



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING MINUTES

JANUARY 11, 2010

GRISWOLD TOWN HALL

I. REGULAR MEETING (7:00 P.M.)

1. Call to order:

G. Rooke-Norman called this regular meeting to order at 7:00 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Secretary Courtland Kinnie, Members Alternates Erica Bevis, Heather Edge, Lawrence Laidley, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Members Daniel DeGuire, John Taylor, ZEO Peter Zvingilas,

3. Determination of Quorum:

G. Rooke-Norman appointed L. Laidley to sit for D. DeGuire and E. Bevis to sit for J. Taylor. There was a quorum for this regular meeting.

4. Approval of Minutes:

A. Approval of Minutes of the Regular Meeting of December 14, 2009

G. Rooke-Norman asked for a motion on the minutes. C. Kinnie made a motion to approve the minutes as presented. L. Laidley seconded the motion. All were in favor. The ayes carried.

5. Correspondence and Attachments:

A. Avalonia Trails Newsletter, Avalonia Land Conservancy, Inc. Winter 2009-2010

6. Matters Presented for Consideration:

A. **ZP 08-10 Jemm Property Management, LLC, 9 Rachel Lane, Voluntown, CT 06384.**
Property location: 1071 Voluntown Road, Griswold. Applicant requests approval of a Zoning Permit to add a 1,050 sq. ft. beauty salon with associated site improvements to an existing commercial building. Property is zoned C-2

G. Rooke-Norman asked if there was anyone to represent the applicant. Attorney Bill Sweeney, Tobin Carberry O'Malley Riley & Selinger, was representing Mike Mooney in this matter. He explained that they were requesting a zoning permit in an established commercial building and submitting a modified site plan in order to establish a beauty salon.

B. Sweeney explained that a beauty salon was a permitted use in the C-2 zone and that the change in the site plan was to accommodate the additional parking that a beauty salon required. He explained that the site plan was reviewed by the town planner and by CLA Engineering. He stated that the beauty salon would require twelve parking spaces for a new total of 32 spaces for the site, 7 more than what was approved originally.

B. Sweeney stated that the plan would establish a one-way loop around the building that would allow for additional parking. He stated that the engineering plan included a drainage swale for the extra sheet flow off the parking lot and the drainage calculations were reviewed by Bob Deluca. He explained that a propane tank location was listed on the site plan. B. Sweeney reviewed the recommendations by Bob Deluca of CLA Engineering who had concerns about the loading space at the back of the building that the turning radii were not adequate with the one-way loop. B. Deluca recommended moving the loading space parallel to the rear wall of the building and removing the island to allow for an adequate turning radius for a box truck and that he would like to review the plan after those recommended changes were made. B. Sweeney stated that the review of the plan can be a condition of approval of the zoning permit.

B. Sweeney stated that by reducing the width of the existing parking spaces would allow for the additional parking that is required by the beauty salon from 10 ft to 9.5 ft. G. Rooke-Norman asked where the handicapped space would be relocated. B. Sweeney stated that it would be moved to the end of the parking lot with the other handicapped parking space. There was discussion of this matter.

E. Bevis asked where the entrances were located for the handicapped spaces. B. Sweeney showed where the four entrances were located. She asked where the truck would off load. B. Sweeney stated that it would be at the back of the building and then a hand truck would be used along the side walk.

C. Kinnie asked if the extra space would disturb the landscaped features. B. Sweeney stated no and but that it could be modified slightly if needed. C. Kinnie asked when the island is eliminated there will be an increase in the impervious surface. B. Sweeney stated that there would be an increase but that the drainage calculations are adequate to account for the additional stormwater runoff. There was discussion of this matter.

G. Rooke-Norman asked C. Fontneau regarding the coverage percentages to be addressed. C. Fontneau stated that the coverage percentage is liberal and there is a lot of green in the landscape. G. Rooke-Norman asked for other questions.

G. Rooke-Norman asked if an additional modified site plan be submitted as part of the file if it was approved with the described changes. B. Sweeney stated that their engineer would create a site plan with the changes for review by the planner and the town engineer.

G. Rooke-Norman asked for a motion that if this application is approved it would be contingent upon a modified site plan subject to an administrative approval by the town engineer and the planner of the parking reconfiguration and the space reconfiguration in the parking area. C. Kinnie moved to approve this application with the modifications so noted in this presentation and that a final copy of this plan be submitted to the town planner and town engineer for final administrative approval prior to the issuance of a zoning permit. E. Bevis seconded the motion. All were in favor. The ayes carried.

B. ZP 09-10 Mercer, Tammy L, 124 North Main Street, Jewett City, CT 06351. Property location: 124 North Main Street, Jewett City, CT. Applicant requests approval of a Zoning Permit for a barber shop and salon in an existing commercial building. Property is zoned B-C.

G. Rooke-Norman asked if there was anyone to represent the applicant. Tammy Mercer, 124 North Main Street, Jewett City presented her application to the commission. She explained that it was the old Modi Building that is owned by Keith's Appliances warehouse. She stated that she would like to have a barber shop and that she is asking for two stations, a reception area and a waiting area with a kiddy area with a television. She stated that it is 30 by 14 for the barber area. She stated that she was told that she had to have parking waived since there is no parking for the area. G. Rooke-Norman asked if there were any requests for waivers. C. Fontneau stated that he spoke to her last Tuesday to submit any waivers that she needed.

T. Mercer stated that there is parking on the street but that there is not parking on the side of the buildings. G. Rooke-Norman explained that for the application to be complete and to be considered, that she had to submit all the waiver requests of the regulations in writing. G. Rooke-Norman asked for a motion to move this matter to the end of the agenda. E. Bevis made a motion to move this to the end of the agenda. L. Laidley seconded the motion. All were in favor. The ayes carried. G. Rooke-Norman instructed T. Mercer to take some time to go through the regulations to pick out the waivers that she is requesting.

C. ZP 10-10 Knutson, Peter R. & Phyllis N., 268 Route 2 Preston, CT 06365. Property Location: 989 Voluntown Road, Griswold. Applicant requests a Zoning Permit approval of a site plan review for approval of a "rear lot" by "Free Split" per Section 10.2.2 of the Griswold Zoning Regulations and site plan approval for a common driveway per section 19.92 of the Griswold Zoning Regulations.

G. Rooke-Norman asked if there was anyone to represent the applicant. John Faulise, Boundaries, LLC was representing Peter and Phyllis Knutson. He submitted a letter from the Knutsons to act on their behalf. He stated that they are seeking approval of a creation of a rear lot in the R-60 zoning district that contains twice the acreage and we are proposing a common driveway that requires approval by the commission. He stated that there is a letter of approval from the sanitarian in the file.

J. Faulise stated that the total parcel contains approximately 20 acres of land and the free split parcel 178.1 and the remaining parcel is 178. The free split parcel contains the existing dwelling and shed structures and that parcel is separated as a free split and the remaining 17.2 acres will remain on which the owners will build a new home. Both lots will be accessed by the existing common driveway. There was discussion of this matter.

G. Rooke-Norman asked if there was a driveway agreement. J. Faulise stated that the existing driveway and the easement area will be for utility access to both properties. He stated that the shared driveway is existing driveway will be widened from 10 feet to 14 feet with a turnouts every 500 feet from Route 138. He stated that the common driveway maintenance agreement document is being prepared by the Knutsons' attorney and requires review by the town attorney and suggested that it be submitted to the town attorney as a condition of approval for this free split. J. Faulise explained that there is a pending wetlands application in association with the development of this lot for activities within 75 feet of the pond. C. Kinnie asked the distance to the turnout. J. Faulise stated that it was 470 to the turnout from Route 138 and is 20 ft. by 50 feet. G. Rooke-Norman asked the length of the shared portions. J. Faulise stated that it was 470 ft. and 460 ft and then another 8 ft. G. Rooke-Norman asked what the length of a common

driveway in the regulations was. There was discussion of this matter including that the length of a common portion of the drive is 1000 feet in one to two tiers in the subdivision regulations.

G. Rooke-Norman asked if any portion of the driveway was over the grade requirements. J. Faulise stated no. L. Laidley stated that that area is relatively flat when he looked at it during a wetlands application. E. Bevis asked the width of the driveway. J. Faulise stated that the driveway is 14 feet. He stated that there is a second turnout located near the proposed dwelling on the proposed lot.

G. Rooke-Norman stated to let the record show that Heather Edge and Martin McKinney joined the meeting at 7:45 p.m.

C. Kinnie made a motion to approve application ZP 10-10 with the conditions that the driveway maintenance agreement shall be submitted to the commission within 30 days of this meeting and approval by the town attorney prior to the issuance of a zoning permit approving the free split and the common driveway and that the attorney review be paid by the applicant. L. Laidley seconded the motion. There were 4 aye votes. H. Edge and M. McKinney abstained. The ayes carried.

G. Rooke-Norman asked if there is an established by-law. C. Fontneau stated that it is part of the ordinance and should go to the town for approval. There was discussion of this matter including changing the ordinance for attendance. C. Fontneau will look into the matter.

7. **Additional Business:**

A. Discussion of changes to subdivision regulations and zoning regulations.

C. Fontneau explained about new Section 15.3.7 message board signs for banks in commercial and industrial zones with a total sign area that is a percentage of the total sign. There was discussion of this matter including a sensor to control the brightness of the message board.

G. Rooke-Norman asked the members to look at Section 15.4. M. McKinney stated that there should be only one sign for all the schools. C. Fontneau stated that he was thinking that there would be only one size. C. Fontneau stated that there are two school parcels, so there can be a maximum of two signs. C. Kinnie asked if it was 32 sq. ft. for one side or for more than one side. C. Fontneau explained that it would be two faces at 32 sq. ft. G. Rooke-Norman asked C. Fontneau to put in the regulations that each face would be 32 sq. ft. He stated that this would be reviewed by the zoning officer. There was discussion of this matter including that the message board should have operating hours from 5 a.m. to 11 p.m. so that the lights will not bother neighbors during the night.

M. McKinney was concerned with how the brightness would be determined since the time/temperature sign at the storage area was too bright. C. Fontneau stated that it should be on a sensor so that it is brighter during the day and dimmer at night when there is less ambient light. He stated that the zoning officer would address the issue based on complaints by neighbors.

C. Fontneau explained the changes to Parking requirements for Section 13.7.11.6 for message board signs for banks in commercial and industrial zones for the Borough. He also explained the changes to the Borough regulations regarding parking in Section 11.1 so that it will be consistent with the parking regulations for the town zoning regulations. There was discussion of this matter.

G. Rooke-Norman asked C. Fontneau what he wanted from the commission regarding these changes in the regulations. He stated that he wanted them to look at those and make any changes. G. Rooke-Norman asked for questions by members. She asked C. Fontneau to make the changes to the regulations and the commission will review the changes at the next regular meeting when they decide whether to go to public hearing.

B. Annual Review of progress towards the short-term implementation goals in the Plan of Conservation and Development.

G. Rooke-Norman asked about the implementation section of the PoCD. C. Fontneau stated that he made notations on the implementation section as to what was completed and what was still pending. G. Rooke-Norman asked the members if this update can be reviewed to be discussed at the next regular meeting. There was discussion of this matter.

E. Bevis made a motion to table this to the next regular meeting. M. McKinney seconded the motion. All were in favor. The ayes carried.

G. Rooke-Norman asked for a motion to hear the application of Tammy L. Mercer. E. Bevis made a motion to hear the application of Tammy L. Mercer. M. McKinney seconded the motion. All were in favor. The ayes carried.

ZP 09-10 Mercer, Tammy L, 124 North Main Street, Jewett City, CT 06351. Property location: 124 North Main Street, Jewett City, CT. Applicant requests approval of a Zoning Permit for a barber shop and salon in an existing commercial building. Property is zoned B-C.

G. Rooke-Norman asked T. Mercer for the list of waivers that she was requesting. The section 13.2 to be prepared by a professional is to be waived; 13.2.1 names and address on site plan of applicant and owner. There was discussion of this matter. G. Rooke-Norman asked C. Fontneau about eh dimensions of the site and if it is a fixed site. C. Fontneau stated that it is a fixed site and many of the sections can be waived and it is basically a reuse of the internal use of the building. T. Mercer stated that it is just for herself.

G. Rooke-Norman stated that the commission can give her more time until the next meeting in February and T. Mercer can submit the waivers at that time. T. Mercer stated that she was confused about what was required. C. Fontneau stated that he would help but that the applicant was responsible for doing the homework and completing the application. T. Mercer asked if all the parking and loading requires were needed. G. Rooke-Norman stated that she should provide the information or ask for it to be waived to be part of the application.

G. Rooke-Norman asked for a motion to table this application to the next regular meeting. L. Laidley so moved.. C. Kinnie seconded the motion. All were in favor. The ayes carried.

8. Old Business:

G. Rooke-Norman asked for any old business. E. Bevis asked about an extra meeting at the end of January. C. Fontneau stated that that meeting was for review of the regulations. G. Rooke-Norman stated that that meeting can be skipped.

C. Fontneau discussed a town attorney memo from Brendan Schain an associated of Attorney Branse, reviewed the question of discontinued town roads for any unintended consequences with the development of rear lots with or without variances granted by the Zoning Board of Appeals if the unimproved town roads are discontinued. He explained that ZBA cannot vary subdivision regulations and only the single rear lot by zoning permit may be varied such as a

free split rear lot since any more lots would then be considered a subdivision. There was discussion of this matter including that the consequences to the landowner was more severe and limits the development potential of parcels on an unimproved town road.

G. Rooke-Norman asked C. Fontneau what the commission should recommend to the BOS. C. Fontneau stated that the BOS consider the letter and the aerial photographs that the five road segments be discontinued at town road and if there is future development desired by the property owners who now do not have a road then a road would have to be built to specifications as part of a subdivision. There was discussion of this matter including that the town will still have the same rights to assess the property owners and future property owners to expand that road.

G. Rooke-Norman asked C. Fontneau what motion would be required. C. Fontneau stated the motion such that the Planning and Zoning Commission, after review of materials, would like to recommend by letter authored by the town planner and supported materials that the BOS consider discontinuance of five unimproved road segments. M. McKinney so moved. H. Edge seconded the motion. All were in favor. The ayes carried. C. Kinnie had a point of order as to which alternate was appointed to sit for and who could vote. There was discussion of this matter. L. Laidley seconded the motion. All were in favor. The ayes carried.

9. New Business:

There was no new business.

10. Reports from the Enforcement Officer:

There was no report due to the absence of the zoning enforcement officer.

11. Adjournment:

G. Rooke-Norman asked for a motion to adjourn. C. Kinnie made a motion to adjourn. L. Laidley seconded the motion. All were in favor. The meeting adjourned at 9:00.

Respectfully Submitted,

Donna M. Szall
Recording Secretary