

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

DECEMBER 11, 2006

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 7:10 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Members Philip Anthony, Daniel DeGuire, John Schumaker, Alternates Martin McKinney, Courtland Kinnie, Town Attorney Mark K. Branse, Town Planner Carl Fontneau, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Member Clyde Seaman

3. Determination of Quorum

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

4. Matter Presented for Consideration:

A. 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. Continued from 11/13/06.

Rooke Norman stated that this public hearing was continued from last month. She asked if anyone was here to represent the applicant.

Atty. Harry Heller, 736 Rte 32 Uncasville, CT, stated that a request dated December 5, 2006 was submitted for permission to withdraw this application from the Commission's consideration and with the condition that the Planning & Zoning Commission agreed to rebate to the applicant the unexpended portion of the application fee.

Heller explained that the request is due to the fact there has been significant progress in dealing with the Town's professional consultants concerning improvements to Coal Pit Hill Road funded by the applicant with some contribution by the Town of Griswold.

G. Rooke-Norman asked H. Heller if he was asking for a rebate or a credit toward a future application. H. Heller stated that it is a credit toward a future application.

He explained CT law regarding abutting property owner obligation to improve municipal highway. H. Heller explained that the applicant is in the process of engineering highway improvements to Coal Pit Hill Road which we plan to submit to this Commission and the Inland Wetlands and Watercourses Conservation Commission with a revised application in the future.

He stated asking for a rebate of the fees that have not been expended by the Town of Griswold and fees are intended to cover the cost of an application.

G. Rooke-Norman asked a procedural question about withdrawing the application during the public hearing. Atty. Mark Branse explained that the applicant is asking for consent to withdraw with a condition; and if the Commission denies that request, the applicant has the option of proceeding with the application as filed.

G. Rooke-Norman asked C. Fontneau what time frame was available for making a decision on this application. C. Fontneau stated that the 35 day time frame of the public hearing ends tonight; the applicant can request an extension of up to 65 days for any portion of the proceeding from this point on. There was discussion of this matter.

Atty. M. Branse stated that he had written a letter to Atty. Heller based on new plans that were received that show the kinds of improvements to Coal Pit Hill Road that are called for in the subdivision regulations that were not present in the initial application. M. Branse read his letter dated November 29, 2006 to H. Heller for the record.

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

D. DeGuire stated that if the Commission does this credit for this application, the Commission will have to do it for everyone not being prepared. He stated that the regulations should be followed. M. Branse stated that it must demonstrate that cooperation begets cooperation and that CT law is left undecided in this matter. There was discussion of the matter including setting a precedent.

J. Schumaker asked if there was a time limit for the applicant and how long the credit is available. M. Branse stated that the Commission could set a time limit for the credit. There was discussion of this matter.

M. McKinney asked about the time for staff and Commission toward the credit. He asked what the fees were and what the balance was of the Credit. C. Fontneau stated that the balance was \$6127 of the original \$10,680 fee. There was discussion of this matter.

C. Kinnie stated that he did not want to set a precedent.

There was a request from an audience member to speak. G. Rooke-Norman stated that this is a public hearing. He stated that he had a comment concerning the fee and she asked him to step forward.

Norman Higgins, 206 Pleasant View stated that the Commission has put a lot of time into this application. He explained that he has attended a lot of meeting and the applicant was unprepared. He stated that the money should be kept and should not be refunded.

Atty. Tim Bates, Robinson & Cole representing Camp Wightman, stated that he had no objection to the proposal. He stated that many commissions do this on a case by case basis for the fee credit. He stated that the applicant could go forward with the present application and explained the problems that would occur with the deficient plan. T. Bates urged the Commission to exercise their discretion to consider rebating the unused balance.

C. Fontneau stated that the \$6107 would be credited to the applicant to apply to a future application as long as it is filed before July 1, 2007.

G. Rooke-Norman stated that using the figure of \$5,000 to recoup the internal expenses that are hard to analyze and was in favor of moving the date to June 1, 2007. She explained that doesn't come in on the last day of the fiscal year to apply the credit to the same fiscal year for accounting purposes.

J. Schumaker made a motion to accept the applicants request for the withdrawal without prejudice with the condition that the applicant recoups the cost of \$5,000 and the balance of \$5680 to be credited for a future application to be submitted prior to June 1, 2007. M. McKinney seconded the motion. There was discussion on the motion.

G. Rooke-Norman asked for a vote. There were 3 aye votes and 2 nay votes, P. Anthony and D. DeGuire. The ayes carry.

G. Rooke-Norman asked for a motion to close the public hearing.

P. Anthony made a motion to close the public hearing. D. DeGuire seconded the motion. All were in favor. The public hearing closed at 7:45 p.m.

G. Rooke-Norman questioned the start time of the regular meeting. There was discussion of this matter.

P. Anthony asked for a copy of the November 29th letter from Atty. Branse.

G. Rooke-Norman stated that the Commission will take a ten minute break.

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

1. Call to order:

G. Rooke-Norman called the regular meeting of the Griswold Planning & Zoning Commission at 7:575 p.m.

2. **Roll Call:**

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

Absent: Member Clyde Seaman

3. **Determination of Quorum:**

G. Rooke-Norman appointed M. McKinney to sit for C. Seaman. There is a quorum for this regular meeting.

4. **Approval of Minutes:**

- A. Approval of Minutes of Public Hearing & Regular Meeting of October 10, 2006
- B. Approval of Minutes of Public Hearing & Regular Meeting of November 13, 2006
- C. Approval of Special Meeting of November 27, 2006

G. Rooke-Norman stated that the minutes from October 10th were corrected and asked for approval and Items A, B & C.

P. Anthony made a motion to approve Items A, B, & C. J. Schumaker seconded the motion. G. Rooke-Norman asked for the vote. All were in favor. Motion carries.

5. **Correspondence and Attachments:**

- A. Memorandum dated November 20, 2006 from Ellen Dupont, Town Clerk requesting the Schedule of Meetings for 2007

G. Rooke-Norman asked Atty. Branse about the time elements for canceling a meeting on the fourth Monday. M. Branse stated that the agenda must be posted 24 hours in advance and there is no legal requirement for canceling a meeting. There was discussion of this matter. The Commission reviewed the schedule of meetings and made revisions to not hold a second meeting in May, November and December.

M. McKinney made a motion to eliminate 12/26/07 meeting, D. DeGuire seconded the motion, M. McKinney made a motion to eliminate 5/28/07 meeting. P. Anthony seconded the motion. M. McKinney made a motion to eliminate the second meeting in November. P. Anthony seconded the motion.

G. Rooke-Norman reminded the Commission that January and February, 2007 those meeting will probably be posted as public hearings for the Plan of Conservation and Development.

There was discussion to hold meeting day for Tuesday, November 13th because November 12th is a holiday per the Town Employees Union Contract.

D. DeGuire made a motion to approve the schedule agenda of meetings as amended. P. Anthony seconded the motion. There was discussion of the location of that meeting. G. Rooke-Norman asked for a vote. All were in favor. Motion was carried.

G. Rooke-Norman asked if there was anything else in Correspondence and Attachments. Hearing none, G. Rooke-Norman moved to Item 6 – Matters for presentation.

B. Letter dated November 27, 2006 to Theodore A. Boule, Jr. from ZEO Peter Zvingilas requesting that a home occupation application be submitted to the Planning and Zoning Commission. The application is under matters to be presented.

C. Letters dated November 10, 2006 and November 27, 2006 from Mario Tristany, McFarland-Johnson, Inc. regarding Route 164 LLC, proposed Hotel and Water Main Extension Relocation

D. Letter cc to Planning and Zoning dated November 24, 2006 from John S. DeCastro, Bureau of Engineering and Highway Operations to Gary J. Giroux, McFarland-Johnson regarding an encroachment permit for the proposed Hotel, Rte 164 Preston Road, Griswold

E. Letter dated November 2006 from Avalonia Land Conservancy, Inc. requesting a donation to conserve open space and natural resources in our towns

F. Zoning Practice subscription from American Planning Association

G. Rinker Materials New England Stormwater Technology Workshop, Tuesday December 12, 2006 at Rocky Hill Marriott

H. Biofuels Symposium, January 11, 2006, University of Connecticut Biofuels Consortium

6. Matters Presented for Consideration:

A. 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 was the subject of a prior public hearing and the application was withdrawn.

B. 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 the Commission what were their recommendations. C. Fontneau stated that two staff reports were added to the record as requested by the Commission for zoning compliance and driveway slopes of lot 1 and 2 by CME Engineering.

G. Rooke-Norman asked for other comments.

D. DeGuire stated that there were quite a few: 1) the sight line on Stone Hill Road, 2) driveway on lot 1 goes over the septic system assuming that is the proposed driveway. He stated that the regulations stated that a plan should show where the house, driveway, well and septic should be located. 3) that the lots should be rectangular. He thought that the Commission should think about these items.

J. Schumaker asked about the frontage on the lots at the end of the cul-de-sac should be a certain frontage. C. Fontneau stated that the frontage can be fifty feet but that there must be at least 150 feet width within the building line. He stated that the plan must show the 150 ft. building line with the house behind it. He stated that some houses needed to be moved. There was discussion of this matter.

C. Fontneau stated that the plans could be revised prior to the Mylars being filed. P. Anthony stated that the applicant could request additional time for revisions. C. Fontneau stated that the extensions have been used up. M. Branse explained that the extensions have been used during the public hearing and the applicant cannot give you more time.

G. Rooke-Norman stated that some of these issues were issues that were brought up to the representative. C. Fontneau stated that he had discussed some issues with the applicant's representative and that some of these issues were brought up during the public hearing and there doesn't appear to be a follow through by the applicant's representative. There was discussion of this matter.

C. Fontneau stated that CME identified a number of driveways that needed to be reengineered to get under the 20 percent slopes and the approval could be conditioned at the discretion of the Commission. There was discussion of this matter.

M. McKinney stated that this plan is a prime example of taking lot and dividing it into as many lots as possible and he stated that if the plan was changed to remove two or three lots, the plan would look better, the lots would be squarer. He stated that there are a lot of conditions to put through and assume that they would be taken care of He stated that the plan would not be the same if all the conditions were met. There was discussion of this matter.

G. Rooke-Norman stated that the Commission needed to act on the waiver of the length of the cul-de-sac. C. Fontneau stated that was correct. She stated that before the Commission can act on this application, the Commission needs to act on the waiver. C. Fontneau stated yes.

C. Fontneau stated that there was request for sidewalks but that was a recommendation. D. DeGuire stated that if the subdivision was approved that there should be sidewalks. M. McKinney stated that make that #16.

G. Rooke-Norman asked if there was anything in the application explaining why the cul-de-sac needed to be longer than 600 feet. C. Fontneau stated that he could not find any evidence in the minutes or in the project file; there was a request for the waiver but no justification under Section 8.1 where one of the five parts had to be satisfied. J. Schumaker asked if there is there a copy in the file. C. Fontneau stated that it was a three line request. G. Rooke-Norman read Section 5.3.3 of the subdivision regulations for the record. There was discussion of this matter including a

requirement of a section dedicated to the extension of this road of a 50 foot right of way deeded to the Town to an adjoining parcel to create a loop road.

G. Rooke-Norman asked if the cul-de-sac could be connected to another road. C. Fontneau explained that there could be a right of way to create a loop road through an abutting property owner.

G. Rooke-Norman asked M. Branse if there was an issue of approving a waiver to be conditional upon a 50 foot right of way. M. Branse stated that the regulation states that a dead end road cannot be more than 600 feet in length but of a temporary nature a plan for extension must connect with an existing or proposed road on adjoining land. There was discussion of this matter regarding the second 600 feet of road including conditions arise during the public hearing.

P. Anthony asked concerning 8.1.4 if this would benefit the public where safety vehicles can go in there safely even if driveways to the cul-de-sac were blocked. M. Branse stated that the cul-de-sac purpose is safety where dwellings are limited where there is only one egress and for circulation of through traffic. He explained that if all the new roads were cul-de-sacs, then all through traffic would be using the existing roads and would be no new parallel paths to follow. M. Branse stated that if this is treated as a waiver, it takes a 3/4 vote for approval. There was lengthy discussion of this matter of Section 8.1.4 including the issue of temporary cul-de-sacs.

G. Rooke-Norman stated that it is the applicant's responsibility to make an argument for a waiver based on their understanding of the regulations. M. Branse stated that all Commissions he deals with wrestle with this issue. He explained that it is up to the applicant to address the criteria applicable. There was discussion of this matter.

G. Rooke-Norman asked M. Branse to review Section 8.1.4 and how it would apply to the application. M. Branse stated that this was a decision the Commission had to make. There was discussion of the matter including public safety issues.

G. Rooke-Norman asked the Commission for input on item 3 that was read for the record of the Planner's staff report G. Rooke-Norman state there was an issue of fence installation around two shallow detention ponds.

G. Rooke-Norman asked the Commission for input on item 4 that was read for the record of the Planner's staff report reading regarding lot owners responsible for no net increase in stormwater/melt water described in 2005 CT Stormwater Manual. There was discussion of this matter.

G. Rooke-Norman asked the Commission for input on item 5 that was read for the record of the Planner's staff report M. McKinney stated that the issue of the sight lines and that the homeowner would come back with a plan to be reviewed. He stated that the site plan should have a page with conceptual house, driveway, well and septic system. There was discussion of this matter.

G. Rooke-Norman asked the Commission for input on item 6 that was read for the record of the Planner's staff report that on lot 2 regarding the relocation of the septic system required by the Sanitarian. There was discussion of this matter.

G. Rooke-Norman asked if the Commission was okay with item 7 that was read for the record of the Planner's staff report for fee in lieu of open space.

G. Rooke-Norman asked the Commission for input on item 8 that was read for the record of the Planner's staff report for the irrevocable letter of credit. There was discussion of this matter including the definition of "performance" in relation to bonds.

G. Rooke-Norman asked the Commission for input on Item 9 that was read for the record of the Planner's staff report about a separate fund for Stone Hill road improvement benefiting future owners of the entire frontage. Section 6.4.7 was read for the record.. M. Branse stated that in Item 9 to review the Section 6.4.8 for the criteria of cash payments. There was discussion of this matter including proposed improvements as sight lines, curb cuts and stone walls.

G. Rooke-Norman asked for comments from other members either for or against.

G. Rooke-Norman asked the Commission for input on item 10 of the Planner's staff report for the special engineered septic systems on lots 3,8,14, and 15 be added to the plan. There was discussion of this matter.

G. Rooke-Norman asked the Commission for input on item 11 that was read for the record of the Planner's staff report for the installation of temporary soil and erosion controls. C. Fontneau stated that there is no plan for the interim sediment and erosion control during the construction. There was discussion of this matter.

G. Rooke-Norman asked the Commission for input on item 12 of the Planner's staff report regarding signature blocks. C. Fontneau explained that the signature blocks should be included on the boundary survey plans (Sheets 3, 4, 5, and 11). He stated that frequently the signature block is on the cover sheet and there are no signature blocks on the site survey plan so that the Commission knows which configuration is being approved.

G. Rooke-Norman asked the Commission for input on item 13 that was read for the record of the Planner's staff report regarding corrected subdivision site plan after review by the Town Planner and the Town Engineer. There was discussion of this matter.

G. Rooke-Norman asked the Commission for input on item 14 that was read for the record of the Planner's staff report regarding the slopes of the proposed driveways of lots, 1,2,3,4, and 17. She stated that those issues were discussed at length.

G. Rooke-Norman asked the Commission for input on item 15 that was read for the record of the Planner's staff report for slopes of proposed driveways for Lots 6, 9, and 12. C. Fontneau stated that reflects the CME review of the driveway slope issue.

G. Rooke-Norman asked the Commission for input on item 16 regarding sidewalks was recommended by D. DeGuire. She asked what section of the subdivision regulations that came under. C. Fontneau stated that sidewalks are addressed in the Town Road Ordinance Section 202. There was discussion of this matter as to be on one or both sides of the road.

G. Rooke-Norman stated that the Commission must make a decision on this matter. She stated that staff has provided a lot of notes on issues that were not on the application. She explained to the Commission their options for approving with certain conditions, and deciding on the waiver.

G. Rooke-Norman asked to take the waiver issue first. She explained that if the Commission approves the waiver then the Commission approves it as it stands; and if the waiver is not approved then Section 5.3.3 details situations where a waiver is not required. There was discussion of this matter of whether it is a permanent dead end which requires a waiver or a temporary dead end that does not need a waiver.

G. Rooke-Norman asked for a motion regarding a request for a waiver based on Section 5.3.3. P. Anthony made a motion to deny the request for a waiver of Section 5.3.3. D. DeGuire seconded the motion. G. Rooke-Norman asked for discussion, hearing none, she asked for a vote. All were in favor. Motion was carried.

G. Rooke-Norman asked for a motion regarding the subdivision application itself. D. DeGuire made a motion to deny the application for a subdivision. M. McKinney seconded the motion. There was discussion of the motion including an explanation by M. Branse between approving and denying an application.

G. Rooke-Norman stated that a motion has been made and seconded to deny this application for a subdivision. She asked for a vote of those in favor of denying the application. There were 4 aye for denial of the application. She asked for a vote of those opposed to the denial. There was 1 aye vote opposed to the denial. G. Rooke-Norman stated that the denial carries.

C. ZP 03-07 Boule, Jr., Theodore A., 11 Mary Street, Griswold, CT. Applicant requests approval of a Home Occupation permit for a barbershop to be located in an existing storage shed. The subject property is in the R-20 zoning district.

G. Rooke-Norman asked if someone was here representing the applicant. Ted Boule, Jr., 11 Mary Street, was present. He explained that he has been a barber for 53 years and he was retired from his business on North Main Street. He stated that he works about eight hours a week doing about twelve hair cuts a week for his friends. He stated that he does not advertise; he is just keeping his hand in.

G. Rooke-Norman stated that he has submitted a home occupation permit application. She asked P. Zvingilas if he has reviewed the permit. T. Boule stated that he uses this for a few old time customers. G. Rooke-Norman asked if it complied with the home occupation regulations. P. Zvingilas stated that T. Boule has his barbershop in the garage section which is less than 40 percent of his house. He stated that there shouldn't be a problem with parking.

M. McKinney asked T. Boule if he had a license. T. Boule stated that he has a license. D. DeGuire asked about parking. P. Zvingilas stated that the parking area is next to the garage. T. Boule stated that he has a big off-street parking area and that he might have a client about one every half hour. P. Anthony asked about the number of hair cuts he did. T. Boule stated that he did about fourteen heads. There was discussion of this matter including the question of whether the permit is transferable.

P. Anthony asked if there was water on the premises. P. Zvingilas stated that there is water. P. Zvingilas stated that there is city sewer. P. Anthony asked if there was a facility in the shop. T. Boule explained that the customers can use the facility in his home which is nine feet away. There was discussion of this matter.

G. Rooke-Norman state that the Zoning Enforcement Officer's report that your proposal is in compliance. G. Rooke-Norman asked for a motion for T. Boule's application.

P. Anthony made a motion to approve. J. Schumaker seconded the motion. M. Branse stated that under section 11.7 the permit cannot be issued for a period exceeding 3 years; so the motion should state 3 years in the motion. J. Schumaker withdrew his second. P. Anthony withdrew his motion.

P. Anthony made a motion for approval; said approval will run for 3 years. J. Schumaker seconded the motion. G. Rooke-Norman asked for a vote. All were in favor. Motion was carried.

7. Additional Business:

- A. Letters dated November 10, 2006 and November 27, 2006 from Mario Tristany, McFarland-Johnson, Inc. regarding Route 164 LLC, proposed Hotel and Water Main Extension Relocation

G. Rooke-Norman asked if anyone was making the presentation tonight. C. Fontneau explained that he expected M. Tristany to be here. He explained that it is a minor modification of your approved site plan stating that the waterline will be moved from one side of the road to the other. C. Fontneau stated that it indirectly minimizes impact to the wetlands and within Section 13 of the Commissions power to grant the modification of the site plan. He stated that M. Tristany will present another modification to the replace the restaurant with a Dunkin Donuts with a drive through. C. Fontneau recommended that the Commission endorse the modification. There was discussion of this matter.

J. Schumaker made a motion to approve only the proposed hotel and water main extension relocation as detailed in the November 10th and November 27th, 2006 letters from M. Tristany of McFarland-Johnson regarding Rte 164 LLC. P. Anthony seconded the motion. All were in favor. Motion was carried.

G. Rooke-Norman stated that she will recuse herself from Item 8 A and Item 8 B. She stated that she submitted a letter to Planning & Zoning regarding Item 8 A.

She handed the meeting to Vice Chair P. Anthony who will act as chairman. P. Anthony appointed C. Kinnie to sit for G. Rooke-Norman in this matter.

8. Old Business

- A. Letter dated September 27, 2006 to BBC Griswold, LLC c/o Cerruzzi Holdings LLC from Anne P. Hatfield in response to letter dated August 29, 2006

C. Fontneau explained that the letter in the correspondence file that there is a requirement for infrastructure for development of that area stating that there would be a temporary transfer until the infrastructure is complete and it would revert back to the State or the Town when the construction is complete. He explained that there were no access issues to the adjacent property. He explained that the right of way would be used to develop the infrastructure. There was discussion of this matter.

M. Branse stated that this request was premature and the Commission has not received an application. He explained that any request is in compliance with the plan of conservation and development. There was discussion of this matter. P. Anthony read a letter from Anne Hatfield to John Knofla for the record. There was further discussion of this matter. M. Branse recommended that the Commission not give a positive referral.

J. Schumaker made a motion that if this letter constitutes a referral to this Commission, we make a negative recommendation due to the lack of information in this matter. D. DeGuire seconded the motion. P. Anthony asked for a vote. All were in favor. Motion was carried.

- B.** Discussion of a letter dated November 10, 2006 from Janet Putman Keffer and Heidi E. Putman regarding a ruling of whether the division of their parcel is a subdivision.

Acting Chairman P. Anthony appointed C. Kinnie to sit for G. Rooke-Norman in this matter.

C. Fontneau stated that there is a map in the file. He stated that there is a letter from Atty. Branse in this matter.

Atty. Stuart Norman was present to represent Keffer and Putman. He explained that they were not intending to create a subdivision of additional building lots. He explained the history of the land transfers of Medbery tract. He stated that the tract will be put into one tract consisting of 56 acres of land. There was lengthy discussion of this matter including development rights to the state.

S. Norman stated that the property would be combined with other land of Janet Putman Keffer and that the tract cannot be used as a separate building lot without subdivision approval by the Griswold Planning and Zoning Commission. M. Branse explained that a free split occurred in 1986 and was developed; he stated that there were three more divisions. M. Branse explained that Atty. Norman is proposing to undo the fourth cut and eliminate the third cut and those conveyances to Snide and Barron that are now validated since homes were built on those conveyances for three years. D. DeGuire asked if this was all family. M. Branse stated yes. Keffer and Putman are sisters and the Medberys are their aunt and uncle. There was discussion of this matter.

Janet Keffer, 60 George Palmer Road explained that all the land except for Eighme and Bitgood are all family lands which is intended to be kept undeveloped. She stated that an application made to the State is being held by the assessor bending the decision of this Commission.

D. DeGuire stated that he did not have a problem with it. M. McKinney made a motion to approve. D. DeGuire seconded the motion. There were 3 aye votes and 1 nay vote. Motion was carried.

M. Branse suggested that the Commission look at this situation for the future. There was discussion of this matter.

G. Rooke-Norman returned to the Meeting. Atty. M. Branse left the meeting.

C. Discussion of Advanced Automotive “Jess-Shele Holdings II, LLC”, 663 Voluntown Road requesting a Quit Claim Deed for land between Rte 138 and Pine Road

G. Rooke-Norman asked if someone was here to represent Jess-Shele Holdings. John Faulise, Boundaries LLC was here representing Jess-Shele Holdings. He explained that this was the discussed last month for an 8-24 Review for the sale or transfer of what was formally Pine Road. He stated that there was a question of what W. Przylucki would pay to the State of Connecticut so the Commission could make a recommendation to the Board of Selectmen for that section of Pine Road that is 1/12 of an acre. He explained that the State does not send out for an appraisal until W. Przylucki owns the adjacent piece.

J. Faulise stated that the appraisal for a similar transfer of town land to Boundaries was submitted for the record based on a dollar value per square foot by Reese Appraisal Service. He stated that the amount was 91 cents per square foot for a total of \$2443 and round up to \$2500. There was discussion of this matter including a conveyance in the land records.

G. Rooke-Norman stated that for the record she is not in support of selling a little piece here and there and it sets a bad precedent. She stated that if the Commission granted an approval it would need iron-clad stipulations that it cannot be used for display of any kind of motor vehicle or product on this piece and the State portion. He stated that the approved site plan limits the display area. J. Faulise stated that the existing stone wall would be rebuilt near the road. There was discussion of this matter that included buffering and more diligent enforcement of the regulations.

G. Rooke-Norman asked for comments by the Commission.

C. Kinnie stated that the wall would be rebuilt. J. Faulise stated that it is in the approved site plan. C. Kinnie stated that it would be a nice accent to the business. There was discussion of this matter.

C. Fontneau stated the 8-24 recommendation to the selectmen can be whatever you want and that the 35 day period has come and gone and the Commission’s recommendation would be desired. There was discussion of this matter.

D. DeGuire stated that he was going to abstain from voting. G. Rooke-Norman asked if D. DeGuire was recusing himself or abstaining from voting. D. DeGuire recused himself from this matter. G. Rooke-Norman appointed C. Kinnie to sit for D. DeGuire

P. Anthony made a motion to recommend a favorable report to approve the proposed request of the 8-24 of CT General Statutes to quit claim to Jess/Shele Holdings for the price of \$2500 for the land transfer to be paid upon the Quit Claim Deed with the conditions: 1) to completely relocate and rebuild the stone wall; 2) that the land can never be used for display, signage or be used other than as a natural buffer. M. McKinney seconded the motion. There was discussion on the motion. G. Rooke-Norman stated again that the Commission was setting a very bad precedent. G. Rooke-Norman asked for a vote. There were 3 aye votes and 1 nay vote by G. Rooke-Norman. The ayes carry.

C. Fontneau stated that there was an item to be added to the agenda for consideration of a surety performance bond for Arthur’s Way. G. Rooke-Norman asked when the extension expired. J.

Faulise stated that it was January 12. She asked C. Fontneau when the request came in. C. Fontneau stated that it came in today.

G. Rooke-Norman asked for a motion to put this matter on the January 8, 2007 regular meeting.

J. Schumaker made a motion to place this matter on the agenda for January 8, 2006 regular meeting. P. Anthony seconded the motion. All were in favor. Motion was carried.

D. Workshop of the Plan of Conservation and Development

G. Rooke-Norman asked for a motion to place Item 8D at the end of the agenda. J. Schumaker made a motion to move Item 8 D to the end of the agenda after the Reports of the Enforcement Officer. P. Anthony seconded the motion. All were in favor. The motion was carried.

9. New Business:

A. Request by Nelson Rodriguez, SE 04-05, Golf Barn, 1071 Voluntown Road for a reduction in the cash bond balance from \$33,364 to \$9,000

C. Fontneau stated that the applicant withdrew his request. There was discussion of this matter including the additional tee nets. P. Zvingilas explained the tee nets have cut down on the balls going over the high nets on the outside. He stated that it is not in operation now. G. Rooke-Norman asked the Zoning Enforcement Officer for updates on this matter.

G. Rooke-Norman stated that the Commission requested the Board of Selectmen appoint an alternate. G. Rooke-Norman asked if John Taylor was approved. P. Zvingilas explained that John Taylor was approved. There was discussion of this matter.

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

G. Rooke-Norman asked the Commission to review the items to be revised in the zoning and subdivision regulations in need of possible revision. There was lengthy discussion of this matter of the proposed changes to Zoning Regulation Sections 2.8, 2.10, 2.10.2, 4.2, 4.3.10, 5.2, 8.4.9, 8.6, 8.9.1.5 and Appendix A and Subdivision Regulation Sections 3.4, 3.7, 3.14, 4.4, 5.5.1, 5.5.3.1, 6.3.1, 5.3.5, 6.3.7, 7.1, 7.2, 7.6.1.

G. Rooke-Norman asked the Commission to give their recommendations to C. Fontneau.

8D. Workshop of the Plan of Conservation and Development

G. Rooke-Norman stated that the Plan of Conservation and Development needed to go to a public hearing and for review by the Board of Selectmen and the Regional Planning Office. There was discussion of this matter including that the Planning and Zoning public hearing and the Board of Selectmen public hearing can run concurrently or there can be a joint public hearing.

9C. Request for reduction of Maintenance Bond to a balance of \$0 for Spencer Hollow Road, River Ridge Estates.

C. Fontneau explained that this is the remaining third and the second year has passed for Spencer Hollow Road River Ridge Estates. There was discussion of this matter.

P. Anthony made a motion to reduce the maintenance bond to \$0 for Spencer Hollow Road River Ridge Estates. J. Schumaker seconded the motion. All were in favor. The motion was carried

10. Reports from the Enforcement Officer:

A. Gravelin, Jr. Edward & Cynthia, 74 Pine Road, Griswold, CT. operating a business without a home occupation permit.

P. Zvingilas explained that there was a neighbor complaint regarding the sign on this property. He stated that the business is seasonal. He stated that business has stopped and that the sign has been removed. There was discussion of this matter.

P. Zvingilas gave a report regarding the stone walls on Edmond Road and Rte 138 at the professional subdivision. He explained that no bond was posted for the stone wall on this approval. There was lengthy discussion of this matter. P. Anthony recommended that the Zoning Enforcement Officer speak to builder or have the Board of Selectmen speak to the builder.

11. Adjournment:

G. Rooke-Norman asked for a motion to adjourn. J. Schumaker made a motion to adjourn. G. Rooke-Norman seconded the motion. All were in favor. The meeting adjourned at 11:18 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary