

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

**OCTOBER 10, 2006**

**GRISWOLD SENIOR CENTER**

**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 7:05 p.m.

**2. Roll Call:**

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

**Absent:** Members Clyde Seaman, Daniel DeGuire, ZEO Peter Zvingilas

**3. Determination of Quorum**

G. Rooke-Norman appointed M. McKinney to sit for Clyde Seaman and C. Kinnie to sit for D. DeGuire. It was determined that there is a quorum for this public hearing.

**4. Matter Presented for Consideration:**

**A. SUB 07-06 Trinity Development Group, LLC, 2 Hennessey Court, Griswold, CT. – Property Location: 146 Stone Hill Road, Griswold.** Applicant requests approval of a 17-lot subdivision with 1155 ft. of new public roadway. The subject property is in the R-40 zoning district.

G. Rooke-Norman asked if anyone was here representing the applicant. Pat Lafayette, Development Solutions submitted revised updated plans to the Commission that reflected the changes requested and he explained the comments from the Town Engineer, CME. There was discussion of this matter that included the sight lines for lots 1 and 2 and the removal and relocation of 335 feet of stone wall on Stone Hill Road.

Peter Zvingilas, ZEO arrived at 7:09 p.m.

P. Lafayette stated that the amount of \$42,000 was based on 25 vertical feet for both sides of the wall by 125 linear feet. He stated that the developer or, if the lots were sold, the homeowner would remove and relocate the wall. There was discussion of this matter including where a proposed drive way would be located.

M. McKinney asked about the sight lines for the proposed roadway. P. Lafayette stated that since there is no road, he could not show the sight lines for the new road. There was discussion of this matter.

G. Rooke-Norman stated that the applicant had asked the Commission to accept an amount as fee-in-lieu of open space and asked if the request was submitted in writing to the Commission. She explained that it is needed for the record. P. Lafayette stated that it would be written and submitted for the record.

G. Rooke-Norman asked if there were questions from the Commission for the plan as submitted. T. Seidel stated that the bond estimate was approximately \$366,115. There was discussion of this matter including the cost of the stone wall relocation.

P. Anthony stated that the applicant should add the fee \$41,875 for the stone walls to the bond estimate. P. Lafayette stated that the traffic calculations were added to the bond estimate and the road improvement estimate of \$23,000 to Stone Hill was included. There was discussion of this matter.

G. Rooke-Norman asked for other questions from the board members. M. McKinney asked if the fencing issue was resolved. P. Lafayette stated that the fencing issue had not been resolved. He explained that CME recommended no fencing and that signage be used based on the DEP guidelines. There was discussion of this matter including possibility Town liability for maintenance of the detention pond.

G. Rooke-Norman asked the Commission for a consensus on the fencing issue. M. McKinney stated that it should be 4 ft. high vinyl clad fencing, J. Schumaker concurred. P. Zvingilas explained that the DEP guidelines were for wildlife not becoming trapped. D. Candales, Trinity Development Group, stated that he would like to see a more rustic cedar railings or a guardrail. G. Rooke-Norman stated that she was concerned for child safety. There was discussion of this matter.

M. McKinney asked about the depth of the second detention pond. P. Lafayette stated that it was about 4 ft deep as well. There was discussion of this matter.

G. Rooke-Norman asked for comments from the Commission. She asked for comments from the audience either for or against the application.

Susan Gunderman, 170 Stone Hill Road, voiced her concerns that the drainage from lot 1 and lot 17 would drain on to her property causing flooding that would affect her septic system and leaching fields. She voiced her concerns for the sight lines from lots 1 and 2 on Stone Hill Road. S. Gunderman was concerned with how removing the sections of stone wall would affect her stone wall. She showed photographs that she took to the Commission showing the road from the two lots on Stone Hill Road. There was lengthy discussion of this matter.

S. Gunderman explained that she found her abutters notification and explained that she was not noticed according to the regulations. P. Lafayette explained to the Commission that all the notices to abutters complied with the regulations.

G. Rooke-Norman asked P. Lafayette to explain how the stone walls would be relocated. He addressed her concerns for the drainage stating that trees would need to be cut down to divert the drainage.

S. Gunderman asked the Commission to consider eliminating lots 1, 2 and 17 from the subdivision.

G. Rooke-Norman asked P. Lafayette about the photographs that S. Gunderman submitted to the file. P. Lafayette explained the sight lines to the Commission. There was discussion of this matter.

M. McKinney asked if the free split included enough landed to have a farm with the barn. D. Candales stated that it was 1.3 acres. P. Zvingilas explained that in order to have farm animals, there must be 3 acres for the first two horses. G. Rooke-Norman asked if it was a horse farm now. P. Lafayette stated no, it was not.

P. Anthony stated that Lot 2 appears to be 2 ft higher than the existing grade. He read CME's recommendations for the record. P. Lafayette explained that he could change the grade for the sight line and referenced the profile on page 11 of the plan. There was discussion of this matter.

G. Rooke-Norman asked for the written request for the fee-in lieu of open space. D. Candales, Trinity Development Group, stated that he would like to review the sight lines on the photographs submitted by S. Gunderman. He explained where the road ponds on Stone Hill Road occurred. There was discussion of this matter.

G. Rooke-Norman asked for other comments from the audience. She asked for comments from the Commission members. T. Seidel stated that the septic system was to be abandoned for lot 2. P. Lafayette stated that that issue was addressed by Sanitarian A. Gosselin and that there should be a letter in the file.

G. Rooke-Norman asked for any further comments. Hearing none, she closed this public hearing at 8:08 p.m.

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

### **1. Call to order:**

A. Chairperson G. Rooke-Norman called this public hearing of Griswold Planning & Zoning Commission to order at 8:08 p.m.

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

**Present:** Chairperson Gail Rooke-Norman, Members Philip Anthony, John Schumaker, Alternates Martin McKinney, Courtland Kinnie, Town Planner Carl Fontneau, Interim Planner Tom Seidel, ZEO Peter Zvingilas, Recording Secretary Donna Szall

**Absent:** Members Clyde Seaman, Daniel DeGuire

### 3. Determination of Quorum

G. Rooke-Norman appointed M. McKinney to sit for Clyde Seaman and C. Kinnie to sit for D. DeGuire. It was determined that there is a quorum for this public hearing.

### 4. Matter Presented for Consideration

**A. SE 01-07 Pickett, Norman & Priscilla, 22 Felix Street, Griswold, CT. Property Location: 32 Dey Street & 17 Charles Street, Jewett City.** Applicants request approval of a Special Exception in accordance with Section 9.1.3 of the Borough of Jewett City Regulations. The request is to reduce the frontage of an existing lot located at 32 Dey Street from 101.50 ft. to 50.75 ft in order to create 25.41 ft. frontage on Dey St. for a new flag building lot, and to create 25.34 ft. frontage on Dey St. as access to a land-locked parcel located at 17 Charles Street. The subject property is located in the R zoning district.

G. Rooke-Norman asked if someone was here to represent the application. Bob Mullen, CLA Engineers represented Norman Pickett. He explained that a variance is being sought as a special exception according to Section 9.3.1 to allow 25 ft. frontage to create two lots on Dey Street and access from Dey Street for a land locked lot located at 17 Charles Street. B. Mullen submitted the abutters' notifications to the Commission. She asked if the notifications were sent out according to the regulations. B. Mullen stated that Mr. Picket sent the notifications and to the best of his knowledge, they were. G. Rooke-Norman asked how many notifications were sent. B. Mullen explained that six were sent and four had returned. He submitted a copy of the notification package for the record.

B. Mullen stated that there are four lots owned by Mr. Pickett: Slater Avenue, Charles Street and Dey Street with 17 Charles Street being a land locked lot prior to zoning regulations. He explained that the lot on Dey Street would be subdivided to produce two lots, one of which is a flag lot and an access to the land locked parcel at 17 Charles Street. He stated that they meet all the setback regulations and we are asking a reduction in the frontage for the proposed three lots.

T. Seidel explained that the lot frontage could be reduced to 25 feet for a flag lot. G. Rooke-Norman asked if there was enough acreage. T. Seidel stated that there is no acreage requirement for the Borough. There was discussion of this matter.

G. Rooke-Norman asked if approvals for hook ups had been given by the Jewett City Sewer Authority for this subdivision. B. Mullen stated that he did not have them. G. Rooke-Norman asked if there was water service to Dey Street and Charles Street. There was discussion of this matter.

G. Rooke-Norman asked for questions from Commission members. P. Anthony asked if there were any problems. T. Seidel stated that there could be a problem if the approvals could not be granted for the water and sewer. G. Rooke-Norman stated that she would like to see approvals from the Jewett City Water Company and the Jewett City Sewer Authority. She stated that she would like to see all the lots numbered on the map. B. Mullen explained that the lot on Dey Street would be divided to create a lot with 25-foot frontage, a flag lot with 25-foot frontage, and a 25-foot access to the land locked parcel at 17 Dey Street. There was discussion of this matter.

G. Rooke-Norman asked for any question from the Commission. Hearing none, she asked for comments from the audience either for or against the application.

Alfred Hebert stated he owns the property next to this and that he wanted to know what a flag lot was and what could be built on the proposed lots. T. Seidel stated that a lot can have 25 ft frontage and that there was no acreage requirement for single-family homes. A. Hebert stated that it would not leave much room next to his garage. There was discussion of this matter that included the one-half acre required for two-family homes in the Borough.

J. Schumaker asked where the residential-commercial zone was located on Slater Avenue. B. Mullen showed the Commission where the residential-commercial zone was for the parcels. There was discussion of this matter of the bulk of the parcels were in the residential zone.

G. Rooke-Norman asked that a note be added that anything left of that line would be for the Residential zone only and no residential-commercial zone would be allowed. B. Mullen stated that he would do so. There was discussion of this matter.

G. Rooke-Norman asked for other comments from the audience.

Andrew Lavallee stated that are four lots and a new lot is being created on 17 Charles and on Dey Street. G. Rooke-Norman explained the lots and their configuration. A. Lavallee asked if there would be any two-family homes built there. P. Zvingilas stated that two-family homes required one-half acre and those lots were about 6,000 s. f. There was discussion of this matter.

Phyllis Pickett stated that the land locked lot is considered a building lot since she was being taxed as a building lot. G. Rooke-Norman asked P. Zvingilas if that lot would be considered a building lot. P. Zvingilas stated that it would need access to be a building lot. There was discussion of this matter.

G. Rooke-Norman asked if there were any structures on the lots. B. Mullen stated no. B. Mullen asked if a house could be built on these small lots. B. Mullen stated that a small house could be built. There was discussion of this matter.

G. Rooke-Norman stated that approvals be obtained from the Jewett City Sewer Authority and the Water Company, and to label the lots on the drawings for the next meeting and that a note be added for approval on no commercial use on the boundary lots.

G. Rooke-Norman stated that this public hearing be continued.

P. Anthony made a motion set the public hearing for November 13, 2006 at 7:00 p.m. at the Town Hall meeting room. J. Schumaker seconded the motion. There was no discussion on the motion. All were in favor. Motion was carried.

### **III. REGULAR MEETING (8:00 P.M.)**

#### **1. Call to order:**

Chairperson G. Rooke-Norman called this public hearing of Griswold Planning & Zoning Commission to order at 8:36 p.m.

2. **Roll Call:**

**Present:** Chairperson Gail Rooke-Norman, Members Philip Anthony, John Schumaker, Alternates Martin McKinney, Courtland Kinnie, Town Planner, ZEO Peter Zvingilas, Recording Secretary Donna Szall

**Absent:** Members Clyde Seaman, Daniel DeGuire

3. **Determination of Quorum:**

G. Rooke-Norman appointed M. McKinney to sit for Clyde Seaman and C. Kinnie to sit for D. DeGuire. It was determined that there is a quorum for this public hearing.

4. **Approval of Minutes:**

- A. Approval of Minutes of the Public Hearings of September 11, 2006
- B. Approval of Minutes of the Regular Meeting of September 11, 2006
- C. Approval of Minutes of the Special Meeting of September 25, 2006

G. Rooke-Norman asked for a motion to accept the minutes. P. Anthony made a motion to accept the minutes as presented. J. Schumaker seconded the motion. All were in favor. Motion was carried.

5. **Correspondence and Attachments:**

A. Letter dated August 30, 2006 from Town of Canterbury Planning & Zoning Commission regarding Text Amendment to Canterbury Subdivision Regulations

G. Rooke-Norman stated that the time has gone by on this matter.

B. Letter dated September 8, 2006 from Nelson Rodriguez requesting a bond reduction of \$24,364 for SE 04-05.

C. Letter dated September 26, 2006 from Ransom H. Young requesting to be placed on the agenda of the to present evidence to the commission of “grandfathered rights” for a gravel extraction

D. Letter dated September 26, 2006 from Peter Zvingilas requesting a bond reduction per Town code 202-21 from \$102,000 to the maintenance rate of \$6, 230.

E. Letter dated September 26, 2006 from John Faulise, Boundaries LLC requesting a full release of the Landscape bond for the Drive-In Self Storage facility at 1065 Voluntown Road.

F. Avalonia Trails Newsletter, Fall, 2006

G. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Summer 2006, Volume X, Issue 3

H. College of Agriculture and Natural Resources Journal, Volume 13, No. 3, Fall 2006.

G. Rooke-Norman stated that all journals and newsletters were available in the Planning Office for Commission member review.

**6. Matters Presented for Consideration:**

**A. SUB 07-06 Trinity Development Group, LLC, 2 Hennessey Court, Griswold, CT. – Property Location: 146 Stone Hill Road, Griswold.** Applicant requests approval of a 17-lot subdivision with 1155 ft. of new public roadway. The subject property is in the R-40 zoning district.

G. Rooke-Norman stated that this was a prior public hearing closed tonight and she stated that there was up to 65 days in which to review the documents. G. Rooke-Norman asked what the Commission had for discussion on this matter. P. Anthony made a motion to table to next month's meeting to review the file. M. McKinney seconded the motion. All were in favor. Motion was carried.

**B. SE 01-07 Pickett, Norman & Priscilla, 22 Felix Street, Griswold, CT. Property Location: 32 Dey Street & 17 Charles Street, Jewett City.** Applicants request approval of a Special Exception in accordance with Section 9.1.3 of the Borough of Jewett City Regulations. The request is to reduce the frontage of an existing lot located at 32 Dey Street from 101.50 ft. to 50.75 ft in order to create 25.41 ft. frontage on Dey St. for a new flag building lot, and to create 25.34 ft. frontage on Dey St. as access to a land-locked parcel located at 17 Charles Street. The subject property is located in the R zoning district.

G. Rooke-Norman stated that this public hearing has been continued. C. Kinnie made a motion to table to the next regular meeting. P. Anthony seconded the motion. All were in favor. Motion was carried.

**C. SE 07-06 Tilcon Connecticut, Inc., 1 Forest Road, North Branford, CT – Property Location: 22 Sibicky Road/128 Rixtown Road, Griswold.** Applicant requests approval of a continuation of existing earth products excavation operation currently operating on a portion of the project site. The subject property is located in the R-60 and R-80 zoning districts.

G. Rooke-Norman stated that this prior public hearing that closed in August. She stated that the 65 days for a decision expires on October 18, 2006 so the Commission needs to open the discussion.

J. Schumaker had concerns for reclaiming the property and when the reclamation was to occur. P. Zvingilas stated that there was a maximum acreage of 10 acreage to be worked at any one time and if there were more than that, they would be in violation of their permit. There was discussion of this matter.

M. McKinney stated that Tilcon has done a good job. P. Zvingilas stated that there were berms were a better idea with signage. There was discussion of this matter.

G. Rooke-Norman asked if there was a set of plans that reflected those changes. T. Seidel stated there was a set of plans that showed the changes. Atty. William McCoy who was representing Tilcon stated there was a map that indicated those changes.

G. Rooke-Norman stated that the phasing was shown on the map with an overlap and there could not be more than ten acres or they would be in violation. C. Fontneau stated that there was a bond for Phase 1 that was received. There was discussion of this matter. C. Fontneau stated that on sheet 12 there is a construction sequence. G. Rooke-Norman read it for the record. There was discussion of the overlapping phases and a reclamation plan.

P. Zvingilas stated that there could be a condition to do a site survey within six months by a licensed surveyor and if it is over ten acres there would be another cease and desist order. M. McKinney suggested opposing years for this site survey. There was discussion of this matter including a current cease and desist order before appeal of the ZBA.

G. Rooke-Norman stated that she was concerned with the dust and the runoff, and it would affect the residents. J. Schumaker stated that he agreed that phase 6 would cause concerns for the residents. There was discussion of this matter.

C. Fontneau stated that what is done in two years must be in conformance to the phases and conditions could be placed on the approval because it is a new special exception. There was discussion of this matter.

Atty. McCoy stated that a letter of May 24, 2006 from Harry Heller stated that 7.1 acres was open at that time. G. Rooke-Norman stated that it does not address the current extent of the excavation. There was discussion of this matter by the Commission.

P. Zvingilas stated that the phases would contain phases 1 & 2 and that it should be reviewed in six months as a condition of approval. There was lengthy discussion of this matter that included a Town engineer review, site survey and an A-2 survey.

G. Rooke-Norman stated that there was an issue of the road maintenance and the transportation across Sibicky Road and that this could be a condition of approval. P. Zvingilas explained that on the north side of Sibicky Road, the empty trucks go out there and bring it to the other facility in on the south side of Sibicky Road, it is processed and it is trucked out and goes out on the improved section of Rixtown Road at the top of the hill. There was lengthy discussion of this matter including not shipping out material to another processing plant.

G. Rooke-Norman asked for other issues. P. Anthony stated that he felt that all the issues have been discussed and should be conditions of approval. C. Kinnie recused himself from the vote, as he was unable to attend the public hearings.

P. Anthony made a motion to approve this application with the following conditions: (1) On May 1, 2007, the applicant will provide an A-2 survey showing the current activity and current exposed open areas including the access area to the excavation that were not included in Phase 1-6 of current plan; and on November 1, 2007, the applicant will provide a site survey by a licensed surveyor showing the conditions of the site and on May 1, 2008, the applicant will provide an A-2 survey submitted to the Town Planner and Zoning Enforcement Officer for review by the Town Engineer. (2) Maintenance, repair and repaving of Sibicky Road to be 60 feet east and west of the entrance of the subject site. (3) a bond in the amount of \$194,586.75 for Phase 1. (4) No increased truck traffic leaving from the excavation site other than to the processing site across Sibicky Road.

M. McKinney seconded the motion. G. Rooke-Norman asked for any discussion. Hearing none, she asked for a vote. All were in favor. Motion was carried.

**D. SUB 02-07 O’Keefe Building Company, Inc. 34 Fallow Road, Pawcatuck, CT. Property Location: 130-135 Coal Pit Hill Road, Griswold.** Applicant requests approval of a 33-lot subdivision “Coal Pit Hill Farms” including a cul-de-sac. The subject property is located in the R-80 zoning district

G. Rooke-Norman stated that this application requires a public hearing. There was discussion of the date and time. J. Schumaker made a motion to set a public hearing for SUB 02-07 for November 13, 2006 at 7:30 p.m. at the Town Hall Meeting Room. P. Anthony seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was carried.

**E. SUB 03-07 McGee, Lisa & Sajkowicz, Timothy, 220 Congdon Road, Voluntown, CT. Property Location: 116 Quinebaug Camp Road, Griswold.** Applicants request approval of a 3-lot subdivision consisting of 9± acres. The subject property is located in the R-60 zoning district.

G. Rooke-Norman stated that the Commission has the flexibility to require a public hearing or deal with the subdivision this evening. There was discussion of this matter.

G. Rooke-Norman stated that they would proceed with the application and if there were issues raised then a public hearing could be set. He stated that he would go through the plan. He explained that this was a family property subdivision. There was further discussion of this matter.

G. Rooke-Norman stated that the Commission would proceed with the application. John Faulise presented the subdivision to the Commission. He explained that this was a 9-acre parcel being developed into three lots and that only lots 1 and 2 were capable of resubdivision. He also explained where the subdivision was located. J. Faulise stated that no activity was being proposed within the regulated area of the wetlands. There was discussion of this matter.

J. Faulise explained the conceptual four-bedroom house with well, septic system and driveways based on the health code requirements. J. Faulise read a letter from Sanitarian A. Gosselin for the record stating that the lots met the minimum health code requirements.

G. Rooke-Norman stated that it was fairly straight and flat and she asked if sight lines for the driveways were shot. J. Faulise stated that he did not shoot sight lines for the driveways. He stated that the location was visually inspected and that the sight lines were adequate. There was discussion of this matter. G. Rooke-Norman asked that numbers of the sight lines be added to the plan.

C. Kinnie asked about the culvert at the driveway. J. Faulise explained that the driveway would be raised and a culvert added to remove surface water during the winter months and eliminate icing.

G. Rooke-Norman asked the town planners if there were any problems. C. Fontneau stated that it was a straightforward subdivision. T. Seidel stated that it was straightforward. P. Zvingilas stated that he was not able to speak with the wetlands Commission Chairman

where historically the chair reviewed the plan. C. Kinnie stated that there would be a Declaratory Ruling. J. Faulise stated that according to the new wetlands regulations, he submitted a plan that P. Zvingilas could look at. There was discussion of this matter including that P. Zvingilas could review the applications as the Wetlands Enforcement Officer.

P. Anthony made a motion to approve the application with the conditions that (1) sight line numbers added to the site plan and (2) a Declaratory Ruling from the Wetlands Commission finding no problems with no activity within the regulated area. M. McKinney seconded the motion.

G. Rooke-Norman asked about the monuments. J. Faulise stated that the monuments would be set before filing the Mylar plans.

G. Rooke-Norman asked for a vote. All were in favor. Motion was carried.

**F. ZP 02-07 First Regional Bank FBO Robillard & Gebbie, 138 Main, LLC, 27 York Road, Lebanon, CT. Property Location: 7 Parker Avenue, Griswold.** Applicants request approval for 2 accessory carports, open parking area, access drive and associated landscaping improvements for existing 8-unit multi-family residential building.

G. Rooke-Norman asked if someone was representing the application. John Faulise, Boundaries, LLC explained that this was located at Russell and Parker Streets which was an 8-unit apartment building that was there for more than 30 years. He stated that there are ongoing renovations to the site and upgrades to the building such as heating, electrical, siding and roofing.

J. Faulise explained that the parking area for the site that would include adequate parking for eight units and two carports. He explained that the smaller carport would be a wood structure and the larger carport would have a concrete foundation retaining wall. He stated that the carports would have pitched roofs and storage units would be included. J. Faulise showed the Commission where the carports would be located. There was discussion of this matter.

J. Faulise stated that a new driveway would be installed and that the existing driveway would be a service and drop-off area. There was discussion of this matter.

J. Faulise explained the drainage and the elevations to the Commission that would include a riprap plunge pool. There was discussion of this matter.

J. Faulise explained the landscaping to the Commission to reduce the headlight glare and screen the site from abutters. P. Anthony asked why it was referred to the Commission. P. Zvingilas stated that it was referred to the Commission because it was a commercial multi-family but that he had no specific concerns.

J. Schumaker asked about lighting. J. Faulise stated that there would be interior lighting in the carports but that there was adequate exterior lighting from the street lights in the neighborhood. P. Zvingilas asked if there was a handicapped accessible spot. J. Faulise stated yes. C. Kinnie asked about gutters on the carport. J. Faulise explained the runoff to the Commission. J. Faulise stated that would be up to the applicant.

G. Rooke-Norman asked J. Faulise to add notes to the plan for the sloped roof and the shingled roof and to provide figures for a minimum slope.

G. Rooke-Norman asked the Commission for any concerns or issues. C. Fontneau stated that it was a residential structure and did not see any problems with it.

M. McKinney asked about the dumpster enclosure. J. Faulise stated that it would be a typical enclosure for one dumpster. There was discussion of this matter.

G. Rooke-Norman asked for the number of feet to the boundary. J. Faulise stated that it was 18 feet to the boundary and that there are no setback requirements for parking in a residential zone. She asked about the number of parking spaces. J. Faulise stated that there were one and a half spaces per unit per the zoning regulations.

P. Anthony made a motion to approve with conditions that (1) a note be added to address the type of roof, the structure and siding of the carports and (2) note added to plan for a satisfactory slope and an adequate pitched roof to be reviewed by the town planner. G. Rooke-Norman asked if there was a bond. J. Faulise stated that these were improvements to private property so there was no bond.

J. Schumaker seconded the motion. G. Rooke-Norman asked for the vote. All were in favor. The motion was carried.

**G. OR 03-07 Drive-in Self Storage of Griswold, LLC, 1065 Voluntown Road, Griswold.**  
Applicant requests an official ruling for seasonal storage of recreational vehicles and watercraft at an existing self-storage facility.

G. Rooke-Norman asked if someone was here to represent the applicant. John Faulise, Boundaries LLC, representing Harvey Rogoff and Drive-in Self Storage explained that the applicant is requesting an official ruling to determine if Section 2.2.6.13 applied to recreation vehicles and boats. He explained that if the Commission interprets the regulation in favor of recreation vehicles and boats, a site plan would be developed to accommodate this type of storage.

G. Rooke-Norman asked if they would be stored outside. J. Faulise explained that they would be stored outside and screened from the public. P. Anthony asked if the storage would be on the existing parcel. J. Faulise explained that there is space at the back of the site that could be an open-air carport with a roof and columns. There was discussion of this matter including a possible special exception.

G. Rooke-Norman asked T. Seidel or C. Fontneau for their concerns. T. Seidel stated that there should be a review for consideration to be given to the buffering etc. C. Fontneau stated that the regulation could be reviewed to determine what it would allow and to limit the use.

J. Faulise stated that a text change could be presented to the Commission to modify that section tied to a storage facility use. There was discussion of this matter including concerns that a ten acre parcel could conceivably be turned into a parking lot with storage at one end.

J. Schumaker made a motion that recreational vehicles and boats are a prohibited use under section 2.2.6.13 and are not allowed at this time. P. Anthony seconded the motion. G. Rooke-Norman stated that the motion has been made and seconded and asked for a vote. All were in favor. Motion was carried.

**7. Additional Business:**

**A.** Discussion of Nelson Rodriguez' request for a bond reduction of \$24,364.00 for SE 04-05

G. Rooke-Norman asked if someone was here to represent the applicant. Nelson Rodriguez made his presentation to the Commission stating that since he will be considering a restaurant instead of retail for the driving range, he would like withdraw his request for a bond reduction.

**B.** Discussion of Ransom H. Young request to present evidence to the commission of "grandfathered rights" for a gravel extraction

G. Rooke-Norman asked if there was someone representing Mr. Young. Ransom Young made his presentation to the Commission. He stated that his property was grandfathered as a gravel excavation. He submitted a letter dated 12/9/1993 from Peter Zvingilas and Selectman Donald Burdick. He submitted a copy of his excavation plan to the Commission.

G. Rooke-Norman asked if R. Young would like a ruling or a discussion from the Commission. R. Young stated that he wanted a discussion. He explained that because of a dispute over Red Barn Road, that abuts his property, the access point is in dispute. He stated that he has not been able to secure a contractor who will work on his property until the Town and the Selectmen have settled the disputed Red Barn Road. He asked the Commission that he not be held to the dispute over Red Barn Road. There was lengthy discussion of this matter.

G. Rooke-Norman stated that the Commission has no jurisdiction over boundary lines or disputed roads. R. Young reiterated the fact that the dispute has prevented him from excavating the site. T. Seidel stated that the letter and the map must be put together. C. Fontneau stated in Section 21.14 there is an amount of 300 cubic yards per year for a total of 5000 cubic yards that can be excavated without a permit. There was discussion of this matter.

G. Rooke-Norman stated that the people in the letter had no authority to determine grandfathered gravel banks. There was discussion of this matter concerning continuous operation of a gravel bank.

G. Rooke-Norman recommended that R. Young apply for an official ruling from the Commission so that he could present his argument. R. Young stated that he would do so. There was discussion of this matter including the absence of the monuments on the road and R. Young's property.

**C.** Discussion of Peter Zvingilas request for a bond reduction per Town code 202-21 from \$102,000 to the maintenance rate of \$6, 230

G. Rooke-Norman asked if someone was representing Peter Zvingilas. P. Zvingilas stated that stated that his road and Quiet Cove Lane was accepted at a Town Meeting last month

and that the Board of Selectmen voted tonight to reduce the bonds to the 6 percent maintenance bond. He stated that his request was on the agenda and the Commission can vote to put Quiet Cove Lane on the agenda.

P. Anthony made a motion to place Quiet Cove Lane Road Bond on the agenda. J. Schumaker seconded the motion. All were in favor. Motion was carried.

John Faulise, Boundaries, LLC stated that he would represent Quiet Cove LLC. He explained that he did not have the figures of the original bond. P. Zvingilas explained that it was reduced to 6 percent based on the Town code 202-21.

P. Anthony made a motion to reduce the bond regarding Quiet Cove Lane and Zvingilas Court to 6 percent of the original bond contingent upon approval by the Board of Selectmen. M. McKinney seconded the motion. All were in favor. Motion was carried.

**D. Discussion of Harvey Rogoff request for a full release of the Landscape bond for Drive-In Self Storage facility at 1065 Voluntown Road**

G. Rooke-Norman asked if someone was here to represent the applicant. John Faulise, Boundaries, LLC, stated that this request is to reduce the landscaping bond explaining that the buildings have been built, and the trees for the landscaping have been installed as well as an installed irrigation system and sparse ground cover of grasses and weeds. He stated that they are asking for a full release of the 11,885.45 that was submitted for this phase of project. There was discussion of this matter.

P. Zvingilas stated that the final paving needed to be done. J. Faulise stated that the paving is scheduled for next week. There was discussion of this matter.

M. McKinney suggested keeping a portion of the bond.

P. Anthony made a motion that 75 percent of the \$11,885.45 bond is to be released back to Harvey Rogoff at 1065 Voluntown Road, Griswold. M. McKinney seconded the motion. All were in favor. Motion was carried.

**8. Old Business**

**A. Workshop for Plan of Conservation and Development**

G. Rooke- Norman stated a special meeting should be scheduled for the Plan of Conservation and Development workshop as well as to address remaining business. There was discussion of a date and time for the special meeting.

M. McKinney made a motion to schedule a Special Meeting for Monday, October 23, 2006 at 7:00 p.m. G. Rooke-Norman stated that there is a two-hour limit for the workshop. P. Anthony seconded the motion. All were in favor. Motion was carried.

**B. Consideration and appointment to fill the vacancy of an alternate member on the Planning & Zoning Commission**

G. Rooke-Norman stated this was tabled from last meeting awaiting further applications that never came in. P. Zvingilas stated that he checked the 30 days and Atty. Branse stated that the Board of Selectmen has the authority to make all appointments. There was discussion

this matter. G. Rooke-Norman stated that we will appoint someone and asked the selectman to make the appointment. There was discussion appointing John Taylor and Mr. Palozzi.

J. Schumaker made a motion to appoint John Taylor and asked the Selectmen to appoint John Taylor as an alternate. There was discussion of this matter. J. Schumaker withdrew his motion. G. Rooke-Norman stated that this should be tabled and to ask the planner to research this matter if the Commission has the authority to appoint an alternate. There was further discussion of this matter.

G. Rooke-Norman asked for a motion to table this matter. P. Anthony so moved. M. McKinney seconded the motion. All were in favor. Motion was carried.

**9. New Business:**

**A. Discussion of Quit Claim Deed for two pieces of property on Bethel Road**

G. Rooke-Norman asked if someone was present for this item. D. Szall stated that this item was submitted by the First Selectman who was not present. P. Anthony made a motion to table to the next regular meeting. J. Schumaker seconded the motion. All were in favor. Motion was carried.

**B. Discussion of issues on the Brickett property located on Upland Road**

G. Rooke-Norman asked if someone was present for this item. D. Szall stated that this item was submitted by the First Selectman who was not present. P. Anthony made a motion to table to the next regular meeting. J. Schumaker seconded the motion. All were in favor. Motion was carried.

**C. Discussion of Advanced Automotive requesting a Quit Claim Deed for land between Rte 138 and Pine Road**

G. Rooke-Norman asked if someone was present for this item. John Faulise, Boundaries LLC was present to present this item. He stated that this was a parcel that was part of a site plan He explained that there were no records found and there was an easement Quit Claim Deed for Pine Road for this 700 hundredths of an acre. There was discussion of this matter.

C. Kinnie made a motion to table this item and to get a letter from Atty. Branse and the Selectmen. J. Schumaker seconded the motion. All were in favor. Motion was carried.

**10. Reports from the Enforcement Officer:**

**A. Corrigan, Edward, 21 Anthony Street, Griswold – Violation of Section 10.5 Junk Yards Prohibited In All Zones.**

P. Zvingilas stated that the junk cars have been removed and the property has been sold.

**B. Complaint of a barbershop operating out of a shed with no running water, no bathroom and no zoning permit.**

P. Zvingilas stated that this came in last week when he was out of state. He will look into the matter.

### C. Discussion of Golf Barn Driving Range on Voluntown Road.

P. Zvingilas stated there was an issue with the Golf Barn and the number of golf balls that are falling onto people's property. He stated that people who live in the area have been waiting to speak to the Commission on this matter.

G. Rooke-Norman asked for a motion to put Golf Barn on the Agenda. J. Schumaker made a motion to put golf ball issue on the agenda. P. Anthony seconded the motion. All were in favor. Motion was carried.

P. Zvingilas stated that at last month's meeting Nelson Rodriguez had the idea to lower the tees and move the mats back. P. Zvingilas stated the tees have been lowered to 2 inches and the mats have been moved back. Nelson Rodriguez, Golf Barn Driving Range, he gave drawings to the Commission showing that the tees have been lowered from 3 inches to 2 7/8 inch and the mats were moved back. He stated that a woman was almost hit by a ball and he lowered the tees to 2 inches. N. Rodriguez explained the drawings of the distances between dividers and measurements of the dividers, the map configuration, the roof pitch line, the height.

J. Schumaker asked where the balls were going onto the properties. N. Rodriguez stated that the people on the left side have not seen any balls. P. Zvingilas stated that he received calls some time ago. N. Rodriguez explained that last Tuesday there was an incident when 3 and 8 year old children were using the tees that a woman who was putting up signs was nearly hit by a golf ball. He stated that as of today, they have not seen any golf balls.

G. Rooke-Norman stated that your drawings show what you have done: but that when you were approved, your certified engineer said that the angles and configuration of the facility and the height of the net that the golf balls could not go over the netting. She stated that the Commission would open up the floor to hear them.

G. Rooke-Norman stated that the engineer must come in to certify that the changes made have an impact and improve keeping the balls on your side of the fence. N. Rodriguez stated that he has not seen any balls go over and that there have been complaints now are not from people who live on the road. There was discussion of this matter.

G. Rooke-Norman asked if there was anyone wishing to speak on this matter.

Lisa McGrory stated that she had a list of concerns and explained that she was nearly hit as well as two other women on Latham Road. She explained that other neighbors have had property damage to the cars and houses and they were told that they had to find the person who it the ball. She asked who would be responsible for golf balls flying around if someone was to be injured. She read her list of concerns to the Commission. She asked the Commission if they should get a petition of the number of golf balls from the neighbors.

P. Zvingilas stated that he was looking for guidance from the Commission. He stated that a petition would be acceptable. There was discussion of this matter.

G. Rooke-Norman asked what he would recommend to the zoning enforcement officer to investigate. C. Fontneau stated that there is a need for N. Rodriguez to have his engineer do the calculations again. She was concerned with the reports and did not want another co issued until these matters were resolved. There was discussion of this matter.

G. Rooke-Norman stated she had no confidence in the calculations presented to the Commission during his application; and she would like to have the engineer come to next month's meeting with new calculations and information that shows what height the nets should be at in order to keep the balls on N. Rodriguez's property. She stated those calculations would be reviewed by our town engineer. There was discussion of this matter including the poles were moved back away from Rte 138 so they would not fall into the road.

Edward Majek stated that this driving range a good incentive and showed the Commission photographs of his children learning to play golf that gives them incentive in school and in completing their homework. He stated that he has been golfing with his family there and there were people yelling at the fence while he and his family were golfing.

N. Rodriguez explained he thought that someone was picking up balls and putting them on their property. He thought that it was impossible for 200 golf balls to go into the road on Rte 138 and a car not be hit. He explained that he had set eight balls underneath his ball machine and the next morning they were gone. He stated that it proves to him that someone is taking golf balls. N. Rodriguez also explained that an older man walking near the fence had his pockets full of golf balls and when asked where he was going with them, the man said he was going to put them under the fence.

G. Rooke-Norman stated that if he thought someone was taking golf balls from his property, it was not this Commission jurisdiction. She suggested that this issue be tabled to the special meeting and people can voice their concerns before the plan of conservation and development workshop. She stated that the Commission does not want to extend the co until an engineer has submitted information for the town engineer to review, as there must be safety. There was discussion of this matter.

Jen Ezzel stated that she had her concerns for the golf balls that were going over the fence and that her customers were afraid to park at her business. She also voiced her concerns for her and her customer's safety. She submitted her concerns in writing to the Commission. L. McCrory also submitted her list of concerns to the Commission. G. Rooke-Norman asked P. Zvingilas to open a file on this matter.

G. Rooke-Norman stated that at the special meeting the Commission could only act on items that are on the agenda. She asked for a motion to put this item on the agenda. P. Anthony made a motion to put this item on the agenda as an open discussion on October 23, 2006 from 7 to 8 p.m. only. M. McKinney seconded the motion. All were in favor. Motion was carried.

## **8. Adjournment:**

G. Rooke-Norman asked for a motion to adjourn. J. Schumaker made a motion to adjourn. C. Kinnie seconded the motion. All were in favor. The meeting adjourned at 11:35 p.m.

Respectfully Submitted,

Donna M. Szall  
Recording Secretary