into 6 lots.

T. Wentworth stated based on the comments from the Town Engineer, Engineer Mark Reynolds has made the suggested modifications of drainage on the site. He explained that Wetlands approval was received as well as an approval letter from Al Gosselin, Sanitarian. He submitted Exhibit 1: the return receipts from abutters to C. Seaman. Chair. He explained that the proposed 700-foot cul-de-sac was designed with sheet flow drainage without curbing to the Commission.

P. Anthony asked about the temporary stockpile. M. Reynolds explained that it would be used to store strips stockpiled from the road to be used later in the lot development. T. Wentworth noted one under drain beneath the road that insures there is no pooling. P. Anthony asked D. Sorrentino if the wetlands approvals are in the file. He also asked if D. Sorrentino had any issues. D. Sorrentino stated that any issues he had were addressed. He stated that the strip on the right side of Joe and Elizabeth' property needs to state "the property to be deeded to" for proper wording. He stated that the lots all meet the zoning requirements. There was further discussion of this matter.

C. Seaman asked Selectman Paul Brycki to explain how a road can be build without any drainage. P. Brycki explained that the State of Connecticut is using the sheet flow process in certain applications for drainage. He explained that catch basins are more costly to maintain. He cited sections of Bethel Road as an example. He suggested that the Commission look strongly at this process as a reduced cost to the town. P. Anthony asked if it meets current town regulations. He stated that it meets the codes of the Town's road ordinance. There was discussion of this matter including looking at the revision of the Town's Road Ordinance.

T. Wentworth stated that the application must meet the state specifications of sheet flow pattern and is an alternative in the regulation based on the regulations in place now.

Mark Reynolds, using the site plan, gave a very detailed explanation of how the sheet flow drainage will be used and how it will transfer the water back to the wetlands on the site. He also explained that the site is a well-drained site. P. Anthony questioned how it would affect the existing well. M. Reynolds stated that there would be 25 feet to the easement and an additional 5 to 10 feet to the pipe. There was a lengthy discussion of road pitch, swales, and the drainpipe. P. Anthony asked that since it is draining into wetlands how does this hazard waste affect the wetlands. M. Reynolds explained that there is no direct outlet between the swale and the pipe and there would be no road sands that would be stored in a catch basin and instead it would be spread out more evenly over time and the maintenance intervals would be less often. M. Reynolds stated that there would be drainage on the other side nor would there be any ponding. He stated that the accumulation would accumulate naturally as it does on Roode Road now. There was further discussion of this matter.

M. McKinney asked if a wetland would be created on the other side of the road. M. Reynolds stated that there would not be enough capacity for the soil to hold water to create a wetland since the area is drained. There was discussion of this matter.

C. Seaman asked for any other comments. P. Brycki stated that there are sections of Route 201 by Arrowhead II that are examples of the sheet flow drainage which conforms with the State's theory of the dilution of the pollution solution.

Darren Walter, Roode Road, voiced his concerns that the road will dead end in front of his driveway. He voiced his concerns for his children's safety waiting for the bus. He suggested that they consider offsetting the road for safety concerns. M. Reynolds explained why this current location of the cul-de-sac was the most advantageous and safest location. There was lengthy discussion of this matter including a clear site line location at the crest of the hill. D. Walter stated that he didn't want to live in Griswold with all this development going on around him. G. Rooke-Norman asked him how many acres he had. He stated two acres. M. Reynolds explained further road location to the crest in the road as the safest location.

C. Seaman asked for any other comments. Hearing none, C. Seaman closed this public hearing at 8:30 p.m.

#### **IV. PUBLIC HEARING**

##### **1. Call to Order**

Chairman, Clyde Seaman called this public hearing to order at 8:30 p.m.

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

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

**Absent:** Roland Harris, Paul Wolinski, Alternate

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

C. Seaman appointed Martin McKinney to sit for Roland Harris. Anne Hatfield is an alternate. Seaman stated that there is a quorum for this meeting.

##### **4. Matters Presented for Consideration**

**SUB 06-05 Dziejdzic, Lori A. 285 Sam Chikan Road, Griswold, CT. Property location: 295 Sam Chikan Road, Griswold, CT** – Applicant requests approval of a 2-lot re-subdivision for property located at 295 Sam Chikan Road. The subject property is located in the R-80 zoning district. This re-subdivision specifically requires approval of the Commission for a reduction in frontage in accordance with Section 10.2.2 of the Regulations for an "interior lot".

Chairman C. Seaman asked if anyone was present to represent the applicant. Mark Sullivan, Surveyor, represented the applicant. He handed copies of the site plan to the Commission. He explained that out of the 20-acre property of the remaining existing land and a 4-acre rear lot would be created. He explained to the Commission the parcel is a family subdivision on which

the applicant's parents would build. M. Sullivan stated that Al Gosselin has approved it. P. Anthony asked where the driveway would be. M. Sullivan explained its location to the Commission.

G. Rooke-Norman asked about the issues of the cease and desist orders. M. Sullivan explained that it was an old farm property and the applicants have taken out 14 dumpsters already and had recently taken out the remaining debris. He asked the Commission to make the remaining debris a condition of approval and explained that there was 90 days to sign the mylar plans which would be plenty of time to do the remaining cleanup.

P. Anthony stated that with old farm properties, it was usual to have things below ground as well as above ground. He asked M. Sullivan if he had any knowledge of anything buried on the property. M. Sullivan stated no. P. Zvingilas stated that there should be a letter in the file that states that they are in compliance with the two orders. There was discussion of this matter.

G. Rooke Norman stated that the violations do not exist on the proposed lot. She asked that it is the applicant's request to make approval of this application conditional on the bus and the remaining tires being removed. Lori Dziedzic, the applicant stated that she would remove the bus within 90 days as part of the application. D. DeGuire asked if the remaining land was a working farm. L. Dziedzic stated that it was a working farm. There was discussion of this matter regarding the bus as storage.

P. Anthony stated that all of the remaining debris that should not be there; i.e., parts of vehicles and any article in that venue. M. Sullivan stated that is the intention. P. Anthony asked about the plans for razing of the existing house. M. Sullivan stated that it has been razed and the lot is clear.

C. Seaman asked for any other comments. Donald Walsh, Jr., 346 Sam Chikan Road, he stated in reviewing the map of the property, that there was not a study done on the dump on the existing land. He stated that it consisted of about one-half acre of land and 40 feet deep. He said it existed for 40 years.

D. Walsh pointed out that there were still two unregistered cars on the property near the farmhouse itself. G. Rooke-Norman stated that the applicant has been making the effort to get rid of the cars. L. Dziedzic, the applicant, stated that as of last Friday she was down to one unregistered bus. M. Sullivan stated that it was within the authority of the Commission's consideration. There was lengthy discussion of this matter.

Tracy Dziedzic stated that she knew there was a dump. She stated that her father painted cars used to dump chemicals and paints. G. Rooke-Norman stated that the Zoning Enforcement Officer should go out to inspect the area in question. L. Dziedzic stated that the P. Zvingilas was welcome to inspect the area in question. P. Anthony stated that the applicant invited the Zoning Officer to inspect the property. There was further discussion of this matter.

David Rubino explained that the property has had a dump on the property. They have been cleaning it up and P. Zvingilas has been there to inspect it. M. Sullivan stated we did several test

holes and that there is no debris buried there. G. Rooke-Norman asked if the plans presented were an A-2 survey. M. Sullivan stated that it was an A-2 survey.

Russell Sakiewicz, 247 Sam Chikan Road, stated that his property abuts the old lot. He showed the Commission where his property was located. He stated that he did not see a problem. He said that G. Rooke-Norman stated the Commission is trying to be consistent in having a zoning violation in existence on the property; it must be cleaned up before we can act on it. She stated that the State Statutes give the Commission that authority. M. Sullivan stated, in doing the A-2 survey, he did not see any vehicles. There was further discussion of the lot and the cease and desist order.

G. Rooke-Norman asked D. Sorrentino what the time frame was on this hearing to be open. He stated that it would require an extension to keep the public hearing open since it was opened last month.

C. Seaman asked P. Zvingilas about where the cars were on the lot. P. Zvingilas stated that they were between 300 and 600 feet back. D. Walsh stated that the dump was covered over and smoothed off to look like a field. There was further discussion of this matter.

G. Rooke-Norman asked if the applicant would be willing to grant an extension to look further into the unregistered vehicles. L. Dziedzic stated that she is in compliance and P. Zvingilas was there and stated that she was in compliance. P. Zvingilas asked the Commission if they wanted him to walk all the way to the back to see if there are other vehicles. There was further discussion of this matter.

C. Seaman stated that the Zoning Enforcement Officer has been out to inspect the property and now the junk cars are gone and he stated that the applicant is in compliance. There may be a dump there, are we going to hunt around Griswold looking for a Love Canal. D. Walsh stated that he will be filing a complaint with the DEP. There was further discussion of this matter.

D. Sorrentino stated that the dump is covered; it is not an active dump. P. Anthony asked D. Sorrentino if, in his opinion, is it within the board's jurisdiction to deny the application based on a junkyard on his property. D. Sorrentino stated that it isn't a bona fide zoning violation unless the cars are above the surface. After further discussion of this matter, P. Anthony asked D. Sorrentino formally to get that an opinion from Mr. Branse, the town's attorney, regarding the commission's jurisdiction and parameters of powers to act or not act.

C. Seaman asked for further comments on this application. Hearing none, he closed this public hearing at 9:07 p.m.

## **VI. REGULAR MEETING**

### **1. Call to Order**

Chairman, Clyde Seaman called this public hearing to order at 9:08 p.m.

## **2. Roll Call:**

**Present:** Clyde Seaman, Gail Rooke-Norman, Phillip Anthony, Daniel Deguire, Alternates Anne Hatfield, Martin McKinney, Town Planner, Demian Sorrentino, ZEO, Peter Zvingilas, Recording Secretary, Donna Szall

**Absent:** Roland Harris, Paul Wolinski, Alternate

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

He appointed Martin McKinney to sit for Roland Harris for most of these matters as a regular member. Anne Hatfield is an alternate. C. Seaman stated that there is a quorum for this meeting.

## **4. Approval of Minutes**

**A.** Public Hearings and Regular Meeting held on January 10, 2005

C. Seaman asked for a motion for approval of the meeting minutes on January 10, 2005. P. Anthony so moved. G. Rooke-Norman seconded the motion. All were in favor. Motion was passed.

**B.** Public Hearings held on January 24, 2005.

C. Seaman asked for a motion for approval of the public hearing minutes on January 24, 2005. P. Anthony so moved. G. Rooke-Norman seconded the motion. All were in favor. Motion was passed.

## **5. Correspondence and Attachments**

**A.** Letter dated 1/3/05 from Chester L. Arnold, Associated Director of Center for Land Use Education and Research, University of Connecticut and copy of *Putting Communities in Charge* Report of the NEMO program.

**B.** Letter dated 1/20/05 Agenda and Registration Form for the Annual Connecticut Association of Wetland Scientists.

**C.** Letter dated January 11, 2005 from Griswold Town Planner to Gloria Rizer, Plainfield P & Z Chair, expressing concerns about proposed landfill in Plainfield.

C. Seaman stated that there are various items of correspondence. He stated that the Town Planner should be congratulated for writing two excellent letters to the town of Plainfield. He stated our position very clearly. G. Rooke-Norman thanked D. Sorrentino stating that he went to the Plainfield hearing and read it into the record. She felt that what Plainfield is proposing upstream from us could be detrimental.

C. Seaman asked D. Sorrentino if there was any other correspondence that the Commission felt should be mentioned. D. Sorrentino stated that there is one letter that could be dealt with later.

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

**A. SRC 01-05 Griswold Department of Planning & Development, 28 Main St., Griswold, CT** – Applicant requests approval of text amendments to the Griswold Subdivision Regulations regarding improvements to Town Streets in Sections 4 and 5.

C. Seaman stated that this was a prior public hearing and asked for a recommendation on this application. He stated that it was a change to regulations. G. Rooke-Norman stated that A. Hatfield brought up the issue of nexus. G. Rooke-Norman would like to propose some additional language to 5.3.6 and 5.3.8 and with that addition to make a motion to approve the regulations.

1. Line 8 of 5.3.6 should read...beyond the limits of the proposed subdivision, as long as the road section within those limits is deemed directly impacted by the creation of the subdivision, the Commission may disapprove .....
2. Line 10 of 5.3.6.. such street within those said impacted limits ..... by and at the expense of the subdivider, as long as it is reasonable and necessary to maintain the health and safety of the public, or may disapprove such plan until the Board of Selectmen has authorized expenditures for such improvements.
3. Line 5 of 5.3.8.. the street safely to serve the new lots in the subdivision in view of the additional traffic caused by the new subdivision; the drainage conditions of..

There was discussion of this motion. P. Anthony stated that the suggestions have not been tested in court. A. Hatfield stated explained the suggestions were based on one case that was limited to the facts and there is no new case to test that would decide the outcome. There was further discussion of this matter.

P. Anthony seconded the motion. C. Seaman stated that the motion has been made and seconded with the changes mention. He asked for a vote. All were in favor. Motion was passed.

G. Rooke Norman asked when the effective date of this change would be. D. Sorrentino stated that it must be stated. G. Rooke Norman made a motion to have the effective date be March 1, 2005. P. Anthony seconded the motion. C. Seaman stated that there was a motion and seconded to change the subdivision regulations on roads effective date of March 1, 2004. He asked for a vote. All were in favor. Motion was carried.

**B. SUB 09-05 Quiet Cove, LLC, 6 Weber Farm Road, Norwich, CT Property Location: 55 Osga Lane, Griswold, CT.** Applicant request approval of an 11-lot subdivision with a proposed new street located at 55 Osga Lane, Griswold. The subject property is located in the R-60 zoning district.

C. Seaman stated that this application was continued from the public hearing. C. Seaman asked for a motion to table the application to April 11, 2005. P. Anthony so moved. D. DeGuire seconded the motion. All were in favor. Motion was passed.

C. ZC 04-05. Griswold Industrial Development Commission, 28 Main Street, Griswold, CT. **Applicant requests approval of a map amendment to the Griswold Zoning Map to change the zoning classification of three (3) properties located at 225, 236, and 244-246 East Main Street from R-20 to Industrial.**

C. Seaman stated that this application is to change the three properties from R-20 to Industrial to accommodate the tank farm realistically. M. McKinney recused himself from this application. C. Seaman appointed Anne Hatfield to sit for Roland Harris. C. Seaman asked for a motion on this application.

G. Rooke-Norman stated that the selectmen are working hard to get funding to clean up the Triangle PWC site and with this additional acreage and essentially a tenant; she stated that we are seeing the beginnings of a mini industrial park; and if we can get funding, it would be a good thing. She stated that we need to go back to the buffer regulations, though they do not impact anything here, the buffer regulations go into effect when they are approved, anyone who builds after that is responsible under those new buffer regulations. There was discussion of this matter.

G. Rooke-Norman made a motion to approve this application. P. Anthony seconded the motion. C. Seaman asked for discussion. There was discussion of the aerial photograph of the site concerning buffers. C. Seaman stated that a motion has been made and seconded and asked for a vote. All were in favor. Motion was passed.

**D. SUB 07-05 Zvingilas, Peter M. 607 Roode Road, Griswold, CT. Property Location: 607 – 589 Roode Road, Griswold, CT** – Applicant requests approval of a 6-lot subdivision with a proposed new street. The subject property is located in the R-80 zoning district.

C. Seaman stated that this is the one where there was discussion of the street drainage system. P. Anthony stated that he was not convinced that this was the way to go and voiced his concerns of how it will affect the wetlands and water table problems; and the quality of the water table is something the Commission should consider. There was discussion of this matter.

M. McKinney asked if it met the current regulations and plunge pools. D. Sorrentino stated that the road ordinance does reference the state statutes for roads and bridges. There was discussion of this matter including curbing and plunge pools. Pat Lafayette, town engineer, stated that he did not have any problems with the design. There was discussion of the proposed road, the State's new methodology for drainage for appropriate applications, and concerns for wells.

C. Seaman asked for a motion on the application. P. Anthony made a motion to approve the application. G. Rooke-Norman seconded the motion. C. Seaman asked for any further discussion. All were in favor. Motion was passed.

**E. SUB 06-05 Dzedzic, Lori A. 285 Sam Chikan Road, Griswold, CT. Property location: 295 Sam Chikan Road, Griswold, CT** – Applicant requests approval of a 2-lot re-subdivision for property located at 295 Sam Chikan Road. The subject property is located in the R-80 zoning district. This re-subdivision specifically requires approval of the Commission for a reduction in frontage in accordance with Section 10.2.2 of the Regulations for an "interior lot".

C. Seaman stated that this was the application that we had the discussion on at the public hearing of the abatement of junked cars and whether or not it affected the request to subdivide the property. He asked for a motion on this application.

G. Rooke-Norman stated that the applicant has asked that they modify the application so that the application includes that they will be removing the remaining bus, junk tires and metal debris within 90 days. M. Sullivan stated yes.

G. Rooke-Norman made a motion with that addition to the application to approve it. M. McKinney seconded the motion. C. Seaman stated that a motion was made and seconded to approve the application with conditions. C. Seaman asked if there was any more discussion. D. DeGuire voiced his concerns regarding the information that was brought to the Commission's attention and whether it is in our jurisdiction. P. Anthony reiterated that this Commission would like a formal opinion from Atty. Branse and stated that this Commission does not have jurisdiction. C. Seaman stated that it does not affect the re-subdivision. It is a DEP issue. There was discussion of this matter. C. Seaman asked for a vote. All were in favor. Motion was passed.

D. Sorrentino explained to the Commission that a date was not set for the effective date of the zone change for Item C. He stated that it needed a motion. There was discussion of this matter. P. Anthony made a motion to make Item C effective as of March 1, 2005. G. Rooke-Norman seconded the motion. All were in favor. Motion was carried.

**F. ZP 04-05 Denis, Jean & Deanna, 29 South Main Street, Jewett City, CT.** Applicants request approval of a zoning permit for a 39 unit multi-family residential development at 65 South Main Street, Jewett City. The subject property is located in BRM Borough Residential Multifamily zoning district.

C. Seaman stated that Item F was one of the public hearings. P. Anthony and D. DeGuire recused themselves from this application. C. Seaman stated that there was a quorum for this application. He stated that those sitting to vote on this application are myself, G. Rooke-Norman, M. McKinney and A. Hatfield.

D. Sorrentino explained the requested changes to the Commission. He outlined the concerns 1. Provision of visitor/overflow parking and elimination of a sidewalk on one side of the entrance. 2. Bond estimate was to include the cost of the infrastructure of the improvements. 3. Watershed map. 4. Maintenance schedule for the storm drainage system. He stated that all the changes had been addressed.

There was lengthy discussion of the 300 square foot requirement for parking with a question of free and safe movement, the Town Regulations of Section 14.1 and Borough regulations and the comparison of this application with the parking for Aspinook View.

G. Rooke-Norman stated that this application is 5 spaces short. D. Sorrentino stated that there could be more parking spaced in the turnaround. There was further discussion of this matter. A. Hatfield asked if it was feasible to put five more space in. G. Rooke-Norman stated to the Commission if the applicant could modify the application to include six more parking spots. There was further discussion of this matter.

C. Seaman stated that we asked the applicant to approve with conditions to add more parking spaces to the application. A. Hatfield stated that she would be willing to accept the application if they would add more spaces. G. Rooke-Norman asked D. Sorrentino if he thought that the applicants can revise their application and that technically that we have met the burden. He stated that it does not change the nature or the scope of the application. G. Rooke-Norman stated that if the application would agree to the additional spaces, we would not need to go to another public hearing. D. Sorrentino stated that a public hearing was not required for a zoning permit. G. Rooke-Norman asked would the applicant be willing modify their application to locate another six parking spaces and submit a new drawing. Jean Denis, the applicant, answered yes.

A. Hatfield made a motion to approve the application with the condition of six more additional parking spaces. C. Seaman asked for a second. G. Rooke-Norman seconded the motion. C. Seaman asked for all in favor. There were A. Hatfield and G. Rooke-Norman voted yes. M. McKinney voted no. C. Seaman stated he also voted yes and that the ayes have it. Motion was passed.

**G. ZP 07-05 Marchand, Brie, 46 Osga Lane, Griswold, CT. Property Location: 383 Bethel Road, Griswold** – Applicant requests approval for a home occupation for a Catering/Baking Kitchen to be located at 403 Bethel Road, Griswold. The subject property is located in the R-60 zoning district.

C. Seaman asked if anyone was present to represent the application. Brie Marchand presented the new plans to the Commission. She explained the revised plans which included a finished basement with the house's square footage being 3,000 square feet and changes to the proposed kitchen square footage of 590 square feet including the walk-in cooler.

C. Seaman appointed M. McKinney to set for Roland Harris. C. Seaman stated that they have revised the drawings to comply with the regulations. He asked for a motion to approve. P. Anthony made a motion to approve. G. Rooke-Norman seconded the motion. All were in Favor. Motion was passed.

## **7. Additional Business**

### **A. Old Business**

#### **1. Workshop for the Plan of Conservation & Development.**

C. Seaman asked about the Plan of Conservation for March 14. D. Sorrentino stated that there would be an increase progress between this meeting and the next. G. Rooke-Norman asked if that could be within the agenda time of the next meeting. D. Sorrentino stated that it will be included in the agenda for the next meeting. A. Hatfield asked if a letter was sent to the State stating that we were working on the plan of conservation. D. Sorrentino stated that he will send the State a letter.

## **8. New Business**

A. Official Ruling for Application Procedure for Mark Wickerd, 442 Rixtown Road, Griswold, CT for construction of an enclosure to house 20 to 30 cats.

C. Seaman stated that there was a request for an official ruling. Mark Wickerd was present to address the Commission.. P. Zvingilas stated that M. Wickerd wants to build a shelter for cats, and there was question of whether it was a kennel or not. M. Wickerd explained that he would be caring for feral, abused and special needs cats. P. Anthony asked if he was working with an organization. M. Wickerd stated that he was working with Second Chance Sanctuary to rehabilitate the cats. He went on to explain how his proposed operation would work to the Commission.

P. Anthony asked if this was for profit. M. Wickerd stated no. He stated that he would not be able to apply for a kennel since his setbacks and wetlands would require a special exception. There was discussion of this matter including the definition of a kennel, the commercial comparison to residential and dimensional requirements for setbacks and kennel permits.

D. Sorrentino stated that he thought that meets the definition of a kennel. He asked the Commission to make a determination as to whether it meets the definition of a kennel or not. There was further discussion of this matter and the need for a special exception and renewable permits for kennels and change of use.

P. Anthony stated that be a special exception with site plan presented at a public hearing. G. Rooke-Norman stated that the site plan could be specific stating with no dogs. P. Anthony asked if the applicant would be willing to present a site plan and letter from all abutters as we are describing here. P. A. asked if a motion was needed. D. Sorrentino stated that a ruling was required for which application to pursue. P. Anthony stated that it would require a special exception with a site plan drawn to scale and letters from the neighbors. M. Wickerd stated that he would file the necessary application.

D. Sorrentino stated that he wanted the Commission's interpretation of commercial recreation in an R zone that includes golf in Section 4.3.7 and commercial recreation in the C zone which does not include golf but includes bowling alleys, movie theaters and such in Section 7.3.7. He asked whether Commercial recreation in the C zone can include golf, then there is an application for a golf driving range in the C-2 zone located at the Pachaug Airport. P. Anthony asked that it was currently as part of our regulations. D. Sorrentino stated that it was not specified as a use in the C-2. There was discussion of this matter regarding less intensive uses in an R zone and more intensive uses in the C zone.

G. Rooke-Norman asked where the golf driving range would be located. Nelson Rodriguez answered questions of where the driving range would be located. G. Rooke-Norman suggested putting the application early on the agenda for the March meeting for an early April public hearing.

P. Brycki asked to be put on the Agenda. C. Seaman asked for a motion. G. Rooke-Norman moved to put on the agenda. P. Anthony seconded the motion. P. Brycki asked for a special

meeting to discuss the Harvey Polinsky litigation and suggested March 4<sup>th</sup> for the executive session. There was discussion of the date. G. Rook-Norman suggested March 21<sup>st</sup> or March 22<sup>nd</sup> at 7:30 p.m. with the Board of Selectman and the Commission.

P. Brycki stated that G. Rooke-Norman and P. Anthony had been appointed to the S.E. Council of Governments. He had a letter stating that they had not attended any meetings during the past year. They stated that they had resigned one year ago. P. Brycki stated that the Commission could decide who would be interested in attending the S. E. Council of Governments meetings. A. Hatfield stated that she would go to the meetings. P. Anthony stated that they meet every two months. There was further discussion of this matter.

## **B. Reports from the Enforcement Officer**

- 1. Cease and Desist Order – Carolyn R. Mackin, 45 Preston Road, Griswold, CT.** – An investigation of the subject premises discloses that the following conditions presently exists for Four (4) unregistered motor vehicles.
- 2. Cease and Desist Order – Virginia L. c/o David Jordan, 39 Monroe Avenue, Griswold –** An investigation of the subject premises discloses that the following conditions presently exist: Five (5) unregistered motor vehicles.
- 3. Cease and Desist Order – James Andruskiewicz, 16 Gilbert Court, Jewett City –** An investigation of the subject premises discloses that the following conditions presently exists for an excess fifteen (15) unregistered motor vehicles.

## **9. Adjournment**

C. Seaman asked for a motion to adjourn. P. Anthony made a motion to adjourn. D. DeGuire seconded the motion. All were in Favor. Motion was passed. The meeting adjourned at 10:45 p.m.

Respectfully submitted,

Donna M. Szall