

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

JANUARY 8, 2007

GRISWOLD TOWN HALL

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

1. Call to order:

Chairperson G. Rooke-Norman called this public hearing of Griswold Planning & Zoning Commission to order at 7:06 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Members Philip Anthony, Daniel DeGuire, John Schumaker, Alternates Martin McKinney, Courtland Kinnie, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Member Clyde Seaman, ZEO Peter Zvingilas, Alternate John Taylor

3. Determination of Quorum

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

4. Matter Presented for Consideration:

A. SUB 04-07 Fontaine, Edgar J., 70 Norman Road, Griswold, CT. – Property Location: 70 Norman Road, Griswold. Applicant requests approval of “Kingsbridge Estates” an 11-lot subdivision on 59.68 ± acres that will include 530-l.f. of proposed new roadway. The subject property is located in the R40/R60 zoning district.

G. Rooke-Norman asked if anyone was here representing the applicant. John Faulise, Boundaries LLC was here to represent the applicant, Edgar Fontaine, who was also present. J. Faulise submitted the green cards and a copy of the abutters' notifications packets to the Commission. G. Rooke-Norman asked if all who were required have received notice. J. Faulise stated yes.

J. Faulise explained the location of the subdivision which was on approximately 60 acres adjacent to Norman Road and Oakville Road. He explained that it is in the R 40, and R 60 zoning districts. He stated that the bulk of the development is in the R-40 zone. He stated that the property located in the northwest is located in the R-60 zone. He explained where the Giuliano subdivision Arthur's Way was located in relation to this proposed subdivision.

J. Faulise explained where the wetlands were located in the northwest area on the site, the center portion of the site and third area in the southeast portion of the site adjacent to the Giuliano subdivision.

He explained that there are 11 lots along with the dedication of 5.9 acres of open space. He stated that lots 1-9 are adjacent to Norman Road and a proposed street, Camelot Lane which is proposed to be 530 ft. long. He stated lots 1 and 9 will have driveways on Norman Road and Lots 2, 3, 4, 5, 6, 7, and 8 will have driveways off the proposed street. J. Faulise stated that lots 10 and 11 make up the bulk of the property. Lot 10 having 16.09 acres and contains the existing house and barn on the property with the existing septic system, well and driveway area. Lot 11 having 27.7 acres fronts on Norman Road and Oakville Road contains a curb cut driveway access,

J. Faulise explained the open space regulation is 7 percent. He stated that the proposed open space of 5.9 acres is in excess of that amount and is closer to ten percent. He stated that this includes 60 percent upland area and 40 percent wetland areas and is accessible from the cul-de-sac. P. Anthony asked where it was located. J. Faulise showed the Commission where the open space and its access were proposed on the site map. There was discussion of this matter including that lots 10 and 11 will remain in the Fontaine family.

J. Faulise stated that each of the lots meet the requirements of the bulk regulations and the street line of Norman Road and Oakville Road is 25 feet from the centerline.

J. Faulise explained Sheet 4 of the plan. He explained that the storm drainage system begins at Norman Road with the installation of a storm catch basin on the radius of the curve at the entrance to the proposed street with a series of catch basins that terminates at the end of the cul-de-sac with a storm water quality basin within the open space area. He explained that the area southeast of the water quality basin will be graded and sloped for access to the open space and the water quality basin for future maintenance of the basin.

J. Faulise stated that there is an existing crossing at two locations through the wetlands area over a 12" pipe that connects two wetland areas and a second box culvert allowing for access to the open space. He showed the commission where these locations were on the open space. There was discussion of this matter including the width of the culverts and whether there would be improvements to those accesses.

G. Rooke-Norman asked whether there were trees or other ground cover that would be disturbed. J. Faulise explained that there is an area that will be cleared adjacent to the water quality basin and stated that there is a planting schedule for landscaping around the water quality basin. He explained that there is a wood guardrail at the top of the slope to discourage walking down the steeper side of the slope to the water quality basin.

J. Faulise explained the conceptual drawings of the proposed lots with house, well, septic and driveway locations as well as grading associated with those homes. He explained how the lots meet the setback requirements for the R 40 zone.

J. Faulise explained lot 11 including the conceptual house well, septic and driveway locations .to the Commission. He stated that a new well will be drilled for lot 10 and explained where the house and outbuildings were located.

D. DeGuire asked whether the rock wall will be rebuilt. J. Faulise explained that the rock wall on Oakville Road will stay where it is along with some modifications to accommodate the driveway. J. Faulise explained that the wall is being reconstructed on Norman Road at the new street line by the property owner, Dean Fontaine. There was discussion of this matter.

J. Faulise explained the proposed road design as well as the slopes and layout.

J. Faulise explained the water quality basin on sheet 7. He explained the design of the basin to the Commission. He explained the basin's flow to the wetlands area. P. Anthony asked the depth of the basins. J. Faulise explained the basin will fill to 1.5 ft and spill into the next basin which has a depth of 2 ft and will overland to the wetlands. There was discussion of this matter.

P. Anthony asked about the hay bales. J. Faulise explained the bales are placed during the construction phase and they will be removed. He explained that the slopes will be covered by a mesh blanket to grow grass on the slopes.

J. Faulise stated that he received the review from CME town engineers. He asked that the Commission continue this public hearing so he can address CME's recommendations.

J. Faulise explained that there is a public water system on Leah Avenue and Edmond Road. He stated that he received a letter dated December 8, 2006 from Robert Sherwood, Jewett City Water Company regarding connection to the public water system based on a letter sent from Sanitarian A. Gosselin on January 5, 2006 citing a public water system is within 200 ft. of a public water supply, a permit cannot be issued to drill private water supply wells. J. Faulise stated that he measured the distance and noted that it was 260 ft. from the public water supply. He read the letter from Sanitarian A. Gosselin for the record. There was discussion of this matter.

J. Faulise submitted the letter from Bob Sherwood of the Jewett City Water Company and the letter from Sanitarian A. Gosselin for the record.

J. Faulise concluded his presentation and asked the Commission to continue this public hearing so CME's recommendations could be addressed.

G. Rooke-Norman asked the Commission members if they had any questions.

C. Kinnie asked what the distance of the guard rail of the water quality basin and the boundary of lot 5 and what the distance of the access to the open space was. J. Faulise stated that it is 14 feet. He explained that it is also the access for maintenance to the water quality basin. There was discussion of this matter.

G. Rooke-Norman stated that the Commission's sheets do not show this information. She voiced her concerns for the access to the open space with the guardrail and the shared access for the water quality basin maintenance that was proposed is a very congested area. J. Faulise stated that they provided 37.5 ft which is doubled for the regulation which is 14 feet. There was discussion of this matter.

J. Schumaker asked about the open space. J. Faulise stated that the open space will be transferred to the homeowners association.

D. DeGuire asked about the bond. J. Faulise stated that the bond was submitted to the Town engineer for review. He stated that CME had some concerns for pavement and sediment fence.

G. Rooke-Norman asked for questions from Commission members or from staff.

C. Fontneau asked if J. Faulise had considered the future interconnectivity from Camelot Lane if there was development on lot 10 or 11. J. Faulise stated that there is a 50 ft. access between lot 6 and lot 7 for future development of lots 10 and 11. J. Faulise stated that the regulations require a maximum slope of 9 percent; and the slope is at 21 percent and would require significant cuts or large amounts of fill. He stated that if lots 10 and 11 were developed, there would be a loop road on the two lots. He explained this to the Commission. There was lengthy discussion of this matter.

G. Rooke-Norman asked for questions from Commission members or staff. She asked C. Fontneau regarding sight lines. C. Fontneau stated that those were addressed in the CME letter. J. Faulise stated that there are sight line concerns for the project on lot 1 and lot 9 and Camelot Lane.

D. DeGuire asked if there would be underground service. J. Faulise stated yes according to the regulations.

G. Rooke-Norman opened the public hearing to the audience for comments for or against the application.

Audrey Traylor, 23 Norman Road, stated that her home is across from Camelot Lane. She showed the Commission where her property was located. She voiced her concerns for the increased traffic of the proposed new road and for the headlights shining into her home. She stated that the location of the propose road is a dangerous location. She was also concerned for the traffic from Oakville Road making the area dangerous. She suggested moving the proposed roadway.

G. Rooke-Norman asked about the intersection. J. Faulise explained that they had looked at other locations and explained them to the Commission. There was discussion of this matter.

Edgar Fontaine stated that before the Town resurfaced the road the traffic was fast. He stated that now that is resurfaced, they still go fast. E. Fontaine stated that he did not want to have problems with any of his neighbors. He stated that Audrey Traylor's driveway has the worst sight line. He explained that in the past, no one thought of sight lines when they put in driveways.

Dean Fontaine stated that he has done site work for many years. He stated that he was rebuilding the walls. He stated that he agreed with the homeowner that the sight line is terrible. He stated that there were probably no regulations for sight lines when her driveway was built. He stated that you cannot control what speed that people do.

Gary Lombardo stated that his house is also impacted. He showed the Commission where his house was located. He was concerned with preserving the quality of his life and his investment and did not want to see headlights morning and night especially during the winter months. He stated that the road was repaved and asked what the Town would do to preserve and maintain the road.

Richard Fontaine asked if something could be done to reduce the headlights in people's homes by planting shrubs. G. Rooke-Norman stated that it would be up to the applicants. J. Faulise stated that he would look at some of these issues. J. Faulise stated that the new road ended at the Town road. He stated that the developer is responsible for making any repairs to the Town road.

G. Rooke-Norman asked for any other questions or comments.

Lynn Wisniewski, 23 Norman Road asked what type of homes would be built in the proposed subdivision. G. Rooke-Norman stated that the types of homes are not being considered in this public hearing so it was inappropriate to discuss it at this time.

G. Rooke-Norman stated that this public hearing is to be continued at the applicant's request to review the engineer's comments and requests. She asked for a motion to continue this public hearing.

P. Anthony made a motion to continue this public hearing to February 12, 2007 at 7:30 p.m. M. McKinney seconded the motion. There was discussion of this matter. All were in favor. The motion was carried.

G. Rooke-Norman called for a three minute recess at 8:10 pm.

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

1. Call to order:

G. Rooke-Norman called this regular meeting of the Griswold Planning and Zoning Commission to order at 8:15 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Members Philip Anthony, Daniel DeGuire, John Schumaker, Alternates Martin McKinney, Courtland Kinnie, John Taylor
Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Member Clyde Seaman, ZEO Peter Zvingilas

3. Determination of Quorum:

It was determined that there was a quorum for this regular meeting.

4. Approval of Minutes:

- A. Approval of Minutes of the Public Hearings of December 11, 2006
- B. Approval of Minutes of the Regular Meeting of December 11, 2006

G. Rooke-Norman asked for a motion on the minutes of the Public Hearing and Regular meeting of December 11, 2006.

D. DeGuire made a motion to approve the minutes of December 11, 2006. P. Anthony seconded the motion. All were in favor. The motion was carried.

5. Correspondence and Attachments:

G. Rooke-Norman stated that there are multiple correspondences in the file. She asked if there are any items that need to be added to the agenda and acted upon. C. Fontneau stated no.

- A. Letter dated December 4, 2006 from Cheryl Giuliano, owner of Arthur's Way requesting to use an irrevocable letter of credit for road and drainage improvements in the amount of \$295,428.90
- B. Letter dated December 11, 2006 from John U. Faulise, Boundaries, LLC regarding SUB 06-06 Arthur's Way Subdivision requesting an approval of a 90-day extension of filing the endorsed Mylar plans.
- C. Memorandum dated December 18, 2006 from Anne P. Hatfield, First Selectwoman regarding Use of Town Attorney for Legal Opinions
- D. Letter dated December 21, 2006 from John Faulise, Boundaries, LLC, to Chairperson Gail Rooke-Norman regarding a preliminary discussion of commercial development of property located at Voluntown Road and SR 630
- E. Letter dated November 29, 2006 from Mark K. Branse to Harry Heller regarding Coal Pit Hill Farms Subdivision regarding the very limited information in the review process.
- F. Letter dated November 24, 2006 from John S. DeCastro, CTDOT to Gary J. Giroux, Jr., P.E. regarding proposed hotel, Preston Road, Griswold
- G. Connecticut Federation of Planning & Zoning Agencies Quarterly Newsletter, Volume x, Issue 4, Fall 2006
- H. Biofuels Symposium, January 11, 2007, University of Connecticut, Storrs, CT

6. Matters Presented for Consideration:

- A. **SUB 04-07 Fontaine, Edgar J., 70 Norman Road, Griswold, CT. – Property Location: 70 Norman Road, Griswold.** Applicant requests approval of “Kingsbridge Estates” an 11-lot subdivision on 59.68 ± acres that will include 530-l.f. of proposed new roadway. The subject property is located in the R40/R60 zoning district.

G. Rooke-Norman stated that this item is a prior public hearing that was continued. D. DeGuire made a motion to table this matter to February 12, 2007. P. Anthony seconded the motion. All were in favor. The motion was carried.

7. Additional Business:

A. Discussion the bonding decision made by the Commission on November 13, 2006, and a request by Cheryl Giuliano owner of Arthur's Way for the use of an irrevocable letter of credit for road and drainage improvements in the amount of \$295,428.90. Also discussion of a request for a 90-day extension for filing the endorsed Mylar plans for Arthur's Way Subdivision.

G. Rooke-Norman asked who was representing the applicant. John Faulise, Boundaries, LLC was representing the applicant, Cheryl Giuliano, who is also present, to request another 90-day extension to file the Mylar plans. He stated that Cheryl Giuliano will address the bonding issue of Arthur's Way with the Commission.

J. Faulise explained that the Commission granted a 90-day extension that will expire on January 12, 2007. He was asking for an additional 90-day extension to file the Mylars to allow the applicant to secure a performance bond. C. Fontneau stated that he had reviewed the plan and put the completion date for improvements. He stated that the only thing waiting is the performance guarantee. There was discussion of this matter.

G. Rooke-Norman stated that the Commission should act on these items separately.

P. Anthony made a motion to grant a 90-day extension for filing the endorsed Mylars for Arthur's Way; said extension should end on or before April 10, 2007. M. McKinney seconded the motion. All were in favor. Motion was carried.

G. Rooke-Norman stated that the second part of this discussion is for an irrevocable letter of credit. Cheryl Giuliano stated that she had originally come before the Commission to request a surety bond that was requested by T. M. Builders. She explained that when she told T. M. Builders the conditions of the surety bond: 10% cash and the rest surety, T. M. Builders withdrew interest in Arthur's Way.

G. Rooke-Norman asked if she has approached any banks. C. Giuliano stated that she spoke with Jewett City Savings Bank and it will be at their meeting tomorrow. J. Faulise stated that the irrevocable letter of credit was recommended by the Town Attorney Mark Branse. There was lengthy discussion of this matter.

G. Rooke-Norman asked for a motion on this matter. G. Rooke-Norman stated that she will vote on the matter here and recuse herself from this matter at the Jewett City Savings Bank.

P. Anthony made a motion to give approval for the irrevocable letter of credit to Cheryl Giuliano in lieu of the previously approved surety bond for the Arthur's Way subdivision in the amount of \$295,428.90 subject to review and approval by the Town attorney. G. Rooke-Norman appointed M. McKinney to sit for C. Seaman. M. McKinney seconded the motion. All were in favor. The motion was carried.

B. Preliminary Discussion of commercial development of property located at Voluntown Road and SR 630 on behalf of Democles Angelopoulos and Cumberland Farms, Inc.

G. Rooke-Norman asked who is representing the applicant in this preliminary discussion. John Faulise, Boundaries LLC was representing the applicant, Democles Angelopoulos, who was also present.

G. Rooke-Norman stated that this is a preliminary presentation. C. Fontneau stated that it is non-binding and no applications have been received.

J. Faulise explained the conceptual development to the Commission that included a Cumberland Farms gas station with a Dunkin Donuts drive thru, a restaurant and retail space. He explained that there was a 1996 approval for a gas station and there was later approval for a restaurant. He explained the conceptual site layout. He stated that the Cumberland Farms wants to own their site; they do not want to lease a site. J. Faulise stated that they propose to submit an application based on the Commissions recommendations for this site plan and for it to proceed as a single plan for development. There was lengthy discussion of this matter including seeking the necessary variances, approval of an exit-only from the CTDOT, the distance to the wetlands, concerns for overnight tractor trailer traffic, adequate parking and landscaping, road frontage, the drive-thru and the prior Army Corp of Engineer recommendation of approval.

There was a question from a member of the audience who asked to speak suggesting that sidewalks should be installed for this project. G. Rooke-Norman stated that this was not a public hearing and we cannot take any comment.

G. Rooke-Norman asked C. Fontneau how the Commission can respond to this presentation. C. Fontneau stated that the Commission could support with DOT the exit-only designation for the traffic flow, rerouting traffic in an accident situation; and variances from the ZBA. J. Faulise stated that any input from the Commission will not be binding and would like to know if the Commission likes or dislikes the idea. There was discussion of this matter that included safety concerns such as congestion and sidewalks and parking.

G. Rooke-Norman asked for questions or comments from the Commission.

C. Kinnie stated that the change of the flow of traffic by extending the landscaping was a good idea and that scaling back the retail building to create additional parking is also a good idea.

J. Schumaker asked the size of the State right-of-way. J. Faulise stated that it was 75 feet.

P. Anthony suggested that Cumberland Farms reduce the size of the convenience store and gasoline station. G. Rooke-Norman suggested that the size of the retail space be reduced to accommodate additional parking.

J. Faulise stated that he could provide an overlay of the originally approved site plan with this proposed site plan and another meeting. G. Rooke-Norman stated that 20 minutes would be enough time to review the overlay for this plan.

G. Rooke-Norman stated that this be placed on the February 12, 2007 agenda.

8. Old Business

A. Workshop of the Plan of Conservation and Development

C. Fontneau stated that the Board of Selectman will hold a combined public hearing on January 22, 2007 for review of the Plan of Conservation and Development. C. Fontneau explained the statutory timing for the PoCD. There was discussion of this matter.

G. Rooke-Norman stated that on January 22, if there is a large response by the public, the Commission may have to adjourn and move to another location. D. Szall stated that she will call the Senior Center to have that location for January 22, if it is needed. There was discussion of this matter including placing the PoCD on the Town web site.

9. New Business:

A. Input from the Commission members to Town Planner on items in zoning and subdivision regulations needing possible revision.

G. Rooke-Norman suggested that the Commission review the planning and zoning changes and after the public hearing on January 22, the recommendations can be reviewed. There was discussion of this matter.

B. Election of Officers

G. Rooke-Norman asked for election of officers. D. DeGuire made a motion to leave the officers that the Commission has: G. Rooke-Norman for Chairperson, P. Anthony as Vice Chairman and nominated J. Schumaker as secretary. M. McKinney seconded the motion. G. Rooke-Norman asked for the vote. All were in favor. The motion was carried.

10. Reports from the Enforcement Officer:

There was no report given in ZEO Peter Zvingilas' absence.

11. Adjournment:

G. Rooke-Norman asked for a motion to adjourn. C. Kinnie stated that he had attended the Pawcatuck Borderlands on November 30, 2006 with C. Fontneau. There was discussion of this matter.

G. Rooke-Norman asked for a motion to adjourn. J. Schumaker made a motion to adjourn. P. Anthony seconded the motion. All were in favor. The meeting adjourned at 10:10 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary