Town of Griswold

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GRISWOLD PLANNING & ZONING COMMISSION

PUBLIC HEARINGS & REGULAR MEETING
MINUTES **FEBRUARY 13, 2012** **GRISWOLD TOWN HALL**

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

1. Call to Order

M. McKinney called this public hearing to order at 6:30 p.m.

2. Roll Call

Present: Martin McKinney, Courtland Kinnie, Lawrence Laidley, Daniel DeGuire, Erik Kudlis, Alternates Charlotte Geer, Benjamin E. Hull, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas, Recording Secretary Donna Szall

3. Determination of Quorum

There was a quorum for this public hearing.

4. Matters Presented for Public Comment

A. SE 03-12 Empire I, LLC, 51 Jennifer Lane, Griswold, CT 06351. Property location: 1130 Voluntown Road, Griswold. Requesting approval of a Special Exception for a liquor store for the sale of beer, wine, and liquor. The property is zoned C-2

M. McKinney asked if there was someone to representing Empire I, LLC. Mario Tristany presented the application for the applicant who was also present. M. Tristany submitted EXHIBITS A through E. He explained that these exhibits were an historical analysis of the property from 1987 where Mr. Figueroa, the owner of the property received approval to build a 48 ft. by 90 ft. addition to the existing 1300 sq. ft. building. M. Tristany explained that in EXHIBIT A shows that this application for retail commercial expansion from 1350 sq. ft. to 4230 sq. ft. was approved unanimously.

C. Geer arrived at 6:33 p.m.

M. Tristany explained that the site was not paved per the regulations at that time. He explained EXHIBIT B: the Zoning Regulations dated June 29, 1987 at the time of the original approval citing that all parking spaces, loading facilities and access roadways shall have adequate all-weather surfacing treated to inhibit dust, adequate drainage and allowing free and safe movement of all vehicles customarily using the facility. He explained that parking for a salon at that time was one space per patron; and that retail space was one space per 150 sq. ft. of floor space used for sale or display of merchandise. He stated that there were 21 spaces on this site.

He explained EXHIBIT C: the Zoning Regulations dated March 5, 1990 were changed to reflect that the State of Connecticut Building Cod determined the number of spaces that was required for handicapped drivers and that all spaces should be clearly marked. He stated that this site predated this requirement. He stated that the off-street parking areas could be paved with bituminous concrete but that the commission may allow acceptable, alternative parking surfaces if the use is a low volume traffic generator and there are adequate maintenance provisions.

M. Tristany explained EXHIBIT D that the Zoning Regulations revised to August 10, 2009 changed the personal services parking requirement to three spaces per station. He stated that this site predates this regulation. He explained that in EXHIBIT E: the zoning regulations of June 30, 1989 reflected the parking requirements of salons required one space, retail stores per 150 sq. ft. required one space, and finance insurance and real estate offices per 200 sq. ft. required one space; and that adequate all-weather surfacing treated to inhibit dust, adequate drainage and allowing free and safe movement of all vehicles customarily using the facility.

M. Tristany addressed the comments from last month's public hearing stating that he researched the records finding an A-2 plan prepared by Moffat and Duffy in Glastonbury for Griswold Plaza Associates. He stated that the architect, Dudley Young, in 1989 registered this application with the State as a condominium association which was legally adopted as condominiums. He stated that there were six units on the second storey and there were five units on the first floor.

To address the issues raised by objectors, M. Tristany gave the dimensions of each of the current uses on this site for the record: Unit 1: My Pony's Closet is open Wed., Thurs, Friday and Saturday 10 am to 2 pm. Unit 2: proposed package store has 590 sq ft. and 25 percent of this will be used for storage, 442 sq. ft. will be display of merchandise.

L. Laidley arrived at 6:40 p.m.

M. Tristany explained that Unit 3 is a home inspection service with 617 sq. ft. and based on historic and current regulations has one space for 200 sq. ft.; Unit 4 is The Bombshell Beauty Salon is closed on Mondays, and open Tues, Wed, Thur. and Friday and Saturday for 9 am to 4 p.m. He stated that this has been a salon since early 2000. M. Tristany submitted for the record EXHIBIT G-1 a check from Kuda Kuts in 2002 verifying its existence. M. Tristany explained the second floor units: Unit 5 is office space where 206 sq. ft. of the 511 sq. f. by the current office tenant. Unit 6 is vacant with 259 sq. ft.; Unit 7 is vacant with 291 sq. ft.; Unit 8 is vacant with 351 sq. ft. Unit 9 is vacant with 313 sq. ft. M. Tristany explained that Unit 10 was not completed and in EXHIBIT 10-1 is a photograph showing that the existing roof of the original structure is the floor of unit 10. There are no plans to construct this 809 sq. ft. space; and it 2007 the assessor declare this as a non-usable unit because of the peak and roof. M. Tristany read Assessor's Card of March 2007 EXHIBIT for the record. M. Tristany PZ-1 that in 7/ 89 that Tom Seidel the town planner at the time made noted that 12 parking spaces were required for the second floor.

M. Tristany addressed the several issues raised at the January 9, 2012 meeting. **ISSUE 1:** there was no requirement handicapped accessibility and parking at the time. He explained that if there were structural changes to the proposed package store location, then it would have to meet the current building codes pursuant to the building official. He stated that it is a legally non-conforming building of record. **ISSUE 2:** It was not designed for retail. M. Tristany stated that the original first floor development was for retail and the units have been historically used for retail from Ruben Figueroa. **ISSUE 3:** the well is inside the building. M. Tristany explained that the well is located under the exterior staircase and is accessed by two wooden doors under the stairwell in the westerly end of the building. **ISSUE 4:** the septic system was never improved. M. Tristany explained that Al Gosselin from Uncas Public Health looked at the septic system and found the one old cesspool and that this site would need a new septic design repair which we have done. He read for the record the letter from Al Gosselin to Jim Rossman finding that the septic design site plan of Feb 6, 2012 meets the requirements for sewage disposal of the Connecticut public health code. **ISSUE 5:** That there was no drainage on site. M. Tristany stated that the site was constructed between 1987 and 1988 and the front portion of the property is paved. He called Kelly McKeon of CTDOT asking if there were drainage problems at 1130 Voluntown road and review of the CTDOT files did not reveal any problems. M. Tristany stated that similar questions were asked of the town planner and the building and zoning enforcement officer and no documented drainage problems. M. Tristany stated that the original parking plan showed parking at the front of the structure and behind the structure with the rear parking areas consisted of a gravel/grass surface allowing stormwater to drain and not run off the property; this is Low Impact Development (LID) and the latest trend to reduce impervious surfaces. M. Tristany stated that there is a new site plan shows the new septic design and plan and established a parking plan and new circulation plan that is adequate for the proposed units. **ISSUE 6:** that there no fire stops are between the units. M. Tristany stated that the Fire Marshal was contacted and Deputy Fire Marshal Tom Holowaty inspected the site where there were some minor issues and one major issue which was that unit 10 and based on the state fire code, it needed to be fire rated even though it is not occupied. He stated that the owner has since sheet rocked unit ten. M. Tristany read the letter from Deputy Fire Marshal Tom Holowaty for the record that everything has been satisfied.

ISSUE 7: there was no as-built plan for the site. M. Tristany explained that there is a new as-built plan A-2 as prepared by Moffat and Duffy and the condominium documents which are part of the record. **ISSUE 8:** there were no stairs to the basement from the bulkhead. M. Tristany stated that there are bulkhead stairs to the basement door as seen in EXHIBIT P-1, **ISSUE 9:** inadequate parking and of retailer fighting over the spaces that are there. Mr. Wood contracted with Stadia Engineering to design the rear parking lot to satisfy the parking count based on the historical zoning approvals of the property and the proposed new package store use. He submitted a copy of the parking table to the commission. He read the parking table for the record. Unit one parking is for 7 spaced. Package store parking is for 3 spaces; the Inspection Office parking for 4 spaces, the second floor office has 2 spaces, the second floor unit 6 has 2 spaces, and unit 7 vacant office has 2 spaces, unit 8 has 2 spaces, and unit 9 has 2 spaces; and unit 10 has two spaces but because it cannot get an certificate of occupancy has 4 spaces for a total of 29 spaces and minus the 4 spaces leaves 25 spaces. M. Tristany explained the parking design that it will be a one-way entrance from the easterly curb cut and exiting from the westerly curb cut to Voluntown Road. He stated that plan shows the location of the septic design and that the vehicles can drive over it. **ISSUE 10**: the curb cuts do not meet CTDOT requirements. M. Tristany explained that he spoke to Richard Chapman of CTDOT and EXHIBIT CTDOT-1 letter was read for the record stating that there are two legal commercial drives on the Route 138 and no permits were needed to convert one of the units to a packing store unless the owner proposes or is required by P & Z to do work in the state right-of-way. M. Tristany stated the other Exhibits not referenced as exhibits in the package are EXHIBITS MD-1 Copy of the Moffat and Duffy A-2 Survey and EXHIBIT CD -1 Condominium Declaration Plans on File in the Town Clerk's Office.

M. Tristany stated that the plan meets the dimensional requirements for the size of the parking spaces and we are treating the entrance driveway on the easterly side and the exit driveway on the westerly side will be treated with gravel and stone dust and is LID and low traffic area that meeting the LID standard. He stated that it requires that the commission be satisfied with the treatment and the maintenance of that kind of parking.

B. Hull asked where the access was located to the second floor. M. Tristany showed where the access was located between unit 2 and unit 1. M. McKinney asked if was accessed from the front or the back. M. Tristany explained that it is from the front and from the westerly side where there is a staircase. M. McKinney asked about the curb stops and paving being done. M. Tristany stated that the islands are painted and the curb stops will be installed in front; and in the back there will be only concrete curb stops to indicate the parking location.

M. Tristany stated that the property is a lawfully established use created on the 1987, 1988 and 1989 Zoning Regulations. M. McKinney stated that the spaces should be 20 feet long x 10 and there should be fencing. M. Tristany stated that the parking has been brought up to the current standard. There was discussion of this matter.

M. McKinney asked C. Fontneau for his review. C. Fontneau stated that it is a site plan that is in substantial compliance with a combination of zoning regulations and the site s certainly works with the improvements to the septic system and the striping and the one-way traffic flow around the building. D. DeGuire asked if the septic system can handle delivery trucks. M. Tristany explained that the septic was designed for H-20 loads. D. DeGuire asked if it was wide enough around the building. M. Tristany stated yes it is all one way and we are trying to make an existing facility somewhat compliant by designing a new site plan.

M. McKinney asked for questions from the commission. D. DeGuire stated that the parking in the rear should be paved. C. Kinnie asked if there will be lighting in the back. M. Tristany stated that there are two flood lighting units in the back. M. Tristany stated that the regulations does allow for the proposed treatment. He read the regulation for the record. He stated that most businesses prefer the first floor because there is no elevator; the probability of the second floor will never be fully occupied. C. Kinnie asked about the parking in the rear what is the island and how will it be marked. M. Tristany showed the traffic flow based on the one-way flow. He stated that there will be signage for entrance and exit, one-way do not enter, and parking in the rear. He stated that there will be landscape ties to differentiate it and define the driveway. C. Kinnie asked what the material will be on either side of the building. M. Tristany stated that it is grass but it will be there will be bollards to protect the bulkhead and bollards at the n.e. and n.w. corners. M. McKinney asked if the driveways will be paved. M. Tristany stated that it will be gravel and stone dust. C. Kinnie asked that there is a 15 foot access on each side of the building; he asked if there was access from the back. M. Tristany stated there is access at the back but is probably not used by the public. C. Kinnie asked if there was lighting on the sides. M. Tristany stated that he didn't know if there was lighting on the sides.

M. McKinney stated that you are expanding the use. M. Tristany stated that the use was not expanding; it is having a different tenant for unit 2; the parking numbers do not change. M. Tristany stated that this is an existing structure. There was discussion of this matter.

M. McKinney asked what the garage was used for. M. Tristany stated that it is used for maintenance equipment such as lawn mowers. E. Kudlis asked if there was a dumpster pad. Paula Grillo stated that each unit is responsible for removing its own trash. D. DeGuire stated that you are making improvements. M. Tristany stated that we are making improvements based on the comments made at the public hearing in January which have been addressed.

M. McKinney asked what the regulations are for handicapped and not handicapped. P. Zvingilas stated that this is a continuation of an existing use. He stated that if there were major modifications to the building, then it would have to be brought up to the current handicapped regulations. There was discussion of this matter including that one of the painted islands can be added to a parking space to create a handicapped space. P. Zvingilas asked if there was a ramp to the ramp to the building. M. Tristany stated no.

M. McKinney asked for comments from the public.

John Wood, 604 Voluntown Road asked if the plan was an as-built or an overlay. M. Tristany stated that it is a field located as-built. He voiced his concerns to the commission. He stated that the fire codes were never finished, the parking lot was never finished so you can't go back to the 80's. The parking is doubled and has to be approved by DOT. He stated that the parking in the back is all grass. He stated that everything should be brought up to code. He stated that the trees were all cut down on the side prior to the meeting. He stated that the trees are all on town property. P. Zvingilas stated that he referred it to Todd Babbitt. He showed the commission a photo on January 17 that the upstairs was all lit up and there were fourteen cars parked there. J. Wood stated that only one exit is allowed for a package store so you can't go in the back. He stated that the stairs on the side is only a fire escape and not approved for access or egress except for in case of fire. J. Wood stated that the hairdresser has four hairdressers plus the owner and stated to call them to verify it. He stated that the parking was never finished. He stated that this should be a new application because they are constructing a new place and it is a new application. He stated that if there are 25 people in the building it needs public water supply based on stated code. He stated that this application should be flatly denied if they are constructing a new place. He submitted the photographs for the record.

M. McKinney asked how many chairs are there in the salon. M. Tristany stated that we were told that there are three licensed hairdressers in that facility. He stated that the trees that were cut were scrub growth blocking access to the property. He showed the trees that were cut by a hired tree trimmer. John Wood, Sr. property owner stated that he spoke to Todd Babbitt about the trees along that town property side and that Todd Babbitt was satisfied with what he did.

M. McKinney asked for other public comment. He asked for questions from the commission. C. Kinnie asked that unit 10 will not be used for anything but storage space. M. Tristany stated that the owners are here. Paula Grillo stated that the floor is sloped because it was the original room. She stated that it has been sheet rocked and now is up to fire codes and signed off by Deputy Fire Marshal Tom Holowaty. M. McKinney asked if there was merit to the 25 people having a public water supply. M. Tristany stated that this was signed off by Al Gosselin from Uncas Public Health. C. Kinnie asked if the application would add fixtures to the sides of the building for patrons to walk to the front of the building. M. McKinney asked about paving to the side of the building as a walkway. M. Tristany stated that the driveways could be paved to the back corners of the building. Jim Krueger asked if there was room for emergency vehicles. M. Tristany stated that there is adequate access for emergency vehicles all around the building. C. Fontneau stated that he showed this plan to the Fire Marshal who was satisfied with the better access for emergency vehicles.

M. McKinney asked for a motion to close the public hearing.
MOTION: D. DeGuire made a motion to close the public hearing. C. Kinnie seconded the motion. All were in favor. The motion was carried.

II. PUBLIC HEARING (6: 45 P.M.)

1. Call to Order

M. McKinney called this public hearing to order at 7:32 p.m.

2. Roll Call

Present: Martin McKinney, Courtland Kinnie, Lawrence Laidley, Daniel DeGuire, Erik Kudlis, Alternates Charlotte Geer, Benjamin E. Hull, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas, Recording Secretary Donna Szall

3. Determination of Quorum

There was a quorum for this public hearing.

4. Matters Presented for Public Comment

A. SE 04-12 Camputaro, Pasquale, Jr. 630 Plainfield Road, Griswold, CT 06351. Property Location: 522 & 630 Plainfield Road, Griswold. Request approval of a Special Exception of a proposed addition to existing automotive repair facility with new parking lot and associated site plane improvements with a lot line modification to transfer 10,110 sq. ft. from 630 Plainfield Road to 522 Plainfield Road. Property is zoned C-1 and C-2

Martin McKinney asked if there was someone to represent the applicant. John Faulise, Boundaries, LLC represented the applicant. He submitted the revised plans based on the review by the Town Engineer and verbal comments from CTDOT. He submitted the abutters' notifications to the commission. M. McKinney asked if it was J. Faulise representation that all abutters were notified. J. Faulise stated yes. He read a letter dated 1/23/12 from the Uncas Public Health for the record that the 50 ft. x 31 ft. garage addition met the requirements of the CT Public Health Code. He stated that there is a letter authorizing J. Faulise to represent Mr. Camputaro.

J. Faulise explained that approval was granted for modifications in June of 2010 to expand the parking and site grading to the north. He stated that the grading has begun on the site; and that the applicant is creating an addition to the existing repair facility as well as the proposed parking area; and the code compliant septic system area due to building expansion. He stated that the proposed parking area will be paved based on being in the aquifer protection area and will have an oil/water separator for the drainage then into an infiltration trench designed to accommodate the increased runoff from the paved areas. He stated that drainage calculations were reviewed by CLA Engineers; and comments were received from Kelly McKeon-Blake of CTDOT recommending notes be added to the plan for stabilization, down gradient of riprap level spreader which is the overflow of the infiltration swale and protection of the CTDOT monuments during construction; and those notes have been added to the plan.

J. Faulise stated that comments were received from the Town Engineer CLA Engineers from Robert DeLuca had five comments: 1) handicapped space be added to the parking area to plan on the n.e. side of the building; 2) erosion control matting on slopes that exceeded 2:1; 3) recommending a note be added that trees with affected roots systems be removed at the top slope to be removed: 4) to show the location of the silt fence 5) recommended that direct inflation not be used for the parking lot run off; and prior to infiltration, a baffled drainage structure be used to trap contaminants from potential spills on the pavement. J. Faulise stated that all these comments have been added to the modified plan submitted tonight. J. Faulise recommended that this public hearing be continued to receive the written comments from CTDOT.

D. DeGuire asked if the existing concrete pad be continued straight across. J. Faulise stated that paving will go to the doors and the floors will be concrete. D. DeGuire asked if there will be lighting. J. Faulise stated that there is lighting on the existing face of the building and there is security lighting on the building at the entrance to the office. He stated that additional lighting can be added on the n.e. side of the building. M. McKinney asked if there would be office space upstairs. J. Faulise stated that it will be strictly the three service bays and will not have a

mezzanine. J. Kreuger asked what will be happening there. J. Faulise stated that it is strictly auto service repair facility and no body work.

L. Laidley asked if the existing paring lot on route 12 to the new parking lot. J. Faulise stated that he could not say that the parking on route 12 will be completely eliminated. P. Zvingilas asked where the water supply was located. J. Faulise stated that the well as on the adjacent property and the original owner had control of this property and the adjacent property. He stated that there is an easement that was recommended by Al Gosselin of Uncas Public Health and this was added to the plan. There was discussion of this matter.

M. McKinney asked for further questions from the commission. He asked for comments from the public. Hearing none, he asked for a motion to table.
MOTION: D. DeGuire made a motion to continue this public hearing to 6:30 on March 12, 2012 in this room. L. Laidley seconded the motion. All were in favor. The motion was carried.

III. PUBLIC HEARING (6:55 P.M.)

1. Call to Order

M. McKinney called this public hearing to order at 7:50 p.m.

2. Roll Call

Present: Martin McKinney, Courtland Kinnie, Lawrence Laidley, Daniel DeGuire, Erik Kudlis, Alternates Charlotte Geer, Benjamin E. Hull, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas, Recording Secretary Donna Szall

3. Determination of Quorum

There was a quorum for this public hearing.

4. Matters Presented for Public Comment

A. SE 05-12 Wood, John H. III, 257 Stone Hill Road, Griswold, CT 06351. Property Location: 39 Wedgwood Drive, Griswold. Request approval of a Special Exception for a proposed liquor store retail sales in accordance with Section 8.1.9 of the Borough of Jewett City Zoning Regulations. The facility will be located in a prior retail sale in Unit B of the Slater Mill Mall. Property is zoned B-Industrial.

M. McKinney asked if there was someone to represent the applicant. John Faulise, Boundaries, LLC was present to represent the applicant, John Wood who was also present, explained that due to a defect in the notice citing the wrong zoning section number, this public hearing must be continued to the next regularly scheduled meeting. He submitted the abutters' notifications and a copy of the notice package sent and revised plans to be distributed to the commission.

M. McKinney asked for a motion:
MOTION: C. Kinnie made a motion to continue this public hearing for SE 05-12 to the next regular meeting on March 12, 2012 at 6:45 p.m. in this room. D. DeGuire seconded the motion. All were in favor. The motion was carried.

M. McKinney asked for a short recess. The commission reconvened at 7:55 p.m.

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

1. Call to order:

M. McKinney called this regular meeting to order at 8:00 p.m.

2. Roll Call

Present: Martin McKinney, Courtland Kinnie, Daniel DeGuire, Lawrence Laidley, Erik Kudlis, Alternates Charlotte Geer, Benjamin E. Hull, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas, Recording Secretary Donna Szall

3. Determination of Quorum

There was a quorum for this regular meeting.

4. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of January 9, 2012

M. McKinney asked for approval on the minutes.
MOTION: D. DeGuire made a motion to approve the minutes of January 9, 2012. C. Kinnie seconded the motion. All were in favor. The motion was carried.

5. Correspondence and Attachments

A. Letter dated January 24, 2012 from John S. DeCastro, PE, Bureau of Highway Operations regarding proposed grading and tree removal at the I-395 NB ramp at Route 201.

M. McKinney asked C. Fontneau if there was any correspondence that needed to be addressed. C. Fontneau stated that there were no comments for the correspondence. He stated that the tree removal may have some commercial at exit 86.

6. Matters Presented for Consideration

A. SE 02-04 Pleasant View Associates, LLC, 516 Vauxhall Street, New London, CT 06320. Property Location: 122 Pleasant View Street, Griswold. Modification of site plan for Special Exception SE-02-04 that will reduce the overall impacts to on site wetlands by removing buildings from wetland areas, drainage improvements and reducing the impervious road surface width from 28 ft. to 24 ft. The property is zoned R-60.

M. McKinney stated that this public hearing was closed at January meeting. He stated that he had concerns. D. DeGuire stated that the road should be 26 ft. from curb to curb and not the proposed 24 ft. He stated that he had some concerns about Building 4 and if it was being relocated from the wetlands; he was concerned that it was very steep there and if the driveway was a slope to the building. M. McKinney stated that it looks close to level. D. DeGuire asked if these will be in phases. C. Fontneau stated that the phasing plan was in the project file. There was discussion of this matter including the unit count for the each of the phases on the plan.
E. Kudlis stated that the environmental concerns and the use of the bio-retention ponds are good. He was concerned for the relocated 12 units and that this was going to be a dense cluster of units with; and with the 24 ft. wide road, it would not allow for on street parking. He stated that there would be least 2 cars for the one bedroom units and that there could be 3 or more cars for the two and three bedroom units. E. Kudlis was also concerned with the safety and well being of the community because of the width of the road, the relocation of the 12 units and access by emergency vehicles.

C. Kinnie asked what the total number of parking spaces would be. C. Fontneau stated that he did not have the total number of spaces. Jim Rossman showed the commission the table of the parking count on page 2.1 of the plan. There was discussion of this matter including that there are 2.3 parking spaces per unit.
M. McKinney asked about the bonding for this project and what attorney we were to use to answer this question. C. Fontneau stated that he did not have an answer for the First Selectman as to which attorney we should use. M. McKinney stated that part of the application was to modify the bond. He asked if we had time for this application until next month. C. Fontneau stated yes. There was discussion of this matter.

J. Hull asked if the final grading was completed first and then phase one would be completed and then the other phases would be done. He stated that there should be a cul-de-sac at the end of the road of the first phase. M. McKinney stated that there was to be a hammerhead put in for the first phase.

J. Kreuger was concerned with the traffic because of the narrowness of Ann Street and Pleasant View and Ashland Street. M. McKinney stated that there was a traffic study done and site lines were measured. There was discussion of this matter.

J. Kreuger asked if the units would be condominiums or rentals. C. Fontneau stated that they would be a combination of both where some of the condominiums could be leased units. P. Zvingilas stated that there will be a condominiums association with fees for maintenance of the site.

C. Kinnie stated that based on the 21 one bedroom units, 46 two bedroom units, 36 three bedroom units and with one vehicle per bedroom there would be 220 and if you are counting 2 vehicles for the one bedroom units, it would be 240, there would still be adequate parking. He stated that the road width is an environment plus and was so able to change the drainage and have a much better site environmentally.

E. Kudlis stated that the Fire Marshal has reviewed the road with and found it to be adequate for emergency vehicle access at 24 feet. He was concerned that the overflow parking would be forced to park on the street where there was parking enforcement. He stated that he thought that the 12 units should not have been added to the already dense area. E. Kudlis cited some of his "personal" apartment parking issues and stated that the same parking problems will also be present at the Pleasantview project

M. McKinney stated that he was concerned that the Pleasantview project would have the same parking problems with the apartments on the former Knights of Columbus property.

L. Laidley stated that if there is an event up there, parking will be an issue. He liked the changes to the drainage features and will improve the whole site. He asked if there could be an overflow parking area at the old foundation area off the initial driveway area.

M. McKinney asked if the old approval was still in place. C. Fontneau stated that this application is a modification to the original approval; the old approval does not go away. He stated that there is an improvement in the stormwater and environment and makes the parking still works. There was discussion of this matter.

C. Fontneau stated that there is a letter of credit of $1.4 million. He stated that the modification is for the letter of credit is to be $144,000 that would cover the three phases and there will be additional funding of $53,760 for town engineer inspections and the cost of the as-built, and site stabilization and restoration estimate that was reviewed and agreed by the town engineer would be $48,000 for one phase and to allow for payment of bills. M. McKinney asked that the entire infrastructure would be done for roads and utilities. C. Fontneau stated that the original approval had only one phase. He stated that now that there are three phases the infrastructure would be in three phases. There was discussion of this matter including that there are no public improvements because it is not a town road.

M. McKinney asked what the commission wanted to do. L. Laidley stated that that we need to table this until we get the final word from the First Selectman as far the town attorney before we can continue with this application. C. Fontneau stated that he will speak to the first selectmen. There was discussion of this matter.
MOTION: D. DeGuire made a motion to table SE 02-14 to the next regular meeting on March 12, 2012. L. Laidley seconded the motion. All were in favor. The motion was carried.

B. **SE 03-12 SE 03-12 Empire I LLC, 51 Jennifer Lane, Griswold, CT 06351. Property location: 1130 Voluntown Road, Griswold.** Request approval of a Special Exception for a liquor store for the sale of beer, wine and liquor. The property is zoned C-2.

M. McKinney asked what the commission wanted to do. D. DeGuire stated that the back parking lot should be paved and striped and to have adequate lighting in the parking lot. C. Kinnie stated that he was concerned about the lighting on the side of the building when customers will be walking to the front of the building. He stated that there is the letter from the fire marshal and the sanitarian report. M. McKinney stated that there was fencing on

the original approval. C. Fontneau stated that this application is an attempt to improve the site but if there is no need for the fence. There was discussion of this matter.

E. Kudlis stated that there is an existing building. If there was paring ever in the back and is now grassed in doesn't mean that parking was never there. He stated that use of the pace is there and is able to be used. He stated that this store is tiny. He stated that if people don't like the parking they won't patronize the store. He stated that the grandfathered building and uses have not changed and the parking changes on the plan are better than what is there now and the building has been brought more into compliance and a more practical use for the building.

E. Kudlis was concerned whether this was a new application and not a modification to the application. C. Fontneau stated that this was not a new application. He explained that it has responded to the comments in the public hearing to the quality of the site plan, and a reduction in the number of waivers in response to the commission and the public input; the applicant's responds to input to the public hearing and modifies the plan does not make a new application.

E. Kudlis stated that if the building were being modified or a non-conforming use was being expanded, that would require the building being brought up to current code, then he could see bringing all the factors up to current codes would be a factor. He stated that if there was an approval, we could condition the approval with more lighting, paving on the sides of the building, and unit 10 not to be used. He stated he had no problem with having a environmentally-friendly gravel parking area and if people don't want to walk to the front of the building they won't shop there. He stated that the applicant has made a significant effort meet most of the concerns that were raised at the first public hearing; the fire marshal and sanitarian are satisfied with the site.

B. Hull stated that the parking has been improved and the use is a better use. The building structure is not changing or the footprint of the building is not changing. They have change the traffic flow and he did not see a problem with the site. J. Kreuger stated that they are willing to put in handicapped parking at the building, the improvements are substantial and it has adequate room for the traffic around the building. C. Geer stated that there should be lights on the sides of the building.

M. McKinney asked if there should be some bonding to insure the improvements are completed. C. Fontneau stated that this is an existing facility and that the septic changes and site plan changes or modifications would require a permit and if the work is not done in can be an enforcement issue. There was discussion of this matter.

L. Laidley state that during the public hearing the owner agreed to pave the driveways to the corner of the building to alleviate the runoff and wear and tear of the parking area, that unit 10 would remain as storage only and agreed to light to the sides and rear of the building. He stated that there should be a letter from Todd Babbitt having given permission to clear the trees. He stated that the one-way traffic flow will alleviate the existing problems. He stated that it should be determined whether the side stairs is a fire escape or an actual entrance and to have it noted on the plan.
M. McKinney asked what the commission wanted to do.
MOTION: L. Laidley made a motion to approve SE 03-12 based on the revised plan of February 6, 2012 with the conditions that 1) unit 10 is a storage only unit; 2) that the two driveways would be paved to the rear corners of the building; 3) that lighting will be added to the sides and rear of the building for pedestrian traffic; 4) that a letter be obtained from Todd Babbitt authorizing the applicant for the cutting of the trees; 5) that the new septic system and site plan features are to be installed prior to a certificate of occupancy; and 6) a cash bond in the amount of $1,000. C. Kinnie seconded the motion. There were 4 aye votes and 1 nay vote. The motion was carried.

C. **SE 04-12 Camputaro, Pasquale, Jr. 630 Plainfield Road, Griswold, CT 06351. Property Location: 522 & 6340 Plainfield Road, Griswold.** Request approval of a Special Exception of a proposed addition to existing automotive repair facility with new parking lot and associated site plane improvements with a lot line modification to transfer 10,110 sq. ft. from 630 Plainfield Road to 522 Plainfield Road. Property is zoned C-1 and C-2.

M. McKinney asked for a motion to table.
MOTION: L. Laidley made a motion to table SE 04-12 to the March 12, 2012 meeting. D. DeGuire seconded the motion. All were in favor. The motion was carried.

D. ZP 05-12 Coons, William H., Jr., 500 Four Rod Road, Berlin, CT 06037. Property location: 148 Mathewson Street, Jewett City. Request approval of a Zoning Permit for modification of Site Plan for completion of 69 2-bedroom multi-family condominium complex with associated driveways, parking utilities and landscaping. The property is zoned B-RM.

MOTION: L. Laidley made a motion to table application ZP 05-12 based on the planner's report. D. DeGuire seconded the motion. All were in favor. The motion was carried.

7. Additional Business

8. Old Business

A. Continue consideration of approaches to accelerate time frame for minor updating to sections of the 2007 Plan of Conservation and Development.

C. Fontneau stated that he has made notes for those sections of the PoCD that will be updated or changed. There was discussion of this matter. C. Fontneau suggested that there be a subcommittee to review the changes to be made and bring those changes back to the commission. He suggested that it consist of 2 members and him. He will have the changes to be reviewed for the March meeting M. McKinney stated that we can choose the two members at the March meeting. After discussion, the subcommittee chosen will meet at 5 p.m. on Thursday, March 29, 2012.

B. Discussion of changes to the Zoning Regulations and Zoning Map and Subdivision Regulations as necessary.

9. New Business

M. McKinney asked for discussion regarding a special dinner for G. Rooke-Norman. There was discussion of the matter.

10. Reports from the Enforcement Officer

Peter Zvingilas updated the commission on the matter regarding 67 Talcott Avenue. He gave a history of the cease and desist order and the legal issues in this matter. There was discussion of this matter.

P. Zvingilas stated that the area on Railroad Avenue with the cars is being cleaned up. There was discussion of this matter.

11. Adjournment

M. McKinney asked for a motion to adjourn. D. DeGuire so moved. L. Laidley seconded the motion. All were in favor. The meeting adjourned at 9:20 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary