



Town of Griswold



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Griswold, CT 06351
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**GRISWOLD PLANNING & ZONING COMMISSION
PUBLIC HEARING & REGULAR MEETING
MINUTES**

JUNE 13, 2005

GRISWOLD TOWN HALL

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

1. Call to order:

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

2. Roll Call:

Present: Clyde Seaman, Daniel DeGuire, Martin McKinney, Anne Hatfield, Town Planner Demian Sorrentino, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Gail Rooke-Norman, Philip Anthony, Roland Harris,

C. Seaman appointed Alternates Martin McKinney to sit for Roland Harris and Anne Hatfield to sit for Gail Rooke-Norman.

3. Determination of Quorum:

C. Seaman stated that there is a quorum for this public hearing.

4. Matter Presented for Consideration:

A. SRC 02-05 Griswold Department of Planning & Community Development, 28 Main Street, 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 if there was anyone to represent the application. D. Sorrentino stated that he had arranged for a presentation of the Conservation Subdivision by Paula Stahl of the Green Valley Institute. Paula Stahl gave a presentation of the Conservation Subdivision to the audience and Commission members.

C. Seaman interrupted P. Stahl to state that regular member Philip Anthony had arrived at 7:02 p.m.

P. Stahl continued her presentation explaining what a conventional subdivision was and what a conservation subdivision was.

.C. Seaman stated that regular member Gail Rooke-Norman has arrived at 7:04 p.m. and she will take her seat that was being filled by Anne Hatfield.

P. Stahl continued her presentation describing the advantages of a Conservation Subdivision over a Conventional Subdivision. This included the value of the conservation subdivision, maintaining the rural character, increased property values, preservation of wetlands and watercourses, preserving animal habitats and trails. There was discussion of this matter including easements for the open space, tax revenue and nuisance uses, golf course uses.

C. Seaman asked if D. Sorrentino had anything to add to the presentation by P. Stahl. D. Sorrentino stated yes and asked if anyone in the audience had any questions for P. Stahl.

Kevin Essington asked what towns had conservation subdivision ordinances. She explained that there were two who had them now; and there were five who were working towards conservation subdivision. There was discussion of this matter including mandatory conservation subdivisions.

P. Anthony asked D. Sorrentino for an overview of the towns that had conservation subdivisions. D. Sorrentino stated that there were several towns that have adopted the conservation subdivision including Sprague, Coventry, and N. Stonington. There was discussion of this matter.

Pamela Reinholtz asked if a homeowner's association owned the open space, they could put up no trespassing signs for the open space. P. Stahl stated yes that homeowner's associations sometime do and cited some examples. There was discussion of this matter.

C. Seaman asked if there were any other questions for the presenter. D. Sorrentino asked C. Seaman if he wanted to postpone his presentation to another meeting or the set a time limit for this evening. D. DeGuire asked D. Sorrentino how much time he needed. D. Sorrentino stated that if the Commission has reviewed the proposed regulations it would be quick. C. Seaman stated we should set a time limit on it. C. Seaman stated that D. Sorrentino would be given 20 minutes for his presentation of the text changes to the Subdivision regulations that included the conservation subdivision language.

G. Rooke-Norman asked P. Stahl what would keep the horse farm from becoming more commercial enterprise, first a horse training farm, then a riding stable, then a riding and boarding stable. P. Stahl stated that being owned by the homeowner's association there would be a deed restriction of what they wanted there. There was discussion of this matter.

D. Sorrentino stated that he changed the title of Section 5 to the Conventional Subdivision Design Standards so that the Commission could decide to have a choice of subdivision design standards.

D. Sorrentino stated he added a new Section 6 for the Conservation Subdivision Design Standards. He read Section 6.1 Purpose into the record. He stated that as it is written now it is applicable only to the R-60 and R-80 zoning districts because the net zero requirements to go below R-40 in the future when public water and sewer become available. He explained the changes to the Commission.

He read Section 6.2 Allowable Density determining the number of allowable lots in a conservation subdivision. 6.2.2. Density Yield Plan was read into the record. He explained the changes to the Commission.

D. Sorrentino read Section 6.3 Lots into the record. He stated that the items under 6.3 and 6. 4 are the same for the conventional subdivision D. Sorrentino read Section 6.3.2 Dimensional Requirements based on R 40; 6.3.6 final plans for zoning purposes as being part of a conservation subdivision. . He explained the changes to the Commission.

D. Sorrentino stated that Section 6.3.3 was the same and read the changes to that section for the record and he explained the changes to the Commission.

D. Sorrentino read Section 6.3.6 into the record. He explained the changes to the Commission.

D. Sorrentino read Section 6.4 Streets into the record. He stated that 6.4.1 through 6.4.8 did not change. He stated that Section 6.4 Drainage was the same as conventional subdivision.

D. Sorrentino explained that Section 6.6 Open Space is where the differences occur from the conventional subdivision. He read Section 6.6.1 into the record. He explained the changes to the Commission. P. Anthony asked if there was an actual guideline. D. Sorrentino state yes and read 8-25 of the CT general statues into the record for cluster developments. There was discussion of this matter. M. McKinney asked if it was based on buildable area. D. Sorrentino stated that it was not. There was further discussion of this matter of buildable area.

M. McKinney asked if there would be a choice of conservation subdivision and conventional subdivision. D. Sorrentino stated yes. There was discussion of this matter.

D. Sorrentino read Section 6.6.1 dedicated open space into the record. He read Section 6.6.2 contiguous open space, Section 6.6.3 two acre requirement for active recreation in 10 or more acres of open space; Section 6.6.4 open space required street frontage; Section 6.6.5 regarding fill and excavation; Section 6.6.6 proof of open space protection in perpetuity prior to recording of final mylars were read into the record.

D. Sorrentino stated that Section 6.7, Section 6.8 and Section 6.9 and Section 6.10 are the same as a conventional subdivision.

D. Sorrentino read Section 7.6 Open Space was read for the record. Ownership of the open space parcel. He read Section 7.61 Homeowners' Association, Section 7.62 deed to a land trust, Section 7.6.3 developer ownership, and Section 7.6.4 deed to the town into the record. There was discussion of this matter including eliminating Section 7.6.3.

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

Pamela Reinholtz asked a question regarding farmland use be part of the requirement to continue the land as it is being used. D. Sorrentino stated that language would have to be added to address

the use. A. Hatfield stated that it would be a deed restriction. There was discussion of this matter including deed restriction for open space and passive use, and historic preservation

P. Reinholtz asked about preservation of the wooded areas. G. Rooke-Norman stated that preservation of wooded areas is a great goal of this type of subdivisions. C. Seaman stated that it would be part of the regulations that it could not be changed without approval of the Commission. D. DeGuire stated that the open space would stay the way it is. D. Sorrentino read Section 6.6.6 and 6.6.5 into to record regarding open space. There was discussion of this matter to tighten up those regulations.

C. Seaman asked if there were any other questions.

John Faulise stated that he would support the regulations and encourage his clients to use the conservation subdivision. He stated that the Commission was caught up with the “what ifs”. He stated that G. Rooke-Norman’s example of a riding stable and kiddie rides isn’t necessarily a bad thing for Griswold and those things are better than cookie cutter lots all over the place. J. Faulise stated that several of the towns he works in have conservation subdivision regulations and cited some examples to the Commission. He stated that the whole process is negotiation from start to finish and towns encourage the developer to meet with the commission to discuss what he will do with the areas are of concern. J. Faulise stated that he would encourage the participation of the Conservation Commission in the preliminary process for approval of the developer’s concept. He voiced his concerns that road widths and road lengths should go hand in hand with the road ordinance modifications to fit within the conservation subdivision regulations.

M. McKinney asked that by having an either or that it could be sold to your clients. J. Faulise stated yes that there are enough examples in the area to show to look at the value of the conservation subdivision and cited some examples. There was discussion of this matter including buildable lots and buildable squares.

P. Anthony asked J. Faulise how long they have had this on the books. J. Faulise stated that Sprague adopted the conservation subdivision in January. He stated that they have a couple of subdivisions but that people are excited about the conservation design. He stated that it increases the property value of the area. P. Anthony asked if the conservation subdivision was mandatory in Sprague. J. Faulise stated yes that it was mandatory in the town of Sprague. There was discussion of this matter.

G. Rooke-Norman asked about the negotiations with the developer having up to 50 percent of the acreage and that language allows for the dialogue better than cut and dried. J. Faulise stated yes it provides flexibility and cited an example. There was discussion of this matter.

M. McKinney asked that if it was going backward to have private roads and cited examples of problems with emergency vehicles and school buses. J. Faulise stated that he didn’t feel that it was going backward and that there are misconceptions about where emergency vehicles and school buses can go and cited examples. There was discussion of this matter.

G. Rooke-Norman asked D. Sorrentino that if this design allowed for private roads the Homeowners’ Association could petition the town to adopt the road and then the town would

have to upgrade the road. D. Sorrentino stated yes but that this was J. Faulise's recommendation and stated that he didn't necessarily agree with it. There was discussion of this matter including cul-de-sac regulations and updating of the road ordinance to the State of Connecticut's current practices.

P. Anthony asked P. Stahl if she had anything to add. P. Stahl stated that with a conservation subdivision it works with the land to its best advantage and is flexible. The conservation subdivision creates a different community with narrower roads and no sidewalks and curbs. P. Anthony asked if there was any adverse effect. She stated no. There was discussion of this matter.

C. Seaman asked for any other comments.

Kevin Essington, Patrick Road. He stated that he works for the Nature Conservancy. He stated he was an expert in road widths and procedures for ordinances for individual subdivisions. He stated that conservation easements rather than deed restrictions be used and stated that there arise questions of who has the legal authority to enforce the deed restriction where as a conservation easement spells it out fairly clearly and the town by law is allow to hold. He also suggested a land trust. K Essington stated that easements would address forestry, farming and what constitutes agriculture. He address Section 7.6 and gave his recommendations and addressed the buildable square. There was discussion of this matter including language for the conservation subdivision and easements.

D. Sorrentino read a letter dated June 6, 2005 from him into the record and submitted it to the file addressing SRC 02-05 being consistent with the Plan of Conservation and Development.

D. Sorrentino read a letter dated May 19, 2005 from Aleta Deroy, Chair of the Inland Wetlands & Watercourses Conservation Commission into the record in support of SRC 02-05 and submitted into the file.

D. Sorrentino read a letter dated June 10, 2005 to Chairman Clyde Seaman from Board of Selectmen in support of SRC 02-05 and submitted it to the file.

C. Seaman asked for comments. G. Rooke-Norman asked a procedural question regarding the modifications of the language if it could be done now or should be continued. D. Sorrentino stated that the public hearing should be continued so the Commission can review the changes.

P. Anthony made a motion to continue this public hearing to July 11, 2005. G. Rooke-Norman seconded the motion. There was discussion of the time for the public hearing. P. Anthony stated that the public hearing will be at 7:30 p.m. on July 11, 2005. C. Seaman asked for a vote. All were in favor. Motion was passed.

C. Seaman stated that this public hearing is continued.

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

1. Call to order:

Chair, Clyde Seaman called this public hearing to order at 8:35 p.m.

2. Roll Call:

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

Absent: Roland Harris

C. Seaman appointed Alternate Martin McKinney to sit for Roland Harris.

3. Determination of Quorum:

Seaman stated that there is a quorum for this public hearing.

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 asked D. Sorrentino present this application.

D. Sorrentino stated that the regulation was submitted by the Commission and explained that it was slightly different from the last meeting. He stated that the Commission and he had made some changes and minor revisions. D. Sorrentino passed out copies of his comments and those comments from Atty. Mark Branse regarding the proposed regulations. There was discussion of this matter.

C. Seaman stated that there should be a discussion of how this is was going to be handled. D. Sorrentino asked the Commission to turn to the last paragraph of Atty. Branse comments and read the last paragraph into the record. Atty. Branse comments stated that the current draft lacks a cohesive vision of what the business park is supposed to be when it grows up. In his comment, he suggested that the Commission in co-operation with the IDC visit a cross section of business and industrial parks around the State and make a list of what you like and don't like about access, mixed uses, architectural setbacks and define the elements that a Griswold business park should have; this would provide guidance to the drafting process. D. Sorrentino stated that Atty. Branse has ten pages of recommendations as does his own recommendations has ten pages.

D. DeGuire asked if Atty. Branse reviewed the ones that the Commission submitted. D. Sorrentino stated that Atty. Branse reviewed the ones that are on file in the towns clerk's office

that were slightly modified from the ones submitted two months ago. D. DeGuire asked if Atty. Branse was representing the Commission. D. Sorrentino stated that he would not speak for Atty. Branse. D. Sorrentino stated that Atty. M. Branse agreed to review the proposed regulations and give his comments.

C. Seaman asked if these items were sent to the Commission. D. Sorrentino stated no. He only received them. D. DeGuire stated that they should be tabled.

D. DeGuire made a motion to table the public hearing. P. Anthony seconded the motion. C. Seaman asked for discussion. G. Rooke-Norman stated that the Commission needed time to review the submissions prior to a meeting so that they can absorb the information, ask intelligent questions and make well-informed decisions. She stated that the Commission must take a stand to see the any information ahead to time. She suggested faxing the information to their offices for review. There was discussion of this matter.

C. Seaman asked if this should be discussed at the next meeting in a public hearing or will we sit down and come up with a document to present at a public hearing. D. Sorrentino suggested withdrawing the application until the changes were addressed and then the changes could be brought to a public hearing. There was discussion of this matter.

C. Seaman stated that there was a motion on the floor to continue this public hearing. He asked if this public hearing would be continued or will the Commission sit down and present a document that which everyone is happy. P. Anthony withdrew his motion and stated that we should withdraw the application. G. Rook Norman stated she was against withdrawing the application and wanted input from a public hearing. There was discussion of this matter.

P. Anthony asked for comments from the Commission as to whether this go to public hearing or amongst us and then present it to the public. D. DeGuire thought it should be amongst ourselves. A. Hatfield suggested asking the Town Attorney for his opinion as to how to proceed. There was discussion of this matter.

G. Rooke-Norman made a motion to continue this public hearing to 7:00 p.m. on July 11, 2005. There was further discussion of this application. C. Seaman stated that the Town Attorney represents the Town Planner. C. Seaman asked if the regulations were developed by the IDC. D. Sorrentino stated that the Planning & Zoning Commission submitted the application. C. Seaman asked if it was a combination of the IDC and the P & Z and asked who wrote it. There was further discussion of this matter including having workshops to work on the regulation or continuing in the public hearing avenue.

P. Anthony readmitted his motion to continue this hearing to the next meeting at 7:00 pm. on July 11, 2005. M. McKinney seconded the motion. C. Seaman asked for a vote. All were in favor. Motion was passed.

G. Rooke-Norman asked to fax anything that comes in a couple of days before the meeting and is important for the commission to review. D. Sorrentino stated yes and asked for fax numbers.

III. REGULAR MEETING (7:30 P.M.)

1. Call to order:

Chair, Clyde Seaman called this public hearing to order at 8:45 p.m.

2. Roll Call:

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

Absent: Roland Harris

C. Seaman appointed Alternate Martin McKinney to sit for Roland Harris.

3. Determination of Quorum:

Seaman stated that there is a quorum.

4. Approval of Minutes:

- A. Approval of Minutes of Public Hearing of March 14, 2005
- B. Approval of Minutes of Regular Meeting of March 14, 2005
- C. Approval of Minutes of Public Hearing of April 11, 2005
- D. Approval of Minutes of Regular Meeting of April 11, 2005
- E. Approval of Minutes of Special Meeting of April 18, 2005
- F. Approval of Minutes of Public Hearing of May 9, 2005
- G. Approval of Minutes of Regular Meeting of May 9, 2005
- H. Approval of Minutes of Special Meeting of May 25, 2005

C. Seaman asked for approval of the minutes and suggested approving them all together. P. Anthony made a motion to approve items A through H. on the minutes. M. McKinney seconded the motion. C. Seaman asked for any discussion. D. DeGuire stated that when we get the comments, it just says discussion was made and asked what discussion was made. D. Sorrentino explained that minutes only have to be a record of attendance, motions and votes. A. Hatfield asked how long the tapes were kept on records. D. Sorrentino stated that they are on file in the office. He stated that as they are now, they take hours to complete and explained that it would turn into a verbatim transcript. There was discussion of this matter. D. Sorrentino suggested that he could make copies of the tapes for members to take home.

G. Rooke-Norman stated that there was a correction on the March 14, 2005 minutes on page six at the bottom of the page. She stated that it should say, "to sit for G. Rooke-Norman".

C. Seaman asked for a vote. All were in favor. Motion was passed.

5. Correspondence and Attachments:

- A. Letter from The Nature Conservancy, dated May 3, 2005 RE: Pawcatuck Borderlands in Connecticut and Rhode Island.
- B. “*Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter*”, Spring 2005, Volume IX, Issue 2.
- C. “*Connecticut NEMO Newsletter*” Non-point Education for Municipal Officials Spring 2005. University of Connecticut Cooperative Extension System.

C. Seaman handed out individually addressed invitations to the commission members.

P. Brycki asked if he could hand out the Space Needs Report to the Commission. C. Seaman stated that he could do so. There was discussion of this matter including its usefulness for the Plan of Conservation and Development.

6. Matters Presented for Consideration:

- A. **SUB 10-05 822 Voluntown Road, LLC, 76 Salem Turnpike, Norwich, CT. Property Location: 822 Voluntown Road (Route 138).** – Applicants request approval of a 7-lot re-subdivision and construction of 1000 linear feet of new roadway. Subject property is located in the C-1 zoning district.

C. Seaman asked if anyone was present. Rick DeChamps was present to discuss this application. He stated that his engineer was present last month to explain the project. He stated that the Commission was waiting for a letter from the Board of Selectmen. D. Sorrentino stated that the letter was received this morning and gave copies to the Commission and was submitted for the record.

P. Brycki explained the Selectmen’s recommendations to the Commission. D. DeGuire asked if the drainage could be put on the opposite side of the road. P. Brycki explained that the new crown in the road would direct the water to the sides of the road. There was discussion of this matter.

C. Seaman asked about controlling the traffic to use the Rte 138 entrance of the subdivision. P. Brycki stated that as to signage and cited an example of the Ames no left turn sign. There was discussion of this matter including cutting through the subdivision to access Edmond Road. P. Anthony asked about the right hand traffic problems that could occur. R. DeChamps stated that he did not see that there would be that much of a problem with the right hand turns since the entrance is close to Rte 138 and only passes by one house.

R. DeChamps stated that this project is correcting a town problem of the drainage of Edmond Road. There was discussion of this matter including increasing the size of the drainage pipe and the retention pond.

D. Sorrentino related P. Zvingilas' observation to the Commission that you are talking to the applicant asking questions and the public hearing is closed. G. Rooke-Norman stated that they are talking to the applicant as it related to the letter from the Selectman. R. DeChamps explained to the Commission how they would address the issues raised by the Selectmen. There was discussion of this matter that addressed relocating the walls to the property line to create more sight line.

P. Anthony asked if D. Sorrentino has spoken to the Geers or Atty. Fitzgerald regarding the drainage to their property. D. Sorrentino stated that he had not had any contact with them. P. Brycki stated that he spoke with the Geers; they have seen the plans and are comfortable with the new plans. There was discussion of this matter.

C. Seaman asked for a motion on the application. M. McKinney made a motion to approve the application. P. Anthony seconded the motion. C. Seaman asked for any discussion.

D. DeGuire stated that he liked the project and wanted to see that the commercial activity should stay on the state road. G. Rooke-Norman asked about keeping the Edmond Road as an entrance only. P. Anthony stated that there would be more truck traffic that uses exit 86 rather than exit 85. There was discussion of this matter that included the number of vehicles per day on Rte 138 side of Edmond Road as well as on the other end of Edmond Road.

C. Seaman stated that we had asked the Selectmen to look into this issue and we have heard that there is no problem. He stated that he agreed with the Selectman. P. Brycki stated that he was comfortable with the amount of truck traffic and that there is a light at the intersection of Rte 138 and Edmond Road and this location is the best location for commercial. D. DeGuire asked P. Brycki if he was saying that he is encouraging truck traffic on Edmond Road. P. Brycki stated that no, he wouldn't want to see any commercial traffic on town roads because they break up the road, but Edmond Road has been improved to handle truck traffic. There was further discussion of this matter.

C. Seaman stated that the motion has been made and seconded and asked if there were any other questions or discussion.

D. Sorrentino stated the motion should include the stipulation that the bond should be submitted prior to the endorsement of the final mylars plans.

M. McKinney modified his motion to include the submission of the bond prior to the endorsement of the final mylars plans. C. Seaman asked if the second was ok with that. P. Anthony stated yes. C. Seaman asked for a vote. There were 3 aye votes. There was 1 nay vote by D. DeGuire. C. Seaman stated that the ayes have it. Motion was passed.

B. SRC 02-05 Griswold Department of Planning & Community Development, 28 Main Street, 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.

This Item was not discussed.

C. ZC 04-05 Griswold Industrial Development 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.

G. Rooke-Norman made a motion to table this application to the next meeting in July. P. Anthony 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.

D. SUB 13-05 Belisle, Philip, 1503 Voluntown Road, Griswold, CT. Property Location: 814 Hopeville Road – Applicant requests approval of a 2-lot subdivision with public water and on-site septic. Subject property is located in the R-40 zoning district.

C. Seaman asked if anyone was present to represent Philip Belisle. Eric Seitz, surveyor, presented the application before the Commission. He explained where the subdivision was located. M. McKinney asked where it was located. E. Seitz stated that it was near the hamburger, ice cream stand on Hopeville Road. Philip Belisle stated that it was across from the old Hopeville General Store.

E. Seitz stated that the plan proposed two, four-bedroom houses. He submitted approvals from the soil scientist and the sanitarian.

P. Anthony asked if D. Sorrentino had any issues. D. Sorrentino stated that it was R-40 and required subdivision. P. Anthony asked E. Seitz regarding the soil and the sanitarian. E. Seitz stated that that was all approved and that there were no wetlands. M. McKinney asked about the water pipe and the existing driveway. E. Seitz explained that there would be an easement for the pipeline and he stated that he gave copies of the maps to the water company. There was discussion of this matter.

P. Anthony made a motion to approve the application. D. DeGuire seconded the motion. C. Seaman stated the motion has been made and seconded and asked for discussion. Hearing none he asked for a vote. All were in favor. Motion was passed.

E. ZC 05-05 Griswold Department of Planning & Development, 28 Main Street, Griswold, CT. Applicant requests approval of 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)

C. Seaman asked D. Sorrentino to present the application. D. Sorrentino stated that this was the first of two land use commission applications to develop the old Town Hall property. He explained that all the lots that front on School Street are zoned B-R, Borough Residential that only allow single and two-family developments. He stated that it would be impossible for the Selectmen's preferred developer to do anything with that property as it is currently zoned.

D. Sorrentino stated there is one single family, three duplexes, one mixed use structure containing three commercial units and three residential structures; two four-unit buildings and two five-unit buildings so only the single family and the duplexes are conforming; all the rest are non-conforming. He stated that he did not know why that street was left as a B-R zone.

P. Anthony stated that there is no semblance of spot zoning and you are requesting that the whole street be changed. D. Sorrentino stated that the whole street be changed to B-RM so every property on the street would be conforming except for the public utility buildings. P. Anthony stated that this was all that would be required to utilize the town hall. D. Sorrentino stated that this was one of two requirements; the other being a variance for the six units per structure that was put in place in the Borough. There was discussion of this matter.

P. Anthony made a motion to hold a public hearing. G. Rooke-Norman raised the question of creating and additional access for emergency vehicles for School Street. P. Brycki stated that there was Water Street where the utility building is and the other is behind the school building where Jewett City Greenhouse is located. He stated that there is a laneway and is technically a Borough lane. There was discussion of this matter including the number of condominiums and 55 plus living.

P. Anthony made a motion for a public hearing for July 11, 2005 at 7:45 p.m. C. Seaman asked for any discussion. M. McKinney asked when would we know if it could be elderly housing. D. Sorrentino stated that it would be four months. G. Rooke-Norman stated that the lines drawn go through lots. She recommended using the lot lines for less confusion. D. Sorrentino stated that the zoning scheme of the Borough is done by using lot measurements off of the street centerlines; and this would be the only section in town that would be done by lot line. There was discussion of this matter. D. Sorrentino asked G. Rooke-Norman to sketch them on the map so he could come back to this Commission with an accurate map. G. Rooke-Norman asked that D. Sorrentino to use the lot lines for this map amendment. There was discussion of this matter.

P. Anthony recommended 7:45 p.m. on July 11, 2005 on his motion. G. Rooke-Norman seconded the motion C. Seaman stated that the motion was made and seconded for 7:45 in July. He asked for a vote. All were in favor. Motion was passed.

7. Additional Business:

There was no additional business.

8. Old Business

G. Rooke-Norman stated that she wanted to see this Commission have two meeting nights a month which will help to have shorter the meetings and have a faster turnaround on applications. She asked to have this discussion placed on the agenda for July. There was discussion of this matter

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

There was discussion to have the next workshop; and it was decided to have the next Plan of Development and Conservation meeting will be held on June 27, 2005 at 7:00 p.m.

9. New Business

- A. Cyr Construction, Inc. requesting an official motion from the Commission to grant two extensions of time for recording the final mylars for SUB 07-04. This subdivision was approved on March 8, 2004; the final mylars were recorded November 9, 2004. Without Commission approval of the two 90 day extensions of time, the plans are “null and void” in accordance with Section 2.9 of the Subdivision regulations.

D. Sorrentino explained why the extensions are needed. There was discussion on this matter. M. McKinney made a motion to approve the extensions. P. Anthony seconded the motion. C. Seaman asked for a vote. All were in favor. Motion was passed.

- B. In accordance with Section 8-24 of the Connecticut General Statutes, the Griswold Board of Selectmen request an official motion from the Commission approving the sale of property located at 661 Hopeville Road from the Town of Griswold to Boundaries, LLC for a sale price of \$7,000

C. Seaman asked who was present. J. Faulise explained that the property was two tenths of an acre. He stated that it was not buildable and gave a history of the parcel. He stated that he would like to purchase the property to add to his office property to create a driveway in the future for a connection to Route 201. J. Faulise stated that the sale will be sold to him personally and then combined with the Boundaries property when the curb cut is approved by CDOT since it is easier to obtain the curb cut as a separate parcel. There was discussion of this matter including putting signs on the property for the town “Welcome to Griswold”.

J. Faulise stated that the price of the parcel is predicated on an appraisal. P. Anthony asked if this was a building lot. D. Sorrentino stated it is not a building lot. J. Faulise stated that the lot is actually smaller than what the map shows because the State took some of the parcel for the ramp. There was discussion of this matter including placing a condition on the decision.

D. Sorrentino stated that the appraisal was for \$6,300. P. Brycki stated that the assessor reviewed the appraisal and the price of the parcel was acceptable. There was further discussion of this matter including putting it on the deed that a “Welcome to Griswold” sign placed on the property.

C. Seaman asked for a motion. P. Anthony made a motion to approve. M. McKinney seconded the motion. G. Rooke-Norman asked do we want it with a stipulation? G. Rooke-Norman stated that it should be approved with a condition that after the curb cut has been granted, it will be combined with the Boundaries property, Lot 1, and a second condition that he provide an easement to the Town to put what marketing, welcoming or tourism signs the town would like to

put on the property and a condition that it not be allowed to be subdivided into an additional commercial or residential lot. G. Rooke-Norman seconded the motion. C. Seaman stated that the motion has been made and seconded with conditions and asked for a vote. All were in favor. Motion was passed.

10. Reports from the Enforcement Officer:

P. Zvingilas stated that he had two items; Mr. Rodriguez is here to speak before the Commission regarding the 20-day requirement. P. Anthony made a motion to put Nelson Rodriguez on the Agenda. D. DeGuire seconded the motion. C. Seaman asked for a vote. All were in favor. Motion was passed.

Nelson Rodriguez asked the Commission for a reduction of the bond of \$104,664. He stated that his engineer has put the cost for the poles, netting, excavation and the septic system in the Landscape bond. N. Rodriguez stated that according to Griswold regulations, they do not belong there. He stated that P. Brycki was in agreement with his request to reduce the bond.

M. McKinney asked if everything asked for had come in. D. Sorrentino stated that he had received the plan but stated that for the record, he did not have any discussion with the applicant's agents before the submission of the final plans. D. Sorrentino stated that in reviewing the plans today with P. Zvingilas, it was noticed that the poles were changed sometime around the second modification; the poles were bumped out from 50ft to 15ft from the property line. N. Rodriguez stated that his engineer had brought it up at that point. D. Sorrentino stated that anything over 35 feet high must have fall space on site and this can't happen as proposed. There was discussion of this matter including incasing the poles in a concrete slab for protection from high winds, the height of the poles and the depth they will be buried.

G. Rooke-Norman asked if everything was submitted within the 20 days. D. Sorrentino stated that the plans were submitted within 20 days. She stated that between hearings, the map changed from having enough fall space to not having enough fall space. D. Sorrentino stated yes, between the second and third revisions of the five revisions. R. Nelson stated that it was brought up during the hearing. G. Rooke-Norman stated that she did not remember discussing fall space. D. Sorrentino stated that the fall space was never discussed. There was discussion of this matter. M. McKinney stated that this Commission went above and beyond with this application. G. Rooke-Norman stated that there is a fall provision for the poles and asked if the poles would fall into the road. D. Sorrentino stated that it was 35 feet and the poles would hit the pavement. There was discussion of this matter.

C. Seaman asked if the height of the poles is 60 feet and you're putting 10 feet into the ground, the poles must be 60 feet for the netting. R. Nelson stated that the poles would have extensions to meet the 60-foot height requirement. There was discussion of this matter.

P. Zvingilas stated that an as built would be needed to show that it conforms to the regulations. P. Anthony stated that this issue is not acceptable and we have been as patient as we possibly can, revision after revision. We will still work with you, but you must follow our guidelines. He stated that this was his best recommendation to N. Rodriguez.

C. Seaman asked if there were any other issues. D. Sorrentino stated no that the light schedule and the planting schedule is all done. D. Sorrentino asked for a 20-day extension to change the site plan to show the 50 ft setback for the poles. M. McKinney stated that he would like to see a completed set of drawings.

G. Rooke-Norman asked the applicant if it was his intention to put them back at 50 feet; is that what your asking, 20 days. N. Rodriguez stated that he was hoping we could work with the measurements. C. Seaman stated that you cannot do it; you have to work with the regulations. N. Rodriguez asked if it had to be 50 feet from the property line on both sides? There was discussion of this matter.

P. Anthony asked D. Sorrentino if that was the only issue. D. Sorrentino stated yes, but N. Rodriguez needs to redo the plans that are going to be signed so a complete set is needed. There was discussion of this matter. G. Rooke-Norman stated that she did not get an answer to her question of putting the poles back to 50 feet. N. Rodriguez stated that he does not have a choice. There was further discussion of this matter.

P. Anthony made a motion to grant the extension.

C. Seaman asked about the bond reduction that it included items that didn't need to be bonded. D. Sorrentino stated that this was up the Commission to include the poles because it is a site improvement. M. McKinney stated that the Commission needs a revised bond estimate in writing. C. Seaman asked if the Commission could give D. Sorrentino the authority to review the bond. D. Sorrentino stated the there is a specific reduction of \$47,000.

G. Rooke-Norman suggested putting this item on the agenda for next month. D. Sorrentino stated that a set of revised plans and a revised estimate was needed. There was discussion of this matter. M. McKinney suggested giving D. Sorrentino approval for the plans and the netting and landscaping for the 20-day extension and have the bond reduction for next meeting. D. Sorrentino stated that it should be all in one and asked if the Commission wanted to review the revised plan. There was consensus for the Commission to review the revised plan. There was further discussion of this matter. D. Sorrentino stated that the revised plans can be reviewed by the Town Engineer for is approval. P. Zvingilas stated that there is a bond in place so he could start building and at the next meeting he can have the bond reduced. There was discussion of this matter.

M. McKinney suggested accepting the revised plan within the next 20 days for the approval by the Town Planner and the Town Engineer and bring up the request for the bond reduction at the next meeting. G. Rooke-Norman added that the plan is in conformance with all zoning regulations. D. DeGuire seconded the motion. C. Seaman asked for a vote. All were in favor. Motion was passed.

P. Zvingilas stated that Mr. Vincent Cofone wanted to put his application on the Agenda to sell farm goods. C. Seaman asked for a motion to put Vincent Cofone on the agenda.

P. Anthony made a motion to place Mr. Cofone on tonight's agenda. G. Rooke-Norman seconded the motion. All were in favor. Motion was passed.

Vincent Cofone presented his application to the Commission. He stated that he was asking for a zoning permit to sell vegetables and produce on Tabor Road that is off of Rte 165. He stated that his house is the first house on Tabor Road. G. Rooke-Norman asked if the building was a farm stand. V. Cofone stated that it was a shed that he had put in the yard and he wants to sell vegetables. G. Rooke-Norman asked if everything sold is grown on his land. V. Cofone stated that most everything is grown on the property. He stated that what he grows would be bartered with other growers for those things he does not grow. He stated that he did this last season.

P. Anthony asked V. Cofone to show the Commission where his property was located on the map. He explained where his stand is located on his driveway with parking for ten cars. P. Anthony asked if he had an existing lot for ten cars. P. Anthony asked if the lot for the cars was paved. V. Cofone stated no it was his lawn. V. Cofone showed the Commission where the lot was located on the map. C. Seaman asked if this was a home occupation. V. Cofone stated that it is what it is. G. Rooke-Norman asked how large the shed was. V. Cofone stated that it was 14 ft by 30 ft. There was discussion of the matter.

P. Zvingilas stated that Mr. Tabor of Tabor had filed a couple of complaints for this operation. P. Anthony asked what were the natures of the complaints. P. Zvingilas stated that Mr. Tabor didn't think that the cars and the signs should be coming down on that road. He stated that the road is a private road. Mrs. Cofone stated that it was a right-of-way.

C. Seaman asked if there were regulations that prohibit this. D. Sorrentino stated that it is a home occupation and requires a zoning permit. C. Seaman asked V. Cofone what he was asking for. V. Cofone stated he was asking for permission to do it. P. Anthony stated that you have to apply for a permit. V. Cofone stated that's what he did. P. Anthony asked D. Sorrentino if V. Cofone applied for a permit. D. Sorrentino stated that he just did; the Commission put him on the agenda. There was discussion of this matter.

G. Rooke-Norman asked about the outbuilding on the lot was separate from the lot on which his house was located. V. Cofone stated that it was a separate lot. She asked if they were approved lots in the town. V. Cofone stated that they were three approved building lots that his father bought. She stated that V. Cofone wanted a home occupation on a lot with no house on it. C. Cofone stated that all the buildings are pre-existing buildings. P. Zvingilas stated that he used this building last year to sell vegetables. V. Cofone stated that he used this building last year to sell vegetables. There was discussion of this matter.

P. Anthony asked P. Zvingilas if he had received complaints from other residents on the road. P. Zvingilas stated that only Mr. Tabor has filed a complaint. G. Rooke-Norman asked if D. Sorrentino had looked at this property. D. Sorrentino stated that P. Zvingilas went over this with the application. D. Sorrentino stated that if V. Cofone applied for a zoning permit then Mr. Tabor could not complain. There was lengthy discussion of this matter including the size of the garden and the existence of a greenhouse and the nature of the complaints.

P. Zvingilas explained that he usually would not have people who sell vegetables on the side of the road come to the Commission. He stated that he had a complaint for this and stated that the Commission was the appropriate body to decide on this. P. Anthony stated that the nature of the complaint and was anyone blocking their driveway or doing anything to these neighbors specifically. P. Zvingilas stated that it was an excessive amount of traffic, in his complaint, on the right-of-way. P. Anthony stated increased traffic was the only complaint.

P. Anthony made a motion to approve the application.

D. Sorrentino stated that the issue may be just that it is a right-of-way. He stated that the question is do these people who are visiting the farm stand have the right to pass and re-pass over that property. V. Cofone stated that the people have the right to pass over that property. D. Sorrentino stated that that was his question of the property owner. A. Hatfield stated that it was a question for the Town Attorney. P. Anthony stated exactly, that was a legal issue. G. Rooke-Norman asked who owns the underlying land. Mr. Cofone stated that there were nine other houses; we all own the land; we all bought the land with the right-of-way.

Mrs. Cofone stated that they have used that property for 34 years and three attorneys she spoke with mentioned adverse possession and that if we have used this land for 15 years and have never received a letter in writing. P. Anthony stated that it is not the nature of this board, unless there is some sort of liability for this board... M. McKinney stated ... to get into that. P. Anthony stated that was his point exactly. P. Anthony stated that his motion stands. There was discussion of this

C. Seaman stated that there was a motion and asked for a second. D. DeGuire seconded the motion. C. Seaman stated that the application says farm goods; is there a tractor. There was discussion of farm goods. P. Anthony stated that he is specifically making this motion to approve this home occupation is specifically for the sale of nothing other than fruits and vegetables.

G. Rooke-Norman asked for discussion on the motion. G. Rooke-Norman stated that there is a right-of-way issue; there is a home occupation on a lot where there isn't a home; there is a square footage issue. She stated that the town attorney should review this application. She suggested to table this application to asked the town attorney.

C. Seaman asked about the outbuilding. V. Cofone stated that it is a 14 x 30 building that has been there for 30 years. He stated that his neighbor never spoke to him but filed a complaint. D. Sorrentino stated that it is probably one building lot that was merged by zoning regulations. There was discussion of this matter.

C. Seaman asked if all of the lots are under one owner. C. Cofone stated that it was all one lot. P. Anthony stated that he agreed with G. Rooke-Norman that there are some areas where we should be very careful on; but he stated that Mrs. Cofone was honest enough to state that she was selling apples beside the vegetables and you discussed this with your attorney. Mrs. Cofone stated that she did discuss this with three different attorneys and stated that they have been there for more than 30 years. P. Anthony stated that 15 years was the cap. He stated that his motion stands to approve. D. DeGuire stated that his second stands.

C. Seaman asked for a vote. There were 3 votes in favor by C. Seaman, P. Anthony and D. DeGuire. 1 vote by G. Rooke-Norman was opposed. Motion was passed.

D. Sorrentino stated that you took a vote; however you do need to supplement that application file in order to issue you a decision letter being it is associated and that the fee was not paid. G. Rooke-Norman stated that didn't the Commission say that all applications must be complete before the Commission reviewed the application. D. Sorrentino asked Mrs. Cofone if the fee was submitted with the application. She stated that she tried to pay for the application when we were at the town hall and we were told not to pay it that day; we were told to wait. He stated that it was after the time to put it on the agenda G. Rooke-Norman stated that D. Sorrentino has to tell the Commission if the fee was not there. D. Sorrentino stated that he told them they had to submit it with the application at the meeting. He stated that was exactly what he said V. Cofone asked what the fee was. P. Anthony stated that it was \$130. There was discussion of this matter.

11. Adjournment:

P. Anthony made a motion to adjourn. C. Seaman asked for a second. G. Rooke-Norman seconded the motion. All were in favor. Meeting adjourned at 10:20 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary