



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION

**Unapproved Minutes
FOR DISCUSSION ONLY**

PUBLIC HEARING & REGULAR MEETING MINUTES

MAY 9, 2011

GRISWOLD TOWN HALL

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

1. Call to order:

G. Rooke-Norman called this public hearing of the Griswold Planning and Zoning Commission to order at 6:40 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Secretary Courtland Kinnie, Members Daniel DeGuire, Alternate Erica Bevis, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Member Martin McKinney, John Taylor, Alternates Heather Edge, Lawrence Laidley,

3. Determination of Quorum:

G. Rooke-Norman appointed E. Bevis to sit for J. Taylor. There was a quorum for this public hearing meeting.

4. Matter Presented For Public Comment

A. SE 03-11, GC of Taftville, LLC, 9 Wilderness Acres Drive, Preston, CT 06365. Property Location: 2 business Park way, Griswold. Applicant request approval of a Special Exception under Section 6.3.4 for a Restaurant as well as retail, hair salon and office uses in a proposed commercial building. The property is zoned C-1.

G. Rooke-Norman asked if there was someone to represent the applicant. John Faulise, Boundaries, LLC was present the applicant Gaston Cyr who was also present. J. Faulise submitted the certificates of mailing to the Commission. G. Rooke-Norman asked if it was his representation that all abutters received notice. J. Faulise stated yes. J. Faulise submitted an approval letter dated 5/4/11 from Uncas Health District. He stated that copies were submitted of the 3/28/11 Erosion and Sedimentation and bond estimate in the amount of \$22,388. He stated that copies were submitted the stormwater and drainage plan.

J. Faulise read for the record and submitted a copy of the letter dated 5/9/11 from CLA engineering to C. Fontneau regarding Bob Deluca's review of the plan with the latest modifications. J. Faulise stated that 11 copies of the architectural drawing showing the elevations of the proposed building had been submitted the end of April. He read the architectural details for the record. He explained the added features to the structure with the front elevation overhang are to have columns at each end of the building and between the windows. He explained that the doorways of each unit will have a roof structure. He stated that the building is 80 feet long. He explained that there will be a rear access for

each of the four units. He explained that the two gable ends will have a molding and with two different materials to break up the side elevations of the building.

J. Faulise explained the 26 spaces for parking and the locations of the ADA parking with ramping to the building and the locations of the sidewalks, landscaped island and a grassed island for the septic location with a manhole for access. He explained the location of the dumpster enclosure on a concrete pad and stockade fencing that will be accessed by the four units. He explained the 10 ft by 30 foot loading area at the north side and the location of the sidewalks at the rear of the building.

J. Faulise explained the sheet flow drainage and the infiltrations swales that terminate in drywells that are connected under the driveway by a pipe at the entrance to Park Way; the overflow is to the catch basin in the lawn area. He explained that the stormwater system was reviewed by Bob DeLuca of CLA Engineering and was found to be appropriate.

J. Faulise explained that there will be a 1000 gallon underground propane tank that will service the four units. He stated that the 32 sq. ft. sign will be ground mounted and have external ground mounted lighting.

J. Faulise stated that the modifications recommended by CLA for the entrance was modified to 32 ft. from Park Way into the site; and the radii were changed for freedom of movement of SU 30 truck use. He stated that the parking was reduced from 11 spaces to 10 spaces to open up the radius around the island on the NW parking bay. He stated that the exits were increased for ease of egress.

J. Faulise explained that the 4 units of the 4,000 sq. ft. building would not generally require tractor trailer deliver but may back in if absolutely necessary for the uses provided. He stated that each unit is 1,000 sq. ft. utilizing a total of 26 spaces. He stated that there were no significant tenants but that any tenant must come before the commission for any changes the unit such as signage. He explained that the parking was based on there being food service, a salon, office space, and retail space where the salon and the food service would require the most parking; there would be flexibility with the parking and there is space for additional parking if necessary at the southern end of the site.

J. Faulise explained Sheet 2 for the storm water drainage and erosion control. He stated that the septic system is beneath the parking area in front of the building, the grease trap tank is located north of the building with a two manhole access.

J. Faulise explained Sheet 3 for the erosion and sedimentation controls and the construction narrative as well as the construction sequence and signage. He stated that the sign will be at the south end of the build at 32 sq. ft. He stated that perforated pipe will be used in the recharge swales as suggested by Bob DeLuca for additional water storage; and the trenches are connected with a solid pipe running under the driveway. J. Faulise explained that the curbing will be of extruded concrete to provide more stability. G. Rooke-Norman asked if it would be off white. J. Faulise stated yes and it will be easier to maintain.

G. Rooke-Norman asked for questions. E. Bevis asked about the parking spaces. J. Faulise stated that there are 26 parking spaces. She asked if that included employee parking. J. Faulise stated yes. P. Zvingilas asked if there would be curbing. J. Faulise stated that the grading was designed for sheet flow but that there will be curbing in other areas to allow sheet flow the swales. P. Zvingilas asked if there would be tire stops. J. Faulise stated that there would be tire stops. J. Faulise explained the grad changes from the edge of the driveway. Gaston Cyr, the applicant, suggested that a rail fence be used instead of wheel stops. G. Rooke-Norman stated that a note be added that either or will be used as wheel stops.

G. Rooke-Norman asked where the utility boxes are and if they could be moved to the corner that is not being used. J. Faulise explained that that area is close to the roadway and that the buffer would not allow for them to be moved there. G. Rooke-Norman suggested squaring up the exits. J. f stated that

squaring the exits would lose some parking spaces. G. Rooke-Norman that the reserve parking is far enough away from the exit. J. Faulise stated yes.

G. Rooke-Norman asked if there were any other questions. C. Kinnie stated that the parking requirements may be less depending on the tenant. J. Faulise stated yes.

G. Rooke-Norman opened the public hearing either to the public for or against the application.

Bruce Lacy asked about the water usage and what was expended from the well and out it would affect the wells in the area. J. Faulise stated that the water is dependent upon the final uses of the building explaining that a restaurant and a salon would use the most water. He explained that the well is on the south side of the building closer to Route 138. He stated that the well would be overseen by the State Health Department.

B. Lacy asked if there were specific hours of operation for the possible restaurant use. J. Faulise explained that hours of operation are not part of the Town regulations. He stated that the hours of operation have not been established.

M. McKinney arrived at 7:15 p.m.

G. Rooke-Norman asked if it was adjacent to a residential use. J. Faulise stated yes, there was a 4 unit residential use in a commercial zone. G. Rooke-Norman asked if the restaurant would be open past midnight. J. Faulise stated that he did not think that the area would support a restaurant open that late.

M. McKinney asked the square footage of the structure. J. Faulise stated that it was 4000 sq. ft. B. Lacy was concerned for the restaurant having a liquor license. G. Rooke-Norman stated that liquor permitting was by State license. P. Zvingilas state that there was a church down the road and the regulations read not within 1000 feet of a church, school, etc.

G. Rooke-Norman asked if the applicant was willing to add maximum hours of operation to the site plan. J. Faulise stated that the restaurant would not be open beyond midnight and, in a diner situation, it would be open no earlier than 5 a.m. G. Rooke-Norman asked if 5 a.m. to Midnight would be acceptable.

B. Lacy asked if two or more units were combined to create a larger 2,000 sq. ft. restaurant and he was concerned for the water usage, odors and more traffic. J. Faulise stated that that problem does not exist because there is not enough room to accommodate the necessary parking for that size or larger restaurant such as 4,000 sq. ft. and the septic system would not allow for a 4,000 sq. ft. facility. He stated that it is limited by Health Department restrictions. G. Rooke-Norman stated that it could be a 2,000 sq. ft. restaurant. J. Faulise stated that it would not meet the parking requirements. P. Zvingilas stated that it is 5 spaces per 500 sq. ft.

G. Rooke-Norman asked for other questions from the public or from commission members.

C. Kinnie stated that the parking should be expanded the two additional parking spaces and do the calculations to take them into account. J. Faulise stated that they do. C. Kinnie stated that the spaces should be added to the plan.

G. Rooke-Norman stated that there should be a handicapped space at the end. J. Faulise stated that there would be a problem ramping it to the building at that end.

J. Faulise stated that the bond estimate is \$22,288. He stated that 4 inches of top soil, 513 cu. yd., amounting to \$14,364, was removed from the site and that we want to bring it back. He was asking for some latitude as part of the construction process from the commission for the top soil. G. Rooke-

Norman stated that it will be brought back. J. Faulise stated no it was from the construction area of the site.

G. Rooke-Norman stated to let the record show that M. McKinney is present and that L. Laidley has arrived.

C. Kinnie asked about the ground mounted lighting for the sign. J. Faulise stated that it was a free standing sign and the sign would be lit from the ground externally directing light at the sign south of the entrance drive. M. McKinney asked if it was external lighting. J. Faulise stated yes the lights are external and there will be cut off wall packs on the building facing south. G. Rooke-Norman asked if they are shielded and cast the light directly down. J. Faulise stated yes. M. McKinney asked there are pole lights. J. Faulise explained that there will be pole lights along the parking perimeter are hooded box type lights directly below. G. Rooke-Norman asked if the lights would shine at the residential use. J. Faulise stated that it would not shine on the residential use.

G. Rooke-Norman asked J. Faulise to write a note that could be added to the site plan for the hours of operation from 5 am to midnight. J. Faulise will include a note for the hours of operation from 5 am to midnight, the additional two spaces.

G. Rooke-Norman asked D. DeGuire if the plantings were acceptable. D. DeGuire stated that the plantings are acceptable. C. Kinnie asked that a note be included for the timber rail fence.

B. Lacy stated that the original approvals for the development there was a large meeting and look at why there were restrictions and there are variances now. G. Rooke-Norman explained that the original development was a special exception because it must come to a public hearing for a use in the C-1 zone. She stated that there have been no requests for waivers to the regulations for this application. There was discussion of this matter.

J. Faulise read for the record the notes to be added to the site plan and submitted it to the file.

G. Rooke-Norman stated that the plan was modified to limit the hours of operation from 5 am to midnight, to install wood timber rail fence along the easterly portion of the parking field, to add 2 additional overflow parking spaces at the southerly end of the proposed parking field and to show changes to the architectural design, columns in the front of the building, peaks on each front entrance and siding changes to both gable ends and a request for relief on the bond calculations.

G. Rooke-Norman asked if there were any other questions.

G. Rooke-Norman asked for a motion to close the public hearing. M. McKinney made a motion to close the public hearing. D. DeGuire seconded the motion. All were in favor.

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

1. Call to order:

G. Rooke-Norman called this regular meeting of the Griswold Planning & Zoning Commission to order at 7:40 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Secretary Courtland Kinnie, Members Daniel DeGuire, Alternates Erica Bevis, Lawrence Laidley, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Member John Taylor, Heather Edge, Town Planner Carl Fontneau

3. Determination of Quorum:

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

4. Approval of Minutes:

A. Approval of Minutes of the Public Hearing and regular meeting of April 11, 2011

G. Rooke-Norman asked for a motion on the minutes. D. DeGuire stated that he had recused himself from the DiRoma matter. M. McKinney made a motion to approve the minutes as amended. D. DeGuire seconded the motion. D. Szall will make the corrections to the minutes.

5. Correspondence and Attachments:

A. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Spring 2011, Volume XV, Issue 2

G. Rooke-Norman that there are workshops at the Brooklyn Extension Service and anyone who is interested can attend. G. Rooke-Norman asked D. Szall to fax her regarding that information if it is not in the office. D. Szall will send it to the members.

6. Matters Presented for Consideration:

A. SE 03-11, GC of Taftville, LLC, 9 Wilderness Acres Drive, Preston, CT 06365. Property Location: 2 business Park way, Griswold. Applicant request approval of a Special Exception under Section 6.3.4 for a Restaurant as well as retail, hair salon and office uses in a proposed commercial building. The property is zoned C-1.

G. Rooke-Norman stated that this was the application of an earlier public hearing this evening. M. McKinney stated that it was straight forward and that the bond should be reduced by \$4,000 from \$14,000 to \$10,000. G. Rooke-Norman stated that the bond should be \$18,000.

G. Rooke-Norman stated that there is language in the staff report C. Fontneau provided. G. Rooke-Norman asked P. Zvingilas that C. Fontneau comments that the commission discuss zoning compliance for this site. P. Zvingilas stated no, the review was for the parking requirements and for impervious coverage.

M. McKinney made a motion to approve SE 03-11 with the following modifications outlined in the letter submitted by the applicant: 1) limit hours of operation from 5 am to midnight, 2) to install wood timber rail fence along the easterly portion of the parking field 3) to add 2 additional overflow parking spaces at the southerly end of the proposed parking field; 4) reduction of the bond of \$4, 000 in the amount of \$18,388 passbook account performance guarantee in the name of the Town of Griswold to ensure erosion and sedimentation control are installed and maintained as well as ensure that site restoration/stabilization is don should the site be abandoned; balances to be released at the time of Certificate of Occupancy. D. DeGuire seconded the motion. All were in favor. The ayes carried.

B. OR 04-11 Turlington, Lauri & Kamienski, Laura, 22 Barber Road, Griswold, CT 06331. Request an official ruling on continued use as a two-family dwelling which existed since the 1950's prior to zoning with permits as a two-family for electric service upgrades for three meters and new drilled well in 2008 and a 50 plus year old identical floor plans on each level including kitchens making it not conducive for a single family dwelling. Property is zoned C-2.

G. Rooke-Norman asked if there was someone representing the applicant was present. Laura Kamienski, 78 Crary Road. She explained that this is an old 100 year old house that has been set up as a two family in the 1950's with two identical layouts on each level previously owned by the Stotts. She would like to continue this two family use. M. McKinney asked where it was located. L. Kamienski stated that it was the last house on the left on Barber Road. G. Rooke-Norman asked if it was listed as a two family. L. Kamienski stated not it was not. P. Zvingilas stated that there were modifications on the first floor; but the upstairs apartment is typical cabinets of a 1950's kitchen. L. Kamienski wants to update it but wants to do it legally. P. Zvingilas stated that there is an entrance that goes directly upstairs from the front. L. Kamienski stated that each unit has three entrances. P. Zvingilas stated that there was a permit for a drilled well and was listed for use as a two family. G. Rooke-Norman stated that there was an meter upgrade to three meters. L. Kamienski stated that there is an owner's meter for lighting for the public areas, and a meter for each unit. There was discussion of this matter.

D. DeGuire asked what we were looking for. G. Rooke-Norman stated that the applicant is looking for us to find that it is a pre-existing nonconforming 2 family and therefore as long as it has not been abandoned. L. Kamienski stated that bank had to evict the second floor tenants out.

M. McKinney made a motion to find that in regard to 22 barber road that the existing two family is a pre-existing, non conforming use; and therefore as long as it has not been abandoned, it may continue as a tow family with the representation by P. Zvingilas that it looks like it was made in the 1950's and the documentation before us. D. DeGuire seconded the motion. All were in favor. The ayes carried.

7. Additional Business:

- A. Discussion of future changes to zoning regulations
- B. Continue consideration of approaches to accelerate time frame for minor updating of section of the 2007 Plan of Conservation and Development.

M. McKinney made a motion to table all additional business to the next regular meeting on June 13, 2011. D. DeGuire seconded

8. Old Business

- A. Continued consideration of DelMac LLC request for release of passbook funds for "off-site" work on future hotel site which was required for Petro Max travel center completion

G. Rooke-Norman stated that there is no one here representing the application. M. McKinney made a motion to table DelMac LLC to the next regularly meeting on June 13, 2011. D. DeGuire seconded the motion. All were in favor. The ayes carried.

9. New Business:

G. Rooke-Norman stated that there are items in the read along to add these items to the agenda. G. Rooke-Norman stated that these items dint not get on the agenda. G. Rooke-Norman asked if these came in after the April 27, 2011 agenda. D. Szall stated the items came in after the agenda date.

- A. There was discussion of OR 02-11 for an ambulance garage with the associated supply storage be include in the C-2 zone. P. Zvingilas stated that this appears to be an oversight in the regulations because they are allowed in the residential zone. D. DeGuire recused himself from this matter. D. Szall made a point of order that a motion is needed to place this item on the agenda.

M. McKinney put OR 02-11 George Tryon on the agenda. C. Kinnie seconded the motion all were in favor. The ayes carried.

G. Rooke-Norman stated that a motion is needed to find that the ambulance garage is a use allowed under the special exception in the C-1 zone. C. Kinnie stated that this was discussed that it was an oversight to put this as a special exceptions in the C-2 zone. G. Rooke-Norman stated that the other medical uses are by a special exception. C. Kinnie stated yes.

C. Kinnie made the motion that an ambulance garage use is equivalent to the other medical uses under Section 6.3.2 uses allowed by special exception in a C-1 zone. M. McKinney seconded the motion. All were in favor. The ayes carried

10. Reports from the Enforcement Officer:

A. Consideration of location of Slater Library sign on adjacent Town property.

P. Zvingilas explained that the Slater Library wants to pup up a sign on the side that is actually on town property as an 8-24 Review for a use on town property that has not been established. He explained that the Slater library is only 5 feet from the property line so they would like to put the sign on the grassy area owned by the town. P. Zvingilas stated that it was not detrimental to the town. G. Rooke-Norman stated that we are looking for a motion that upon statutory review we make a recommendation that the location of the Slater library sign on the adjacent town property should be approved. D. DeGuire stated that he questioned that if the town hall is sold what would happen. G. Rooke-Norman stated that they would have to negotiate with the new owners. M. McKinney stated that there should be an easement given. There was discussion of this matter.

D. DeGuire made a motion that upon a statutory review by Planning and Zoning, we recommend that there be a town municipal approval of the Slater Library sign being located on adjacent town property and that the appropriate easement to be put in place.

11. Adjournment:

G. Rooke-Norman asked for a motion to adjourn. D. DeGuire made a motion to adjourn. C. Kinnie seconded the motion. All were in favor. The meeting adjourned at 8:10 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary