



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION

PUBLIC HEARINGS & REGULAR MEETING MINUTES

MARCH 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 6:05 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Secretary Courtland Kinnie, Alternates Barbara Lukens, Andrew Drobiak, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Vice Chair Martin McKinney, Members Daniel DeGuire, John Taylor

3. Determination of Quorum:

G. Rooke-Norman appointed A. Drobiak to sit for D. DeGuire and B. Lukens to sit for M. McKinney. There was a quorum for this public hearing.

4. Matter Presented for Public Comment:

A. SE 01-09 Griswold, Town of, 28 Main Street, Griswold, CT. Borough Map and Text Amendments to the Borough Zoning Regulations. Section 2.7 Administrative Procedures; Section 11.2.12 Parking Requirements–Multifamily Housing; Section 11.2.14 Parking Requirements–Gasoline Station/Convenience Stores; Section 13.5 Technical Review–Ordinance 144 Land Use Application Review Fees added to Appendix; Section 13.6.2.13 Sedimentation Control Plan Requirements; Section 14.3 Abandonment–Intentional abandonment of non–conforming uses; Section 15.1 Fees–Ordinance 144 Land Use Application Review Fees; Section 17.2 Variance Notification; Appendix A– Ordinance 144 Land Use Application Processing and Review Fees.

G. Rooke-Norman asked C. Fontneau to explain the Borough text amendments for the record. C. Fontneau reviewed Administrative Procedures; Section 11.2.12 Parking Requirements–Multifamily Housing; Section 11.2.14 Parking Requirements–Gasoline Station/Convenience Stores; Section 13.5 Technical Review–Ordinance 144 Land Use Application Review Fees added to Appendix; Section 13.5 Technical Review, Section 13.6.2.13 Sedimentation Control Plan Requirements; Section 14.3 Abandonment–Intentional abandonment of non–conforming uses; Section 15.1 Fees–Ordinance 144 Land Use Application Review Fees; Section 17.2 Variance Notification; Appendix A– Ordinance 144 Land Use Application Processing and Review Fees.

G. Rooke-Norman stated for the record that the legal notice read the public hearing was at the senior center explained that a public notice was placed on the senior center door that the public hearing would be held at the Town Hall meeting room. D. Szall stated yes.

C. Fontneau explained the changes to the Borough zoning map and that an effective date was needed. G. Rooke-Norman asked if the abutting landowners had been noticed of the changes to the zoning map. C. Fontneau explained that there is no longer a requirement for zoning map changes made by the commission and only zoning changes made by an applicant must notify abutters. There was discussion of this matter.

She asked if there were any questions from the general public. G. Rooke-Norman stated to let the record show that there are no members of the general public or citizens present. G. Rooke-Norman closed the public hearing at 6:41 p.m.

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

1. **Call to order:**

Chairperson G. Rooke-Norman called this public hearing of Griswold Planning & Zoning Commission to order at 6:46 p.m.

2. **Roll Call:**

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

Absent: Vice Chair Martin McKinney, Members Daniel DeGuire, John Taylor

3. **Determination of Quorum**

G. Rooke-Norman appointed A. Drobiak to sit for D. DeGuire and B. Lukens to sit for M. McKinney. There was a quorum for this public hearing. It was determined that there is a quorum for this public hearing.

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

A. SRC 02-08 Text Amendments to Town of Griswold Zoning Regulations, Subdivision Regulations and Borough of Jewett City Zoning Regulations. Text Amendments to the Town of Griswold Zoning Regulations to **Section 4.2.6** Temporary and Limited Moratorium on Residential Subdivisions /Resubdivisions in R-40, R-60 and R-80 zoning districts. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; **Section 5.3.2.1** Temporary Moratorium on Multifamily Units in the R-20 zoning district. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; Text Amendment to Town of Griswold Subdivision Regulations **Section 9.6** Temporary and Limited Moratorium on Residential/Re-subdivisions. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; Text Amendment to Town of Griswold Subdivision Regulations Text Amendment to the Borough of Jewett City Zoning Regulations to **Section 2.8** Temporary and Limited Moratorium on Residential/Re-subdivisions and Multifamily Units. This temporary moratorium will be

effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009.

G. Rooke-Norman asked C. Fontneau to explain the changes to the moratorium. C. Fontneau explained the changes to **Section 4.2.6** Temporary and Limited Moratorium on Residential Subdivisions/Resubdivisions in R-40, R-60 and R-80 zoning districts. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; **Section 5.3.2.1** Temporary Moratorium on Multifamily Units in the R-20 zoning district. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; Text Amendment to Town of Griswold Subdivision Regulations **Section 9.6** Temporary and Limited Moratorium on Residential/Re-subdivisions. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; Text Amendment to Town of Griswold Subdivision Regulations Text Amendment to the Borough of Jewett City Zoning Regulations to **Section 2.8** Temporary and Limited Moratorium on Residential/Re-subdivisions and Multifamily Units. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009.

There was discussion of this matter. G. Rooke-Norman asked for questions from the commission. C. Kinnie asked in Section 5.3.2.1 for multi-family if R-20 was only in the Borough. C. Fontneau explained that the R-20 is for the Town zoning regulations not the Borough; there is no R-20 in the borough.

G. Rooke-Norman asked for questions from the general public. G. Rooke-Norman stated to let the record show that there are no members of the general public or citizen present to ask questions or make comments to the matters presented for public comment. G. Rooke-Norman closed this public hearing at 6:57 p.m.

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

1. Call to order:

Chairperson G. Rooke-Norman called this regular meeting of Griswold Planning & Zoning Commission to order at 7:02 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Secretary Courtland Kinnie, Member John Taylor, Alternates Andrew Drobiak, Barbara Lukens, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Vice Chair Martin McKinney, Member Daniel DeGuire,

3. Determination of Quorum:

G. Rooke-Norman appointed B. Lukens to sit for M. McKinney and A. Drobiak to sit for D. DeGuire. There was a quorum for this regular meeting.

4. Approval of Minutes:

A. Approval of Minutes of the of Special Meeting of February 2, 2009

B. Approval of Minutes of the Public Hearings and Regular Meeting of February 9, 2009

G. Rooke-Norman asked for a approval of the minutes. B. Lukens made a motion to accept the minutes of February 2, 2009 and February 9, 2009. C. Kinnie seconded the motion. All were in favor. The ayes carried.

5. Zoning Regulation & Subdivision Regulation Update

G. Rooke-Norman asked for a motion to pace Item 5 to the end of the agenda. C. Kinnie so moved. B. Lukens seconded the motion. All were in favor. The ayes carried.

6. Correspondence and Attachments:

- A. Letter dated February 2009 from Michelle Bourgeois, Tourism Coordinator, Last Green Valley regarding 19th Annual Walktober 2009 Event
- B. Memo dated February 18, 2009 from Town of Canterbury, regarding special exception application for service establishment.
- C. Letter dated February 27, 2009 from Ken Sullivan, JCDPU, regarding Section 8–24 Review for placement of a 2.5 MW generator at Water Street.

C. Fontneau explained that this was a Section 8–24 review from Ken Sullivan and was under additional business. He stated that K. Sullivan will be here for 7:30. There was discussion of this matter.

C. Fontneau explained that there is a special exception SE 03–09 for a small engine repair at 1580 Voluntown Road that should be placed on the agenda under new business and that it requires setting a public hearing. G. Rooke-Norman asked for a motion to place Lee Sweet Property at 1580 Voluntown Road under new business. J. Taylor made a motion to put SE 03–09 on the Agenda under new business. B. Lukens seconded the motion. All were in favor the motion was carried.

7. Matters Presented for Consideration:

- A. **SRC 01-09 Griswold, Town of, 28 Main Street, Griswold, CT. Borough Map and Text Amendments to the Borough Zoning Regulations.** Section 2.7 Administrative Procedures; Section 11.2.12 Parking Requirements–Multifamily Housing; Section 11.2.14 Parking Requirements–Gasoline Station/Convenience Stores; Section 13.5 Technical Review–Ordinance 144 Land Use Application Review Fees added to Appendix; Section 13.6.2.13 Sedimentation Control Plan Requirements; Section 14.3 Abandonment–Intentional abandonment of non–conforming uses; Section 15.1 Fees–Ordinance 144 Land Use Application Review Fees; Section 17.2 Variance Notification; Appendix A– Ordinance 144 Land Use Application Processing and Review Fees.

G. Rooke-Norman stated that all the Sections except for Section 17.2 were legally noticed in the Legal Notice; all changes were properly notices and sent to the regional planning agency as required by statute. G. Rooke-Norman asked for a motion on SRC 01–09. B. Lukens made a motion that the proposed changes be approved as outlined in the public hearing with the exception of 17.2 and that they be made effective on March 30, 2009. C. Kinnie seconded the motion. All were in favor. The ayes carried.

C. Fontneau stated that there be a similar motion for the zoning map. G. Rooke-Norman asked for a motion for the zoning map. C. Kinnie made a motion to approve the changes the Borough zoning map to have an effective date of March 30, 2009. B. Lukens seconded the motion. All were in favor. The ayes carried.

B. SRC 02-08 Text Amendments to Town of Griswold Zoning Regulations, Subdivision Regulations and Borough of Jewett City Zoning Regulations. Text Amendments to the Town of Griswold Zoning Regulations to **Section 4.2.6** Temporary and Limited Moratorium on Residential Subdivisions /Resubdivisions in R-40, R-60 and R-80 zoning districts. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; **Section 5.3.2.1** Temporary Moratorium on Multifamily Units in the R-20 zoning district. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; Text Amendment to Town of Griswold Subdivision Regulations **Section 9.6** Temporary and Limited Moratorium on Residential/Re-subdivisions. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009; Text Amendment to Town of Griswold Subdivision Regulations Text Amendment to the Borough of Jewett City Zoning Regulations to **Section 2.8** Temporary and Limited Moratorium on Residential/Re-subdivisions and Multifamily Units. This temporary moratorium will be effective on February 1, 2008 and remain in effect and extended for a term ending June 8, 2009.

G. Rooke-Norman asked for text amendment changes concerning moratorium time lines to be brought to June 8, 2009 as detailed in the legal notice and package that went out. She stated that there were no map pieces in that item. She asked for a motion.

C. Kinnie made a motion to approve the extensions modifications to the regulations excluding Section 2.8 for an effective date of March 30, 2009. B. Lukens seconded the motion. There was discussion of this matter including the reason for excluding Section 2.8. G. Rooke-Norman asked for a vote. All were in favor. The ayes carried.

8. Additional Business:

A. JCDPU request for a Section 8–24 Review for placement of a 2.5 MW generator at Water Street in the Borough.

Glen Wilson, CEO of Sustainable Energy Analytics a subsidiary of CMEEC, the Connecticut Municipal Electric Energy Cooperative of which Jewett City Department of Public Utilities is a member. He explained that there are site plans. He explained that CMEEC procures wholesale power. He explained that the transmission and capacity payments will be increasing. He stated explained that peaking generators are used to offset transmission and capacity increases of utilities. He stated that it will also increase the reliability of the system. He stated that they presented the same information to the Inland Wetlands Commission on February 19th regarding the generator. He stated that the peak shaving generators are placed next to substation at School Street.

Michael Brown, 291 Jefferson Avenue New London, explained that the generator is a 2.5 MW generator to help as an emergency source of power for Jewett City until power is restored. He stated that it will help off set costs. He explained that the generator is a clean diesel powered generator where the emission system removes about 90 percent of the nitric oxide and 85 percent of the particulates. He stated that they have filed with the Environmental Protection Agency for Jewett City for the air permits for this particular diesel. He explained that the DEP is interested in this technology since this clean diesel allows DEP to look at the dirtier polluters in Connecticut.

M. Brown explained that the peak shaving generator will be run approximately 300 hours per year during peak times for 3 to 4 hours at a time between noon and 6 p.m. in the evening. The generator is in a sound enclosure and the sound is about 65 Db at 50 feet with normal talking is 70 Db. He explained that the diesel tank was double walled that was monitored and alarmed for

leaks. He stated that they have applied to the Connecticut Siting Council for the proposed location and that the land will be leased from the Jewett City DPU. He stated that they will meet with the BOS. G. Rooke-Norman asked if the proposed generator would be blocking Water Street. M. Brown explained where the generator would be located in line with the substation. P. Zvingilas stated that Water Street does not exist and is owned by the JCDPU. G. Rooke-Norman stated that there is not record of it having been abandoned or discontinued. P. Zvingilas stated that he saw a survey done by Boundaries, LLC that the property was owned by the JCDPU. G. Wilson stated that the street card shows that the JCDPU is the owner of the property. M. Brown showed the commission photographs of the generator. There was discussion of this matter.

Frank Marafioti, engineer explained the location of the road. P. Zvingilas stated that there was no record of turning over the property to the JCDPU. Ken Sullivan submitted a survey showing the flood plain. He explained the CMEEC is joint effort so that everyone will benefit from the generator. P. Zvingilas asked of the generator will go to Jewett City or to other town to shave off the peak. K. Sullivan stated that it would be Jewett City. There was discussion of this matter.

P. Zvingilas stated that the building inspector would not be involved. M. Brown stated that there would still be a need for building permits for the slab concrete pad. Tom Solinsky, CMEEC electrical engineer explained that the project will be done to the state and national codes. He explained that the generator has catalytic reduction equipment for emissions, the tank is a 4000 gall double walled diesel fuel tank with a spill containment fill to catch spills; there will be coffer dams to catch any spills within the container. He explained that the urea double walled contained scrubs the emissions to reduce nitrogen emissions.

T. Solinski addressed the noise issues and decibel levels explained that the Db level of the generator is 62 Dba. (decibel acceleration) M. Brown explained the effects of direct and reverberant sound out doors and in the generator. K. Sullivan stated that the unit will be run three times a month for 2 to 3 hours at a time in the afternoons during peak times for a maximum of 300 hours per year. T. Solinski explained the peak times as in the morning and in the afternoons between noon and 6 pm, Monday through Friday in two hour blocks. He asked for questions from the commission.

B. Lukens asked if the sound levels will degrade over the life of the generator, T. Solinski stated that the engine will be maintained regularly and will have one major maintenance and four minor maintenances per year. He stated that the level of use will not degrade the generator. M. Brown explained that the catalytic convertor must be maintained to the State DEP standard and to be in compliance with the state permit. T. Solinski stated that there will be steel studs in the contain and the generator. F. Marafioti explained that the plan shows sound baffles in the large portion of the 14 ft by 56 ft. container that is 23 ft. high. He explained that the container will be 10 ft, higher than the retaining wall.

G. Rooke-Norman stated that she was concerned for the sound echoing to the residents. M. Brown stated that the generator will be in the sound attenuating enclosure. There was discussion of this matter.

G. Rooke-Norman asked if there would be a fence since she was concerned that it would become an attractive nuisance. T. Solinski stated that there would be a fence because CMEEC does not want the generator to become an attractive nuisance. There was discussion of this matter.

F. Marafioti explained the landscaping details that will be installed for the project. P. Zvingilas asked what kind of trees would be planted. G. Wilson stated the trees will be blue spruce. G.

Wilson stated that the project is approximately \$130 million. He explained the alarming system for the project doors, fencing and fuel tanks.

B. Lukens asked if the cost would go down for the residents. G. Wilson stated that the residents would see a cost benefit starting on January 2010. There was discussion of this matter.

A. Drobiak asked about the lighting. F. Marafioti explained there is an existing pole with a non-glare facility light and explained the detail sheet. M. Brown stated that the pole will be moved out of the way. G. Rooke-Norman asked K. Sullivan about the access for emergency vehicles. K. Sullivan stated that the pole will not be in the way of the road for emergency access.

T. Solinski explained that the equipment is a standard width of 13 feet. G. Rooke-Norman asked about the overhead wiring. He stated that the overhead wiring meets the National Electric Safety Code requirements.

G. Rooke-Norman asked about the erosion and sedimentation control measures. A. Drobiak asked how far apart the trees were. F. Marafioti stated that the trees are fifteen feet apart. There was discussion of this matter.

C. Kinnie asked about the urea tank and how often it would be filled. T. Solinski stated that it was a 1550 gallon tank and uses 14 gallons maximum to create a chemical reaction to vaporize the emissions and he explained the process to the commission.

G. Rooke-Norman asked the height of the tree plantings. F. Marafioti stated that the trees would be 5–6 ft and a 2 inch caliper; he stated that there is no note on the plan. There was discussion of this matter. F. Marafioti stated the note will be added to the plan for the trees, the roadway and the pole relocation.

J. Taylor asked if a public hearing was necessary. C. Fontneau explained that this is a Section 8–24 review and it is exempt from planning and zoning regulation by the siting council. C. Fontneau stated that he will compose a letter to the BOS. G. Rooke-Norman asked about the time frame. C. Fontneau stated the commission has 35 days to send a letter to the BOS. There was discussion of this matter.

G. Rooke-Norman stated that she thought that the fence should be higher than 6 ft. G. Wilson stated that the substation has an 8 ft. fence and the fence for the generator will match the 8 ft. height. T. Solinski stated that the liability insurance company dictates the height and grade of fencing to be used, including 3 strands of barbed wire, and placards on the fence. There was discussion of this matter.

G. Rooke-Norman stated that she would like to see the changes on the site plan before the review and to see the draft letter at the 4/13/09 meeting. She stated that she was also concerned who actually owned the land. K. Sullivan stated that Boundaries, LLC did documentation that the Borough owned the land and they have a letter in the file from the Borough granting permission to use the property. He stated that he will research the land records. He thanked the commission.

9. Old Business

There was no old business.

10. New Business:

A. SE 03–09 Lee Sweet, 1580 Voluntown Road, Griswold, for a small engine repair facility.

C. Fontneau stated that a public hearing is required for this application. G. Rooke-Norman asked for a motion. J. Taylor made a motion to set a public hearing for SE 03–09 Lee Sweet application on April 13, 2009 at 6:30 p.m. A. Drobiak seconded the motion. All were in favor. The ayes carried.

11. Reports from the Enforcement Officer:

A. P. Zvingilas asked the commission for their opinion regarding the replacement of a 14 ft. x 60 ft. mobile home with a 22 ft. x 60 ft mobile home on an individual lot. B. Lukens asked if the mobile home would be on a foundation. P. Zvingilas stated no. There was discussion of this matter including that mobile homes are taxed as real property. P. Zvingilas stated that there is an ordinance than covers this matter. G. Rooke–Norman asked him to bring the ordinance to the April 13, 2009 meeting.

B. P. Zvingilas asked the commission for their opinion regarding expanding the accessory in–law regulation to include a caregiver. G. Rooke-Norman stated that there must be an adjoining door to the two living units and also a size restriction. There was discussion of this matter.

C. P. Zvingilas stated that there are storage trailers for the electrical subcontractor for the middle school building project that are located at the Slater Mill Mall and that they will be submitting a zoning permit application to allow the storage containers to be placed at the mall. G. Rooke-Norman stated that notice should be sent to the superintendant of schools and the school building committee. J. Taylor will send a notice regarding the electrical contractor locating storage containers at the Slater Mill Mall.

D. P. Zvingilas asked the commission for their opinion regarding keeping chickens as pets in the Borough. G. Rooke-Norman stated that it would be prohibited in a dense area and would be a possible health hazard such as salmonella. There was discussion of this matter. G. Rooke-Norman asked C. Fontneau what was in the regulation. C. Fontneau stated that the regulations are permissive regulations and if it is not in the regulation, then it is not permitted.

G. Rooke-Norman asked the commission for a date to do a workshop to discussion the town regulations and subdivision regulations. There was discussion of this matter. G. Rooke-Norman asked for a motion.

J. Taylor made a motion to set a workshop to discuss the town and subdivision regulations for March 23, 2009 at 6:30 p.m. B. Lukens seconded the motion. All were in favor. The ayes carried.

12. Adjournment:

G. Rooke-Norman asked for a motion to adjourn. J. Taylor made a motion to adjourn. A. Drobiak seconded the motion. All were in favor. The meeting adjourned at 9:15 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary