



# Town of Griswold



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## GRISWOLD PLANNING & ZONING COMMISSION

### PUBLIC HEARING & REGULAR MEETING MINUTES

FEBRUARY 9, 2009

GRISWOLD TOWN HALL

#### I. PUBLIC HEARING (6:30 P.M.)

##### 1. Call to order:

Chairperson Gail Rooke-Norman called this public hearing of Griswold Planning & Zoning Commission to order at 6:30 p.m.

##### 2. Roll Call:

**Present:** Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Secretary Courtland Kinnie, Members Daniel DeGuire, Alternates Barbara Lukens, Andrew Drobiak, Town Planner Carl Fontneau, Recording Secretary Donna Szall

**Absent:** Member John Taylor, ZEO Peter Zvingilas

##### 3. Determination of Quorum:

G. Rooke-Norman appointed B. Lukens to sit for J. Taylor. There was a quorum for the public hearing.

##### 4. Matter Presented for Public Comment:

**A. SE 02-09 Griswold, Town of, 28 Main Street, Griswold, CT. Property location: 303 Slater Avenue, Griswold.** Applicant requests approval of construction of a new elementary school. The property is in the R-20 zone.

G. Rooke-Norman asked if anyone was here to represent the applicant. Jim Sperry, Kaestle-Boos was present to represent the applicant. He submitted the abutters' notifications to the commission. G. Rooke-Norman asked if it was his representation that everyone who was entitled to be notified was noticed. J. Sperry stated yes.

J. Sperry explained the existing condition of the campus and the existing elementary school and where the work was going to be done. He explained the campus after construction. He explained that the new entrance to the elementary school would be on the internal driveway of the campus. He stated that the bus drop-off area would remain in its present location and that the parent drop-off location would move to the new entrance. He explained the traffic circulation for the elementary school.

G. Rooke-Norman stated to let the record show that C. Kinnie arrived at 6:35 p.m. A. Drobiak arrived at 6:37 p.m.

J. Sperry explained the parking areas will be reduced slightly and will be buffered by landscape. He stated that the driveway will have an additional lane added to allow for traffic flow to go left, straight and right. He stated that there will be a 10 ft. wide walkway that will be used by maintenance vehicles and emergency vehicles and showed this walkway on the site plan.

J. Sperry explained the area for deliveries for the kitchen area will have an overhead door and not a loading dock and that this area will be gated and secured from the school. He explained the locations of the play areas that will be fenced for the different age groups and that everything on the campus will be handicapped accessible. He explained that the steps will be eliminated from the field area. He explained that there will be event parking with a gain of fifty spaces and that a crosswalk will be added between the elementary school and high school.

J. Sperry explained the design changes to the water system. He explained the changes recommended by the fire marshal. G. Rooke-Norman asked if there would be a railing for the walkway to the playing field. J. Sperry stated that the grade of the walkway does not require a railing.

J. Sperry explained the stormwater management plan for the site using new catch basins with sumps and hoods as well as a Vortechnic unit, drainage pipe will be replaced and a new plunge pool and riprap will be added. G. Rooke-Norman asked if the pipe was large enough for the additional flow. J. Sperry explained that the smaller parking area will alleviate some of the water.

J. Sperry stated that he received the engineer letter from CLA and that they were in agreement with CLA's recommendations. He stated that the top soil will be stored off site and will be brought back at the end of the project. He asked for questions from the commission.

A. Drobiak asked about the exit and the drive lane to the school and if there will be a stop sign. J. Sperry explained that the area will be widened and there will be dedicated lanes for going right, left and straight. G. Rooke-Norman asked about the sight line from the elementary school parking lot. J. Sperry stated that the sight line is approximately 100 ft. There was discussion of this matter including that a sight line figure is needed on the site plan.

D. DeGuire asked if the stormwater was to be treated and if chemicals would be used. C. Fontneau explained that the Vortechnic unit has a water quality treatment component.

M. McKinney asked if the grade change would be substantial. J. Sperry stated that the ramps would be eliminated in the school by digging down 5 percent so the grade is less to the playing field. M. McKinney asked whether the middle school will be completed before the construction of the elementary school is started. J. Sperry stated that the middle school will still be ongoing when the elementary school project starts.

G. Rooke-Norman asked if the same standards and background checks will be used for the elementary school project. David Strid, construction manager, stated that the same standards and background checks will be used. G. Rooke-Norman stated that there are no specifics for this application. D. Strid stated that this information will be included at a later date as with the middle school project.

J. Sperry stated that when the project is completed, the fifth grade will be moved to the middle school permanently. C. Kinnie asked about the staging and the phasing. J. Sperry explained the staging a phasing for the commission and because of the staging location, the playing fields will not be used during construction. M. McKinney asked about the rationale to start this project before the middle school is done. J. Sperry stated that it was critical that the summer be available to work on construction. G. Rooke-Norman asked if the abutters would be affected by dust and debris during construction. J. Sperry stated that there will be screening. D. Strid explained that the dust control measures using water to keep the dust down, and that there are

no deliveries after 1:30 pm. and the start and end times will be the same. There was discussion of this matter including the problems at the middle school with odors.

A. Drobiak asked about the playing field. D. Strid stated that the field will be the staging area and construction deliveries. There was discussion of this matter.

G. Rooke-Norman asked about dumpster pads at the front of the middle school and that she wanted to see that plan again. She asked for questions from board members.

She asked for comments from the general public.

Sherry Horstmeyer, Slater Avenue voiced her concerns for air ad noise pollution and if there will be shifts for construction. D. Strid stated that the hours will be 7 am to 3:30 p.m. Monday through Friday. She asked about the bus drop off and if they would be idling for periods of time. J. Sperry explained that the bus drop off is in the same location but that parent drop off is on the other side of the building and that the buses cannot idle by state law and there is a sign that says "No Idling".

D. DeGuire asked about the wetlands. J. Sperry stated that there is a stream that will follow its usual path. There was discussion of this matter.

G. Rooke-Norman stated that the letter from the Fire Marshal has not been received. C. Fontneau stated that the items have been addressed and it could be a condition of approval. There was discussion of this matter.

G. Rooke-Norman asked for the application to show sight line calculations.

Reino Horstmeyer voiced his concerns for truck deliveries and backup alarms at 6 am. J. Sperry explained that there will be landscape buffers and screening.

M. McKinney asked about the curbing for the delivery trucks. J. Sperry stated that there will be curb breaks and the side walk will have ramps up to it. G. Rooke-Norman asked what the time was for regular deliveries.

Ania Czajkowski, Superintendent of Schools, explained that they can control the delivery times and that they are now around 6:30 a.m. or 6:45 a.m. but that deliveries can be scheduled for later in the day. A. Drobiak was concerned for the children during deliveries and refuse pickup. There was discussion of this matter.

G. Rooke-Norman was concerned that the side of the building facing the public view is the rear of the building where deliveries and refuse pickup can be seen. J. Sperry stated that those areas will be well screened from the public way. There was discussion of this matter.

Chris Boos address the architecture of the building. M. McKinney asked if the brick will be the same as the high school. C. Boos explained that it will be slightly different but will be compatible with the high school.

D. DeGuire questioned the flat roof. C. Boos explained that the flat roof will allow for photovoltaic panels and would not present a problem.

C. Kinnie asked about the construction of the middle school still ongoing when the elementary school is started and asked where the children will go. C. Boos explained that the summer is available for the elementary school and that the auditorium in the middle school will be available for students as well as the gym can be utilized for classrooms. There was discussion of this matter.

G. Rooke-Norman asked how the children will be protected from mingling with the workers. C. Boos stated that there will be plans that will keep the workers from mingling with the students.

M. McKinney stated that there is an issue with the scheduling. C. Boos stated that the middle school is three weeks behind schedule due to the hard winter. M. McKinney stated that it seems as though the elementary project is being rushed. C. Boos explained the phases of the construction and that the asbestos and Hazmat abatements will be done during the summer. There was discussion of this matter.

D. DeGuire asked that the public hearing be continued. There was discussion of this matter so that outstanding issues may be addressed.

G. Rooke-Norman stated that there will be meeting before March 9th or sooner and that the public hearing can be continued to March 9th or sooner and for a time to be determined during the regular meeting.

G. Rooke-Norman called for a five minute recess at 8:50 p.m.

## II. **REGULAR MEETING (7:00 P.M.)**

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

Chairperson Gail Rooke-Norman called this regular meeting of Griswold Planning & Zoning Commission to order at 8:55 p.m.

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

**Present:** Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Secretary Courtland Kinnie, Members Daniel DeGuire, Alternates Andrew Drobiak, Barbara Lukens, Town Planner Carl Fontneau, Recording Secretary Donna Szall

**Absent:** Member John Taylor, ZEO Peter Zvingilas,

### 3. **Determination of Quorum:**

G. Rooke-Norman appointed B. Lukens to sit for J. Taylor. There was a quorum for the public hearing.

### 4. **Approval of Minutes:**

- A. Approval of Minutes of the Public Hearing and Regular Meeting of January 12, 2009
- B. Approval of Minutes of the Special Meeting of January 26, 2009

G. Rooke-Norman asked for a motion on the minutes. M. McKinney made a motion to accept the minutes as presented. B. Lukens seconded the motion. All were in favor. The ayes carried.

### 5. **Zoning Regulation & Subdivision Regulation Update**

G. Rooke-Norman asked for a motion to move Item 5 Zoning Regulation and Subdivision Regulation update to the end of the agenda. C. Kinnie so moved. M. McKinney seconded the motion. All were in favor. The ayes carried.

6. **Correspondence and Attachments:**

- A. Letter dated December 30, 2008 from Mario J. Tristany, Jr. of Levi & Korsinsky, LLP regarding renewal of Special Exception application approved on May 6, 2004 for SE 02-04 Albemarle Pleasant View for additional five years.
- B. Letter dated December 30, 2008 from Demian A. Sorrentino of Boundaries, LLC regarding a portion of subdivision Lot 7 of inter-municipal referral of subdivision application for Robert & Nancy Doiron, 56 Brown School Road Preston.
- C. Letter dated January 23, 2009 from Mary Koziol regarding her land lacking the footage to building another house in her back field.

7. **Matters Presented for Consideration:**

- A. **SE 02-09 Griswold, Town of, 28 Main Street, Griswold, CT. Property location: 303 Slater Avenue, Griswold.** Applicant requests approval of construction of a new elementary school. The property is in the R-20 zone.

G. Rooke-Norman stated that this was the subject of a prior public hearing and asked for a motion to table. B. Lukens made a motion to table. A. Drobiak seconded the motion. All were in favor. The ayes carried.

- B. **SUB 02-09 Malek, Richard J. & Alexis J. 307 Brewster Road, Griswold, CT. Property location: 123/129 Geer Road, Griswold.** Applicants request approval of a 4-lot subdivision consisting of 15.43± acres proposed with 3 new lots; lot 1 is 1.51 ± acres; lot 2 is 3.39 ± acres; lot 3 is 5.14 ± acres; lot 4 is 5.038 ± acres. The property is in the R60 zone.

G. Rooke-Norman asked if there was someone to represent the applicant. Demian Sorrentino, certified planner and soil scientist, Boundaries, LLC was present with Bob Schuch, professional engineer to represent Richard Malek. D. Sorrentino explained that he receive a letter from Provost and Rovero and he read their recommendations for the record.

B. Schuch explained the drainage changes showing the locations of the culverts, swales and water quality basins. There was discussion of this matter including that before the CO was obtained that the drainage would be completed for the common part of the driveway.

D. Sorrentino stated that he will submit the drainage calculations for the record and the common driveway easement language to the town attorney for his review. C. Fontneau stated that the recommendations in the Provost and Rovero letter and easement language can be reviewed and approved by the town attorney. There was discussion of this matter.

B. Lukens made a motion to approved SUB 02-09 with the site plans revised to 1/28/2009 with the following conditions: 1) revisions suggested by 2/3/09 letter of David Held be incorporated into the final Mylar plans prior to signature; 2) common driveway easement and maintenance agreement to be reviewed and approved by town attorney and be incorporated into the deed for each of the three lots served by this common driveway; 3) the common portion of the driveway and the related drainage structures shall be constructed before any building permits are issued to any of the three new rear lots resulting from SUB 02-09. M. McKinney seconded the motion. All were in favor. The ayes carried.

- C. ZP 04-09 Saint Mary Church, 34 North Main Street, Jewett City, CT. Property location: 50 North Main Street, Jewett City.** Applicant requests approval of a change in use for the vacant convent building as a Sunday school. The property is in the B-C zone.

G. Rooke-Norman asked if there was anyone to represent the applicant. Deacon Tony Dombkowski was present. He stated that he submitted a copy of the site plan that was part of the ZBA variance that was obtained showing the parking at the St. Mary School that will be used by the Convent Sunday School. He stated that there will be approximately 40 parking spaces and that they will be striped. There was discussion of this matter including the location of the old playground and removal of any chain link fencing.

G. Rooke-Norman stated that there a question of waiving the application fee for this application. There was discussion of this matter. M. McKinney made a motion to waive the fees for the only Convent Sunday school except for the state fees. C. Kinnie seconded the motion. All were in favor. The ayes carried.

G. Rooke-Norman asked if it will still be used as residential. T. Dombkowski stated that it will not be used as residential only as a Sunday school. He stated that while the American Legion is being remodeled, their office will be located there temporarily. There was discussion of this matter.

B. Lukens made a motion to approve ZP 04–09 based on compliance and site plan information to the project file. M. McKinney seconded the motion. All were in favor. The ayes carried.

**8. Additional Business:**

- A.** Request for renewal of Special Exception application approved on May 6, 2004 for SE 02-04 Albemarle Pleasant View for an additional five years.

G. Rooke-Norman asked if there was someone here to make this request for a renewal. Attorney John Fitzgerald and Mario Tristany were present. Atty. Fitzgerald explained that this special exception was granted on June 4, 2001 and that they are asking that it be extended an additional five years in order to obtain the necessary funding. M. Tristany explained that the plans were amended and had been recorded on the land records in 2006 so that the time limit had not expired. There was discussion of this matter including that an irrevocable letter of credit for \$1.5 million is on file with the town.

D. DeGuire made a motion to extend this special exception until June 14, 2014. C. Kinnie seconded the motion. All were in favor. The ayes carried.

- B.** Discussion of a portion of subdivision Lot 7 of inter-municipal referral of subdivision application for Robert & Nancy Doiron, 56 Brown School Road Preston.

G. Rooke-Norman asked if there was someone representing Mr. and Mrs. Doiron. Demian Sorrentino was present. He explained that this subdivision located in Preston had a lot with a portion of the property located in Griswold that the portion located in Griswold was land locked with no frontage. There was discussion of this matter. G. Rooke-Norman stated that if there was any activity in Griswold, then it would be under our jurisdiction.

D. DeGuire asked if G. Rooke-Norman would like to review Mary Koziol's letter. G. Rooke-Norman read the letter from Mary Koziol. There was discussion this matter. There was discussion of this matter and that C. Fontneau will send M. Koziol a letter explaining that planning and zoning commission cannot waive square footage of a lot and that a variance is needed from the Zoning Board of Appeals.

**9. Old Business**

There was no old business.

**10. New Business**

**A. Election of Officers**

G. Rooke-Norman stated that there should be election of officers. There was discussion of this matter. D. DeGuire made a motion to keep the same slate of officers. M. McKinney seconded the motion. All were in favor. The ayes carried.

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

Due to P. Zvingilas absence, no report given.

C. Fontneau stated that there is an item to be added to the agenda but that this person will be coming at 9 p.m. for an official ruling that needs to be put on the agenda. G. Rooke-Norman stated that we will begin reviewing Item 5 until he arrives.

**5. Zoning Regulation & Subdivision Regulation Update**

G. Rooke-Norman asked about the time frames to continue the moratorium past March 31, 2009 for all the regulations and holding a public hearing and allowing time for the 15 day appeal period before 3/31/09. There was discussion of extending the moratorium for two months or three months.

C. Fontneau stated that there were not many changes to the Borough regulations so that it can go to public hearing and acceptance so that the St. Mary School project can come in under the Borough Multi-family regulations on March 9th or March 15th. M. McKinney asked if there was time to get this ready by then. A. Drobiak stated that the subdivision regulations and the borough regulations that we can focus on first. There was discussion of this matter.

G. Rooke-Norman stated that the moratorium can be extended for the town regulations and that the borough and subdivision regulations can be wrapped up after review by the town attorney and to notice to adjacent towns and a public hearing can be set. There was discussion of this matter.

C. Kinnie stated that on the Borough map the lot where the nurses' office is was not changed to residential commercial. C. Fontneau stated that he received these maps today from Liz Crutcher who overlooked it. G. Rooke-Norman explained that the area from the French Club to the Nurses office is now residential commercial and it includes the park, playground, skate park and ball field and allows homeowners to maintain their residential homes.

C. Fontneau stated that TWC is outside the borough. He stated that the TWC owner has repurchased this property in the foreclosure sale. He explained that the small parcel across the road could belong to the town. There was discussion of this matter.

G. Rooke-Norman stated that the remediation for the industrial and commercial zones for TWC were different from the standards for residential remediation. C. Fontneau stated that remediation standards are the same for industrial as well as commercial. G. Rooke-Norman stated that it could be zoned C-2 in the future. G. Rooke-Norman stated that the MDP should show that Griswold needs commercial development or at least mixed use. There was discussion of this matter including that the MDP report showed that it would be better as industrial development.

A. Drobiak asked about the old town hall site at 32 School Street. C. Fontneau stated that this was rezoned to residential multi-family and before the old town hall burned down since there was a proposed elderly housing planned.

C. Fontneau explained that the Slater Mill Mall is in an industrial zone and there were no records of it having been rezoned commercial. There was discussion of this matter. C. Fontneau stated that it is in an designated area for a tax incentive program as industrial or manufacturing. G. Rooke-Norman stated that it should stay zoned as Industrial so it can get funds. G. Rooke-Norman asked if there were any other changes to the borough map. There was a consensus that the map was completed. G. Rooke-Norman stated that C. Fontneau can set a public hearing for the borough map.

C. Kinnie stated that the old town hall site should be residential commercial – RC. G. Rooke-Norman stated that it would be good to have a mixed use there. M. McKinney stated that it had been scheduled for over 55 housing. It was remarked that it actually was to be for elderly housing which is subsidized by HUD. D. DeGuire stated that there is only one way in and out. G. Rooke-Norman stated that the power company garage was built in the right of way of River Street and could be a second access. There was discussion of this matter. C. Fontneau will change that location to residential commercial on the map.

G. Rooke-Norman asked C. Fontneau to make a list of what will be for the public hearing on March 9th and March 15th can be a continued public hearing so that some things can be done during the existing moratorium. C. Fontneau suggested another special meeting in February so we will better know what to take to a public hearing. There was discussion of this matter including that the zoning maps, subdivision, town regulations, borough regulations to public hearing

## 10. New Business

### **B. OR 03–09 to be added to the agenda.**

C. Fontneau stated that the people were here to represent their official ruling. M. McKinney made a motion to put Item 10 B, OR 03–09 on the agenda. B. Lukens seconded the motion. All were in favor. The ayes carried.

G. Rooke-Norman asked if there was a letter from the property owner. C. Fontneau explained that Audrey Pepin had signed a letter that was in the file for Edward McDougal and Ronald Vargus. C. Fontneau stated that this is a ruling whether a new special permit is required or is it an existing use; and that the facility in the BC zone and was just closed in November 2008. There was discussion of this matter.

Edward McDougal explained that he was continuing the established use of an automotive repair facility on North Main Street. C. Kinnie stated that had been run by Henry St. John until just recently. G. Rooke-Norman asked if there would be sale of gas. E. McDougal stated no. E. McDougal stated that the repair facility will continue to comply with all the state regulations. He stated that it is a three-bay garage and they will be using two main bays that he will be painting and installing new equipment so that it is a clean and modern repair facility. There was discussion of this matter including that there will not be any car storage for cars not being repaired and that there is the possibility of cars sales in the future.

D. DeGuire asked why the applicant had to come here when it is a continued use. C. Fontneau explained that the DMV requires a signature from the Planning and Zoning Chairman or the Zoning Enforcement Officer on their application for a repairer's license if the commission rules that no special exception is required. There was discussion of this matter including that anything that isn't there now must conform to the existing regulations and any expansion or enhancement must require a new permit.

M. McKinney made a motion that there was no need for a new special exception application as it is a continuation of an existing use and to authorize the chairman or ZEO to sign the DMV application. C. Kinnie seconded the motion. All were in favor. The ayes carry.

C. Fontneau stated that the applicant will be completing an A-2 survey for the DMV application and this will be added to the street file.

## **5. Zoning Regulation & Subdivision Regulation Update**

C. Kinnie asked that the commission look at the town zoning map to address changes. G. Rooke-Norman explained the changes to M. McKinney from last special meeting. C. Kinnie stated that the in the R-40 zone for existing subdivision that there be at least water. He stated that at the end of Bethel Road that there is no water at the end of Bethel and Old Bethel Road. C. Fontneau explained that P. Zvingilas helped him identify those areas with public water. There was discussion of this matter. C. Fontneau will make those corrections.

C. Kinnie stated that the R-80 zone should be white and that Rillbrook is white and that it should be R-60. A. Drobiak asked C. Kinnie if he wanted both sides of Bethel Road should be R-60. C. Kinnie stated yes. G. Rooke-Norman stated that all the area around the small C-2 zone near the boat launch is listed as R-40 and it should be R-60. She stated that the small strip of white lots should be R-60. There was discussion of this matter.

G. Rooke-Norman stated that a new zone district was created for the state land for open space passive recreation. A. Drobiak asked if all the land abutting the open space must be R-80. There was discussion of this matter.

G. Rooke-Norman stated that there was to be one access to the business park at Illewicz Road and that the access at the Miller/Wheeler properties should remain R-60 and not to be zoned Business Park. She stated that the developer of the business park could negotiate with those property owners for access to Route 201. There was discussion of this matter. G. Rooke-Norman stated that the Miller/Wheeler section can remain zoned as BP on the map.

G. Rooke-Norman stated that there is an area on Route 164 for Held/Reil properties behind the Ocean State Job Lot on Albemarle Drive that was discussed as a BP location. There was discussion of this matter.

G. Rooke-Norman asked about the land on Taylor Hill as R-80. C. Fontneau stated that it could be an error and should be R-80. C. Kinnie stated that it is R-80 on the current zoning map. There was discussion of this matter.

C. Kinnie stated that there should be uniformity around the pond and so that it all should be R-60. There was discussion of this matter. G. Rooke-Norman stated that R-80 should be in areas where the roads are in poor condition and not encourage more development on these poor roads. G. Rooke-Norman asked for consensus from members on sections around the pond should be R-60 or R-80 near the boat launch. D. DeGuire stated in should be R-60, B. Lukens stated it should be R-60, C. Kinnie stated it should be R-60, M. McKinney stated it should be R-60 and A. Drobiak stated it should be R-80.

G. Rooke-Norman asked about the state land on Bethel Road. C. Kinnie stated that it was Cedar Lane that was being used for a gravel excavation. There was discussion of this matter.

G. Rooke-Norman asked if everyone was good with the changes to the town map. She asked C. Fontneau for a clean copy of the town and borough map.

G. Rooke-Norman stated that the commission needed to talk about setting a date for continuation of the public hearing. C. Fontneau stated that February 23 was available as a

special meeting and the public hearing could be set before the special meeting to look as changes to the maps, and zoning regulations. There was discussion of this matter.

B. Lukens made a motion to continue public hearing for SE 02-09 for 6 p.m. on February 23, 2009 here or at the senior center and special meeting to address the decision on SE 02-09 and to address the borough regulations and map together and to address the Griswold Zoning regulations, zoning map and subdivisions regulations and to discuss setting a date for a public hearing for those matters and to send those matters to the town attorney for review. D. D seconded the motion. All were in favor. The ayes carried.

G. Rooke-Norman asked members to check their schedules for a special meeting on March 16, 2009

**12. Adjournment:**

M. McKinney made a motion to adjourn. B. Lukens seconded the motion. All were in favor. The meeting adjourned at 10:05 p.m.

Respectfully Submitted,

Donna M. Szall  
Recording Secretary