



# Town of Griswold



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## GRISWOLD PLANNING & ZONING COMMISSION

### SPECIAL MEETING MINUTES

MAY 24, 2010

GRISWOLD TOWN HALL

#### I. REGULAR MEETING (7:00 P.M.)

##### 1. Call to order:

##### 2. Roll Call:

**Present:** Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Members Daniel DeGuire, Town Planner Carl Fontneau, Recording Secretary Donna Szall

**Absent:** Secretary Courtland Kinnie, Member John Taylor, Alternates Heather Edge, Lawrence Laidley, ZEO Peter Zvingilas,

##### 3. Determination of Quorum:

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

##### 4. Matters Presented for Consideration:

**A. SUB 01-10 RPM Development, LLC, 9 Wilderness Acres Drive, Preston, CT 06365.**  
**Property Location: 1171 Voluntown Road and Latham Drive, Griswold.** Applicant requests approval of Lakeside Landing, an 8 lot resubdivision consisting of 11.16 ± acres: **lot 1** 50,789± s.f.; **lot 2** 118,160± s.f.; **lot 3** 56,057± s.f.; **lot 4** 52,218± s.f.; **lot 5** 53,639± s.f.; **lot 6** 56,775 ± s.f.; **lot 7** 58,185± s.f.; **lot 8** 40,354 ± s.f.; and approval of a request for waiver of Subdivision Regulation Section 5.5 "Open Space". The property is zoned C-2.

G. Rooke-Norman explained this matter was a prior public hearing on May 10, 2010 and tabled to this special meeting for a request for an opinion from town counsel by two members regarding the location of lot 8 not on a state road and on a town road in a residential area. G. Rooke-Norman stated for the record that the commission has try to develop regulation that would encourage responsible commercial development and the public hearings for the plan of development was for public input that commercial development no eviscerate the rural character of the town and encourage reasonable commercial development. She explained that potential commercial development next the established residential uses and how will they co exist and not be detrimental to the residential use and implement them to the best interests of both uses, taxpayers, and the town.

G. Rooke-Norman stated that the town attorney stated that a commercial lot be located only on a state highway and can be located on commercial lots not on a state highway. She stated that the commission received a copy for a potential finding and conditions of approval from the Town attorney and distributed copies to those present. She stated that the commission can accept all, part or not of this finding and conditions of approval from the town attorney.

She asked the members for any concerns for this subdivision other than lot 8. E. Bevis and D. DeGuire had no other concerns. D. DeGuire did state that the interior road must be paved because it is a commercial lot. J. Faulise stated that it would be paved by the developer. The commission reviewed this document paragraph by paragraph. She asked if there were any concerns for changes for paragraph one. E. Bevis and D. DeGuire had no problems with paragraph one. G. Rooke-Norman asked about concerns of problems of paragraph two. E. Bevis had no concerns. D. DeGuire stated that he was concerned that if in C-2 everything that is allowed do everything in C-2 the impact allowed in C-2 is not fair to the residents. G. Rooke-Norman stated that this was tabled to get input from the town attorney to determine how ameliorate that.

G. Rooke-Norman stated that paragraph one and two are okay asked the commission about paragraph 3 and read it for the record. She stated that she remembered that the construction itself might go into the buffer for grading and vehicle access. There was discussion of this matter including putting back after construction what was removed, and light and sound buffers. G. Rooke-Norman stated that those concerns would be reviewed during a site plan review.

G. Rooke-Norman reviewed the conditions with the commission. Bullet 1 was a statement of regulation and is ok. There was consensus of this bullet. Bullet 2- G. Rooke-Norman stated that we must review the list and add the emergency exit on Lot 1.

G. Rooke-Norman stated that bullet 3 in her opinion; the commission reserved the right to deny access to lot 8 at some future time. She stated that this condition in the Mylars and land records, with a throughout site plan review, the commission can deal with any application for use of lot 8 and there is no need to reserve the right to deny a drive way access off of Latham Drive. There was discussion of this matter. The Commission agreed to remove the sentence: "if approved by the commission at all".

G. Rooke-Norman read bullet 4; she stated that this bullet refers to what we have in our zoning regulations already.

G. Rooke-Norman read bullet 5; she stated that she did not agree with this bullet and that the commission should not reserve the right to access. E. Bevis voiced her concerns and the concerns voiced by the residents who were concerned with traffic from that lot. G. Rooke-Norman stated that if a trucking company presented a site plan for that property, we would review this site. There was discussion of this matter. G. Rooke-Norman asked for consensus from the commission to delete bullet 5 in its entirety.

G. Rooke-Norman read bullet 6; she stated that the wording "or any other lot in the subdivision" should be eliminated because the other lots are not being limited as we are with lot 8. She explained that this bullet states that once the subdivision is approved there is no other communication of what this approval states until someone comes in with a site plan for review; that any representations by the original developer doesn't reach the use; so if it is on the Mylar than any end user has notice of the issues with lot 8 only. There was consensus by the commission to take out "or any other lot in the subdivision".

G. Rooke-Norman stated that the commission can adopt the whole thing, adopt it as edit, or through out the whole thing. C. Fontneau made a point of order for the commission to act on the waiver of open space so it will be in full compliance with the subdivision regulations.

G. Rooke-Norman explained that the applicant brought of a very good point regarding the subdivision regulations that in the past, the commission has not imposed the open space donation or fee in lieu of for commercial subdivisions. There was discussion of this matter.

D. DeGuire made a motion to waive the open space requirements including fee in lieu, E. Bevis seconded the motion. All were in favor. The ayes carried.

E. Bevis stated that the commission adopts the finding and conditions of approval as edited. G. Rooke-Norman read the bullets for the record as edited. C. Fontneau made a point that there are other items such as letter of credit and standard conditions before filing the Mylars. He read those items for the record.

G. Rooke-Norman stated that this be a finding and vote on it separately and to vote on it as a condition of approval. There was discussion of this matter.

E. Bevis made a motion to approve this include the language as submitted into the record as the finding of the Griswold Planning and Zoning Commission. D. DeGuire seconded the motion. All were win favor. The ayes carried.

C. Fontneau stated that the finding and the conditions can be added for lot 8 to the standard conditions. There was discussion of this matter.

G. Rooke-Norman asked for a **Motion** to approve SUB 01-10 and that the condition of approval includes that 1) review and approval of the loop driveway and associated stormwater maintenance agreements by the Town Attorney; 2) that the filing by the applicant is in a format reviewed and approved by the Town Attorney of a letter of credit or passbook account in favor of the Town in the amount of \$6236 to ensure erosion and sedimentation controls/ maintenance thereof and site restoration funds are available as necessary; 3) that the consulting Town Engineer review fees all be paid by the application; 4) and text of the conditions relating to Lot #8 that is the subject of the Finding that was read into the record as follows:

In granting this commercial subdivision approval, the commission notes that Lot #8 has frontage and access only on Latham Drive, a residential street, while all other lots have both frontage and access to Connecticut Route 138, a State Highway.

The Commission has heard testimony from neighboring property owners on Latham Drive indicating that intensive commercial and/or industrial uses of this subdivision, and Lot #8 in particular, could adversely impact those residential owners due to the potential conditions that those uses could introduce to the residential area, including, but not limited to: glare of headlights from an industrial or commercial access driveway; noise emanating from an intensive commercial and/or industrial use; truck or heavy equipment traffic on a residential street; high traffic volumes on a residential street; extended hours of operation; and architectural/site features that are incompatible with the residential area across Latham Drive.

The Commission makes the Finding that the applicant has made representations that it will market and sell Lot #8 only to an end-user intending a light commercial use which would not entail the potential adverse impacts described above; and the Commission makes the Finding that the applicant has made representations that it will preserve the existing wooded buffer on all lots along Latham Drive and will introduce adequate plantings within the wooded buffer to maintain an optimum buffer for light and sound, and require future lot purchasers to do the same. The approval of this subdivision is predicated, in part, upon those representations. The Commission notes that Section 11.8 of its Regulations requires extensive buffering, and that the lots in this subdivision may expect that section to be rigorously applied to any future use.

Therefore, the Commission hereby conditions this subdivision approval on the following:

- The subdivider shall mark in the field the 25-foot (25 ft.) buffer required by Section 11.8.2.4 of the zoning regulations, and shall protect such areas from any disturbance, including access driveways or curb cuts for all lots, with the possible exception of the curb cut areas for Lot #8 (see below)

- 2. No lot, other than Lot #8, and the emergency exit on Lot #1, shall have any access whatsoever to Latham Drive.
- Any driveway from Lot #8 \shall be located so as to minimize glare from headlights onto homes across Latham Drive from such driveway.
- The Commission considers the representation of the subdivider as to future uses of Lot #8 to be binding statements governing future review of the proposed uses in the subdivision; and the commission is prepared to use the full discretion of its Zoning Regulations to minimize adverse impacts to the residences along Latham Drive.
- The subdivider shall place a copy of this motion on the final subdivision Mylar in 14-point type, with a note printed directly on Lot #8 directing the attention of the viewer to that note. The purpose of this condition is to alert any prospective purchaser of Lot #8 that Latham Drive is a residential area and that zoning review of any proposed use of the lots in this subdivision will be required to recognize that fact in terms of the proposed use; its hours of operation; the volume and character of traffic go be generated; the anticipated noise of operations or activities; the design, bulk, height, and design quality of the site and building plans; site illumination; landscaping and screening; the location of any access driveways and all other elements of site and use review in accordance with the Griswold zoning regulations.

E. Bevis so moved, D. DeGuire seconded the motion. All were in favor. The ayes carried. G. Rooke-Norman thanked the applicant for waiting two weeks.

**B. ZP 12-10 RPM Development, LLC, 9 Wilderness Acres Drive, Preston, CT 06335. Property location: 1171 Voluntown Road, Griswold.** Applicant requests modification to existing commercial site plan and use for proposed art studio, contractor's office, storage and future warehouse. The property is zoned C-2.

G. Rooke-Norman stated that this does not require a public hearing because it is an allowed use in Section 6.1, 6.2 and 6.3.

John Faulise, Boundaries, LLC, explained that this was reviewed briefly at the May 10, 2010 meeting because the subdivision had not been approved. He explained that this is Lot #2 that contains the existing building, parking area, septic and leaching fields, canopy structures and associated improvements; this will be a reuse of the building for an office for an electrical contractor, art studio, to be located in the existing building using the existing parking and other features. He explained the T-box canopy will be enclosed to be a storage area for electrical supplies and equipment; and construction of a future proposed 4800 s. f. storage building to be accessed over the southern portion of the existing parking utilizing 3 parking spaces. He stated that the applicant will come before the commission with architectural plans.

J. Faulise stated that the canopy will be enclosed and the roof structure to remain in tack. There is an existing concrete patio that between the two structures so no additional impervious surfaces will be necessary. He stated that the leaching field will remain intake and the septic system has been installed for the original use for a restaurant.

J. Faulise explained the parking calculations that the total number is 14 spaces based on the uses proposed; there are currently 57 spaces on the site and when the 4800 storage building is constructed using 3 spaces leaving a total of 53 spaces. He explained that the existing poles and netting have been removed. He stated that the prior developer never installed the stormwater quality trench never installed the trench and this is now installed and inspected by C. Fontneau.

J. Faulise stated that we are proposing a change of use of this building for an electrical contractor office, an art studio and the future construction of a storage building. G. Rooke-Norman asked what would be stored there. J. Faulise stated that it would be electrical supplies and equipment for use by

the electrical contractor and the business on site; but that there would be no other storage from any other business, no is there rental space. There was discussion of this matter.

G. Rooke-Norman asked the commission for questions. There were no questions. C. Fontneau stated that he reviewed the plan and that the applicant, when the plans come before the commission, that there is a note that the applicant returned with a plan that identifies the proposed storage building and when it will be built. There was discussion of this matter including that the trees were conifers for year round coverage.

G. Rooke-Norman asked for other comments. C. Fontneau stated that the potential applicant is a resident of the town and is bring his business to Griswold from another town. G. Rooke-Norman stated that this is a good design to correct the inadequacies of the site left by the prior owner.

G. Rooke-Norman asked for a motion. D. DeGuire made a motion to approve as presented with the condition that the Planning & Zoning Commission reserves its architectural review of the future storage building design. E. Bevis seconded the motion. All were in favor. The ayes carried.

**C. ZP 13-10 Computaro, Pasquale, Jr., 630 Plainfield Road, Griswold. Property Location 522 & 630 Plainfield Road.** Applicant requests approval for proposed parking improvements for existing automotive repair facility at 522 Plainfield Road and partially on 630 Plainfield Road with an easement. The property is zoned C-1 & C-2.

D. DeGuire stated that he drove by that site and that it is needed very badly. E. Bevis agreed that it was collapsing. J. Faulise stated that the timber wall is falling down and the CTDOT has reviewed the plan and their letter of approval is in the file. He stated that he received a review dated 5/24/20 from Bob DeLuca from CLA Engineers and that he is available to answer any questions you may have as your consultant.

J. Faulise explained that there are five comments from B. DeLuca. He read the comments for the record. Comment 1 was for a two percent slope for the proposed gravel parking area to relieve erosion and gravel channeling. J. Faulise explained that the gravel parking for off-street parking is N.E. of the existing building that is 48 ft. by 80 ft. He stated that the slope is for 6 percent and B. DeLuca was concerned that at 6 percent, it would erode as a gravel surface. J. Faulise stated that based on the town engineers comments that it be graded to 4 percent to reduce ponding and puddling.

G. Rooke-Norman asked B. DeLuca to address this issued. Bob DeLuca, town engineer consultant explained that he was not concerned with the ponding because of the gravel surface. He was concerned with channeling and rocks coming off the site. G. Rooke-Norman asked if the 4 percent was the best compromise to between reducing erosion and getting sheet flow. B. DeLuca stated that it was a compromise but that 3 percent would be better. He explained that this is a state road because it is not a town road it is not as great a concern of the town. J. Faulise stated that the flatter that we make the gravel lot the better since there is a steep slope behind it and a steep slope in front of it. D. DeGuire asked that all commercial parking lots were to be paved. G. Rooke-Norman stated that there was input from engineers and scientists over the years. D. DeGuire asked if the regulations were changed. C. Fontneau stated that the regulations were changed to reflect the 2004 Stormwater Management Manual promoting infiltration. There was discussion of this matter including that the parking area was looked at as parking for vehicles to be serviced and not used for customer parking.

J. Faulise address comment 2 regarding the rip rap of 18 inches thick for slope stabilization; and that he was in agreement with that comment; comment 3 recommending that a note be provided for the trees with affected root systems at the top of the slope be removed. J. Faulise stated that any trees affected will be removed. J. Faulise read comment 4 about correcting the labeling contour on the plan. J. Faulise stated that his draftsman will make the correction of the elevation on the plan.

J. Faulise explained comment 5 regarding identification the limit of the westerly embankment and the existing utility pole. J. Faulise explained that the slope runs drops into the American Industries gravel bank. B. DeLuca stated that it drops significantly and how far away it is. J. Faulise stated that it will

not be open into the gravel bank because the slope provides a berm all the way down Route 12 except at the entrance to American Industries. G. Rooke-Norman asked if the slope was that narrow cross section that it is not stable. B. DeLuca stated that it is that there is enough room but you cannot tell from this plan. There was discussion of this matter. J. Faulise stated that they had no problems with the comments but would like to have the slope of the parking area be 4 percent.

J. Faulise explained that the wall will be a modular block wall as was installed on north Main Street. G. Rooke-Norman asked if there was a bond estimate on this. J. Faulise stated that because the work involves the CTDOT, requires a bond because the work is in the state right of way as outlined in the CTDOT May 7, 2010 letter requiring a bond in the amount of \$10,000 in the contractor's name. There was discussion of this matter.

G. Rooke-Norman asked C. Fontneau about his reference to a cross-lease. J. Faulise stated that the parcels are owned independently of each other by the same owner. G. Rooke-Norman asked the town engineer to review the grading and the parking plan but is really a parking storage plan. J. Faulise stated that the issue of the retaining wall not the only issued but that there should be addition parking to store vehicles being served,

E. Bevis asked B. DeLuca if he would be agreeable to a 3 percent slope if he felt that ground water would be better. B. DeLuca stated that the flatter would be better so that there would be not channeling and erosion. There was discussion of this matter. J. Faulise stated that if 3 percent is necessary, that is what will be done and he was fine with the 3 percent.

G. Rooke-Norman asked for other comments or questions from staff. G. Rooke-Norman asked for a **Motion to approve ZP 13-10 with the Following Conditions:** **1)** that the proposed storage parking area for cars as identified in the shaded area of the map should have grading maintained between 3 to 4 percent to minimize channeling and erosion; **2)** that the proposed modified rip rap be a minimum of 18 inches thick and that crushed stone bedding be angular and a minimum of 3 inches in size on the slope detail and that a note be added to the plan; **3)** that a note be provided on the plans stating all trees with affected root systems at the top of the slope be removed due to the possibility of destabilization during and after work is performed; **4)** that the contour elevation 240 be corrected on the plan; **5)** that existing topography at the top of the slope should be extended identifying the limit of the westerly embankment and the existing utility pole in some form or fashion.

E. Bevis so moved. D. DeGuire seconded the motion. All were in favor. The ayes carried.

- D. Request for a release of a portion of the passbook bond for off site improvements for ZP 01-10 DELMAC, LLC, 166 Preston Road, Griswold, CT. Property location 134 & 140 Preston Road, Griswold.** Application originally approved on September 14, 2009 for a minor site plan change under Section 13.9. Property is zoned C-1 & C-2.

G. Rooke-Norman stated that a letter from Mr. DeLuca dated May 24, 2010 which she read for the record stating that \$40,000 of the recommended \$105,000 bon estimate is completed. She asked if the applicant to explain where the project is today. Greg Mackin, DELMAC, LLC, explained that they have been working for the past two weeks and this past weekend. He explained that he sent a letter explaining what is completed and B. DeLuca reviewed the site this morning. He explained that the bond is not \$105,000 but is actually \$60,000; and the 90,000 is completely separate from the travel center. G. Rooke-Norman stated that the proper way of getting the appropriate bond estimate from the town engineer would have been a total revision of the bond estimate to be reviewed by B. DeLuca who could only look at the numbers when the project started.

G. Mackin stated that this is a private development and there is a letter from Mr. DeLuca that the only bone to be retained should be erosion and soil control measures and restoring the site; the commission decided that it should include the retention basins and piping. G. Mackin stated that Mr. DeLuca was here tonight.

John Faulise stated that when this modification came to the commission for the bonding and changes to the travel center site there was discussion of the original bonding that included parking, drainage, curbing, grading; we asked to reduce the bonds for erosion and stabilization control: \$15,000 on the hotel site and \$7,000 on the travel center site so that the bond numbers were reasonable to deal with and to have resources to construct the site. He stated that the \$50,000 and \$60,000 were arbitrary numbers of bits and pieces of all those bonds; and after applying costs of materials and activity and how it releases; the figures will never satisfy the commission, the engineer, or the applicant. He asked that the commission to look at what the town engineer is recommending maintaining the stabilization, what work has been done and what is reasonable to deal with on both sides; the \$60,000 was never tied to specific feet of pipe, structures per foot, dollars per foot and was a combination to result in that number. G. Rooke-Norman stated that the applicant presented the total off-site amount of \$95,000 bond estimate for the total project; and the town engineer recommended 105,000. J. Faulise stated that the town engineer recommended bonding only for the erosion and sedimentation controls.

B. DeLuca explained in a letter of September 14, 2009 from C. Fontneau, he was asked to review the bond estimates and to verify the costs of the work. He explained his recommendations at the time to be \$95,000 for the travel center on site work and \$105,000 for the travel center off site work; and \$59,000 was adequate for the hotel/restaurant. B. DeLuca explained he was asked that if a CO is not issued until final compliance items are finished or if additional bonding is needed then only bonding; his answer was that he concurred that the only bonding would be needed would be to have bonding for the erosion & sedimentation controls, reestablished vegetation and dismantle above ground work. He explained that for private development that is typically what you want to bond including that the town should be bonding for inspection fees by engineering consultants. G. Rooke-Norman read the review letter into the record.

G. Rooke-Norman stated to let the record show that M. McKinney arrived at 9:40 p.m.

G. Rooke-Norman stated we are looking at the bond estimate for total office was 95,000; she asked about the e & s controls items comes to \$1500 but the drainage and site restoration those items are not necessary to maintain erosion and sedimentation. B. DeLuca stated that this should be looked at the e & s items which are too light and recommended that the site stabilization should be on the entire site not just on the edges. He stated that the bond figures will be higher than what is shown on this estimate but will be lower than the total bond estimate. There was discussion of this matter including the e & s controls and improvements should be looked at for each site not just the travel center.

G. Rooke-Norman stated that we reduced the bond from \$60,000 to \$48,000 two weeks ago. G. Mackin stated yes and he had recommend reducing to \$20,000 and \$12,000 was released; he explained that he is asking that the bond be reduces to leave \$22,000 remaining for restoration; he stated that the structures are in, the piping is in, and the hydro seeding will be done next week and it will up to the travel center to tie into. B. DeLuca stated that the piping is in but has not been backfilled. G. Mackin stated that there is \$22,000 left to complete the work and all the materials in on the site and the goal is to be completed by the next meeting.

M. McKinney asked if the inverts are installed and inspected and are going in the right direction. G. Mackin stated those were inspected and Boundaries set the work. B. DeLuca stated that he the inverts would require an as built plan and signed by a surveyor and submitted to him for his review. M. McKinney stated that he was concerned that all of this is working. B. DeLuca stated that his inspection was for the piping. G. Rooke-Norman stated that she assumed that the town engineer reviewed and inspect the work as it is being done as in building a house. B. DeLuca stated that ideally, that is what should be done at the end of every phase built to specs. There as discussion of this matter including that the inspections are done by the town consulting

engineer for town roads and drainage; but for privately-owned commercial projects have only an as-built plan for private improvements.

G. Mackin stated that in regard to the wetlands that there is a DEP review team for larger projects for a general permit for stormwater and drainage; and they have been out to inspect and take photographs of the work relating to the wetlands and make their own reports. C. Fontneau stated that he had not received notice of the permit and requirements. J. Faulise stated that the burden is on the applicant to be in compliance with State DEP regulations. There was discussion of this matter including that copies of those documents should be part of the file from DEP and to notify the town.

G. Rooke-Norman asked B. DeLuca if is recommendation at the place where this project is tonight, how much of the work is completed and has been inspected and completed correction; she has for his recommendation to reduce portions of the bond. B. DeLuca stated that the portion of the work that is done, the off-site portion includes the drainage system from the travel center down and the three basins, the catch basins. G. Rooke-Norman read the section of the bond for the drainages of 87,000 B. DeLuca stated that 40,000 is complete and in place about 4 ninths. He stated that the site restoration is not done; and that the site restoration should be for a gross number which is larger than what is on the bond. G. Rooke-Norman asked if it would be larger that the \$15,000 on the next page for the hotel site. G. Mackin stated that all the three separate drainage for the sites are done to the completed three separate ponds as well as the three separate catch basins are done for the hotel, travel center and restaurant as one unit; and all the pipes that connect to the overflow; and the e & s controls are done below, rough grading above is done and all is left is the hydro seeding for those sites. He stated that all is left to do are three more catch basins and more piping which will be done in two weeks so the \$22,000 was left there for what is left. He stated that B. DeLuca will inspect to insure that the work is done and the grass is growing.

G. Rooke-Norman asked B. DeLuca what Griswold would need to stabilize the site. B. DeLuca stated that the town should keep 20,000 to stabilize the site and to have grass growing. G. Mackin stated that the \$22,000 for the off-site improvements would be more than enough to stabilize the site. M. Tristany stated that the first site plan was approved for the hotel and restaurant and the bond was posted for the detention basin; when the travel center came into play, there was a the bond estimate for the cost of the detention basin so it was bonded twice and that was how it was initially done. There was discussion of this matter including that the work has been done on-site for the benefit of the travel center.

B. DeLuca stated that when the travel center asks for the CO, is the town obligated give it to him if the travel center is done. M. McKinney stated that if we release the bond and by the time the as built is done and there is a problem, then there cannot be a CO on the on-site work until all the offsite is done; he was concerned of releasing too much of the bond. G. Mackin explained that there is a 50,000 bond for the travel center and a \$90,000 for a road going for the whole development and that is not released until all the work is done. G. Rooke-Norman stated that it doesn't protect the town. There was discussion of this matter.

G. Rooke-Norman stated that the job be completed inspected and done and she asked why we are releasing money for work to be done in two weeks. G. Mackin stated that all the work depends on the weather, if it rains, work is delayed; products are being bought, your on a schedule people they must be paid. G. Mackin stated that the town engineer has inspected the work so far; and he will be out again. B. DeLuca stated that this is a unique situation and realizing that other development depends on this system, so that if this doesn't get finished then there are problems with issuing CO. G. Mackin asked the commission what they want him to do. G. Rooke-Norman stated that the off-site work impacts the hotel, restaurant and travel center and in the future, there will be three separate ownerships relying on the same drainage

design. There was discussion of this matter including that the project could have been done in phases rather than done for the three sites.

G. Rooke-Norman asked B. DeLuca when he reviewed the site, she asked what he inspected. B. DeLuca stated that he went out today and earlier last week where there wasn't much happening on site. He determined that the pipe should be inspected and that it is in place and is on current grade but has not been buried or the catch basins have not been backfilled. G. Rooke-Norman asked if the grade would be different for the pipes. B. DeLuca stated that the fill must be brought it to back fill. G. Mackin stated that the piping will be covered and because of the elevation of the detention pond, the pipes are at the proper elevation as they sit now. D. DeGuire stated that the detention basin is rough graded. B. DeLuca stated that fine grading must be done so that three basins interact properly so the grading is according to the plan; the shape is correct but need to be finished properly. There was discussion of this matter.

G. Rooke-Norman asked B. DeLuca if everything is done for the travel center and receive their co and if it is 10 years before the hotel/restaurant will be pipe affect the performance of the rest of the system. B. DeLuca stated that it would have to be buried for the travel center, hotel and restaurant. He asked how much money is left. G. Rooke-Norman stated that there is \$48,000 for offsite and \$50,000 for the on site. B. DeLuca stated that based on the bond estimate of \$105,000, there less than have completed and that you should keep most of what is left. M. McKinney stated that the pipes are sitting on grade and it will be backfilled and it will be left there; you will level it with a topo of the site showing what materials have been brought in, leveling it and then hydro seeding it. There was discussion of this matter.

G. Rooke-Norman stated that we are looking for a bond reduction and how much it would be. M. McKinney stated that it should be what the engineer suggested. She asked for recommendations from the commission and where should the remaining bond amount at \$48,000 down for \$60,000 for offsite be. D. DeGuire stated that it should be \$30,000; E. Bevis agreed with \$30,000; M. McKinney stated we should keep it as it is until all the offsite work is completed and released at our next regular meeting. G. Rooke-Norman stated that she would like to keep \$35,000 on hand and not go any lower until there is an as built submitted and certification that all the work is 100 percent done. There was discussion of this matter.

G. Rooke-Norman asked for a motion. D. DeGuire made a motion to reduce the bond and the town to retain a bond of \$30,000 for the offsite improvements for the travel center for a total bond reduction of \$30,000 from the original \$60,000. E. Bevis seconded the motion. There were 3 aye votes and 1 nay vote by M. McKinney. The ayes carried.

## 5. **Adjournment:**

D. DeGuire made a motion to adjourn. E. Bevis seconded the motion. All were in favor. The meeting adjourned at 9:45 p.m.

Respectfully Submitted,

Donna M. Szall  
Recording Secretary