



# Town of Griswold



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## GRISWOLD PLANNING & ZONING COMMISSION

### MINUTES OF PUBLIC HEARING AND REGULAR MEETING APRIL 13, 2009

GRISWOLD TOWN HALL-FIRST FLOOR MEETING ROOM  
28 MAIN STREET, JEWETT CITY, CT 06351

#### I. PUBLIC HEARING

1. The public hearing was called to order at 6:30 P.M. by Chairwoman Gail Rooke-Norman
2. Present were members Gail Rooke-Norman and John Taylor and Alternate Barbara Lukens. Chairwoman Rooke-Norman seated Lukens place of member Martin McKinney. Town Planner Carl Fontneau was present and would provide minutes in place of absent Donna Szall.
3. There was a quorum present to conduct the public hearing.
4. Special Exception Application SE 03-09 for small engine repair facility in the C-2 District under Section 7.3.11 of the Griswold Zoning Regulations was requested by applicant/owner Lee Sweet for property located at 1580 Voluntown Road.

Lee Sweet began to explain the details of his site plan for a small engine repair facility including mostly lawnmowers, lawn tractors, leaf blowers and the like in the first floor front of an existing building where he resides in the rear of the second floor and there is another family on the second floor of this legal non-forming mixed use building. Chairwoman Rooke-Norman asked if he had provided the required notice of this hearing to abutting neighbors. He stipulated that he had done so and submitted certificates of mailing and some returned green cards to the project file. He continued to explain that much of this business was seasonal and would be done outside on the site using a 8 x 8 foot newly installed shed for storage of tools. Most of his small engine repair business would be conducted outside and seasonally since no high volume needs (one to two customers per day) are anticipated for repairs of this type. Sweet presented some pictures for the file of the existing conditions on the site and represented that there would be no new building (beyond interior renovation on the first floor) or alteration to the 0.95 acre site associated with this Special Exception. He referred to the letter he had submitted to the file which requested waivers from the A-2 accuracy requirement of the site plan (Section 13.2), Section 11.8 additional landscaping requirements, and Section 13.4 relating to erosion and sedimentation control plan based on their being no new modifications being made and their being enough information provided to evaluate the application. Sweet responded to some questions from PZC members including stating that the hours of operation would be 8 A.M to 5 P.M. Monday through Friday and 8 A.M. to 1 P.M. on Saturday and stating that there would be maintenance testing of repaired units only during these hours.

The Chairman asked if there were any questions from the interested public. Mary Chapman of 1570 Voluntown Road identified herself as an abutting neighbor in the rear sharing a common driveway with the applicant. Her concerns included confusion on the site plan over where the common boundary with her and the applicant's property actually was. There was an existing shed near her boundary that was not on the site plan and the row of arborvitae shown on the plan on Sweet's property really were on hers. Sweet acknowledged both issues and stated that the arborvitae actually were on the Chapman property and agreed to add the existing shed which he stated was not intended to be part of the small engine repair business. Sweet also acknowledged that the new 8 x 8 foot shed that he proposed as part of the permit application had to be moved to another location that was zoning compliant. A second resident David Neiminen of 7 Sheldon Road supported commercial enterprise in general but had some specific concerns about parking of customer cars along either side of Route 138 Voluntown Road, whether there would be an off-road display area at 1580 Voluntown Road that would replace activity on the leased site directly across the road, and suggested that more landscaping be added as a buffer to nearby residential sites.

The PZC members questioned the applicant about where on the site plan the 8X8 foot new shed might be moved, about whether the location of the existing shed, a more precise rear boundary showing that the arborvitae were located on the Chapman property, building setback lines ,building size dimensions or indoor office dimensions on the first floor and some kind of scale statement could be modified or added on an improved site plan.

Mary Chapman of 1570 Voluntown Road asked again about where any display area might be located on the 1580 site and whether the outside commercial display activities would continue on the leased property across the road from 1580 Voluntown Road. She also expressed similar concerns about whether customers would be parking on the edges of Route 138/Voluntown Road. She also added concerns about sightline available in either direction along Route 138 if cars had to back out onto this highway. Some discussion occurred among PZC members, applicant and David Neiminen about the sightline probably being adequate in this stretch of road.

PZC members expressed their concern about many aspects of the site plan presented by the applicant being inadequate...many of these features being in Section 13.3 Site Plan Ingredients which is a section that the applicant had not asked for a waiver. In order to give the applicant some guidance about what was lacking in the application materials, PZC discussed the waivers that had been requested and explained that a vote on waivers would have to occur in the decision phase after the public hearing was closed. This evening they could only give some kind of non-binding consensus of their later decision on the waiver requests. By consensus, the PZC felt that an A-2 accuracy survey under 13.2 would not be required, that additional plantings in response to 11.8 would not likely be required, and no erosion and sedimentation control plan under 13.4 would likely be required. However, the applicant should modify the site plan he submitted to include missing elements required in 13.3 Site Plan ingredients. These modification to the site plan should also include response to concerns suggested in the present public hearing including but not limited to relocating the 8 x 8 shed as zoning compliant, locating the additional existing shed in the rear, revising the rear property boundary to show the arborvitae on the Chapman property, identify sightline available in both directions on Route 138, show a display area location for small engine repair units/any units that may be for sale,

show more clearly off road parking areas/loading area and ability to turn around rather than backing onto Route 138 and review submittals to see if any further waiver requests are required and justified.

After some discussion, Taylor MOVED, SECONDED by Lukens, to continue the public hearing for SE 03-09 until 6:30 P.M. on May 11, 2009. MOTION CARRIED unanimously.

## II. Regular Meeting (7:00 P.M.)

1. **Call to Order:** Chairwoman Rooke-Norman called the regular meeting to order at 8:05 P.M.
2. **Roll Call:** Members Rooke-Norman and Taylor were present; Alternate Lukens was seated in the place of Member Martin McKinney by the Chairwoman.
3. **Determination of Quorum:** Chairwoman Rooke-Norman determined that there was quorum present to conduct business.
4. **Approval of Minutes:** Lukens MOVED, SECONDED by Taylor to accept the minutes as amended for Special Meeting of February 23, 2009 and Public Hearing/Regular Meeting of March 9, 2009. MOTION CARRIED unanimously.
5. **Zoning Regulation and Subdivision Regulation Update:** In the interests of the flow of the meeting, Lukens MOVED, SECONDED by Taylor to move this item to the end of the meeting agenda. MOTION CARRIED unanimously.
6. **Correspondence and Attachments:** Chairwomen acknowledged the individual items of correspondence and there were no comments on any item.
7. **Matters Presented for Consideration**

**7A. SE 03-09 Lee Sweet, applicant, property at 1580 Voluntown Road.** Applicant requests Special Exception for a small engine repair facility in the C-2 Zone. Taylor MOVED, SECONDED by Lukens, to table SE 03-09 until the regular meeting of May 11, 2009. MOTION CARRIED unanimously.

**7B. ZP 05-09 Slater Mill Associates, applicant, property location 49 Wedgewood Drive, Jewett City in the Borough-Industrial Zone.** Applicant requests approval of a Zoning Permit to place six (6) 10 x 20 foot above-ground temporary overseas storage containers on an existing concrete slab. Todd DeMaio, manager for Slater Mill Associates, described the details of the application. The temporary storage containers contained only electrical contractor supplies, metal piping, and contractor tools that would be mobilized from the project site and used/installed in the Middle School project. No hazardous or flammable substances would be stored in the containers as a part of a long term lease arrangement. The concrete slab on which the storage containers are located is part of an earlier building foundation which had been demolished to existing grade. The location of these containers was within Inland Wetlands jurisdiction where the wetlands permit application was still pending. PZC members suggested that the applicant put dimensions of the storage containers on the site plan and review the requirements of Section 10.7 which require more frequent renewal and fees than annually. PZC directed staff to ask the Town Attorney what flexibility the Commission had to revise or waive elements of this section recognizing that there would be a need for these storage containers beyond the more 3 to 6 month period usually encountered. Since PZC could not act without a report from Inland Wetlands on this permit, Lukens MOVED, SECONDED by Taylor, to table ZP 05-09 until the regular meeting of May 11, 2009.

## **8. Additional Business**

**8A. SE 04-09 Sheldon Oak Central, Inc., applicant, property location 54 North Main Street, Jewett City.** With the endorsement of the owner, applicant requests a Special Exception for conversion of the St.Mary School building and site to a proposed 25 units of elderly housing in the Borough-Commercial Zone. Staff suggested that only two issues could be discussed this evening, whether/when to set a public hearing and whether to grant a request for full or partial waiver of application and additional land use review fees under Ordinance Section 144. Since site plans, application materials, fees, and required stormwater calculations were available in the project file, Lukens MOVED, SECONDED by Taylor, to set a public hearing for SE 04-09 at 6:50 P.M on May 11, 2009 in the first floor meeting room of Town Hall, 28 Main Street. MOTION CARRIED UNANIMOUSLY. The second question of waiver of fees was discussed and evidence that Sheldon Oaks Central was qualified to ask for such a waiver was presented. Because of the poor state of the local economy and possible impact on the next yearly budget and the fact that the application contained materials that required review by a consulting Town Engineer whose fees which have to be paid, the PZC members saw some difficulty in granting the waiver of land use application and review fees in the present economic climate. Lukens MOVED, SECONDED by Taylor, that these fees not be waived because of the need to cover costs in the present economic challenge. MOTION CARRIED unanimously.

## **9. Additional Business**

**9A. Jewett City DPU request for a Section 8-24 Planning Commission Review for placement of a 2.5 megawatt diesel generator at 31 School Street, Jewett City.**

Representatives of JCDPU and CMEEC were available to explain a revised site plan including modifications suggested in the March 9, 2009 regular meeting. Several additional suggestions were discussed including identifying the pole number of existing and relocated poles and specifying full-cut off light fixtures on the yard lights to be installed preventing glare off the property. Additional blue spruce plantings that were proposed were on a 6 to 7 foot spacing and six inches in caliper at the base would provide a more rapidly grown visual barrier. Additional plantings possibilities were discussed. PZC suggested that JCDPU/CMEEC submit a letter of understanding to the Commission that peak shaving operations (outside of the separate emergency need for replacement power in the Borough) be confined to the hours from 8 A.M. to 9 P.M. After some additional discussion of the overall operation of the proposed diesel generator facility, the PZC members discussed the possible wording of a complicated draft motion. Rooke-Norman MOVED, SECONDED by Taylor to issue a positive Section 8-24 review for this diesel generator project contingent on the applicant achieving several factors:

1. Maximum decibel level within 50 feet of the containment area would be no more than 65 dBA at all times;
2. Hours of operation are limited to periods between 8 A.M. and 9 P.M. daily and maximum hours of operation annually would no more than 400 hours as certified by Jewett City Department of Public Utilities (JCDPU);

3. The unit actually installed must be equipped with all safety features, emissions controls, and sound muffling devices and so forth as described and presented to Griswold PZC on March 9, 2009;
4. Spill prevention measures and spill control features shall be maintained by JCDPU as certified by JCDPU at the hearing, including alarms and double-walled diesel tanks;
5. The generator and enclosures shall not encroach on the paper road "Water Street", a road in the Town of Griswold;
6. The height of the enclosure fence shall be increased to eight (8) feet including fence heights (over 8 feet) leading up to the retaining wall at the back of the generator; fence height on the retaining wall shall be a minimum of 8 feet; and those changes shall be shown on the revised plan prior to the issuance of a building permit; and
7. Additional landscape planting shall be added to the plan, as required by PZC, for visual and auditory screening, and shown on the revised plan.

MOTION CARRIED unanimously. Recognizing that this project is exempt from what would have been a Zoning Permit procedure, the Griswold Planning and Zoning Commission appreciated the opportunity to provide more detailed comments for evaluation by the Connecticut Siting Council as included in the above Section 8-24 review. PZC also requested that the Board of Selectmen pass along or indicate all of the conditions shown in the above review to the Siting Council if they are asked to comment or support this project.

## **10. New Business**

**10 A.** PZC received by consensus a new request received after the agenda was filed from the Griswold Housing Authority for a planning review under Section 8-24 of future proposed site plan modifications at Ashland Manor. Because of the hour, Taylor MOVED, SECONDED by Lukens to table this item until the regular meeting of May 11, 2009. MOTION CARRIED unanimously.

**5. Zoning Regulation and Subdivision Regulation Update:** Moved from earlier in this Evenings agenda. Because of the hour and competing meetings elsewhere, Lukens MOVED, SECONDED by Taylor to set a Special Meeting for the purposed of discussing draft zoning regulation and subdivision regulation changes for 6:30 P.M. Monday May 4, 2009.

**11. Reports from the Enforcement Officer:** None; no comments available

**12. Adjournment:** Taylor MOVED, SECONDED by Lukens to adjourn this meeting at 8:31 P.M. MOTION CARRIED unanimously.

Respectfully submitted,

Carl S. Fontneau, Town Planner

