



Town of Griswold



28 Main Street
Griswold, CT 06351
Phone (860) 376-7060, Fax (860) 376-7070

GRISWOLD PLANNING & ZONING COMMISSION

REGULAR MEETING MINUTES

JUNE 9, 2014

GRISWOLD TOWN HALL

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

1. Call to order:

Chairman Martin McKinney called this regular meeting to order at 7:00 p.m.

2. Roll Call

Present: Martin McKinney, Courtland Kinnie, Erik Kudlis, Charlotte Geer, Alternate Stewart B. Oakes, Town Planner Mario Tristany, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: James Krueger, Alternate Elias Baron

3. Determination of Quorum

M. McKinney appointed S. Oakes to sit for J. Kreuger. There was a quorum for this regular meeting.

4. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of May 12, 2014.

M. McKinney asked for any corrections or omission to the minutes of March 10, 2014.

MOTION: E. Kudlis moved to approve the minutes of May 12, 2014. C. Kinnie seconded the motion. C. Geer abstained. All were in favor. The motion was carried.

5. Correspondence and Attachments

A. There was no correspondence

6. Matters Presented for Consideration

A. **SE 03-14 PETER LAMBERT, PROPERTY AT 1061 VOLUNTOWN ROAD, GRISWOLD.** Requesting approval of a Special Exception to change the uses of an existing building on a 4.4± acre parcel of land to add auto sales to motorcycle sales/service, landscape business, barbershop, retail/service, and existing residential apartment. Property is zoned C-2.

M. McKinney asked if there was someone to represent the applicant. Susan Mattern, Mattern and Stephon Land Surveyors, Rte 2, Preston, represented Mr. and Mrs. Peter Lambert and Sue Lambert were also present. S. Mattern explained that this property was the old airport property that was the old terminal and runway. She located in the C-2 zone. She stated that they are changing the uses of this building motorcycle sales and service in units 1 and 2, unit 3 was a fish./ pet store and unit 4 is a residential use. S. Mattern stated that the change of use for unit 1 is the motorcycle sales and service, and they plan to have used cars on the property that would be advertised on the internet; the cars will be parked in the back along the runway; unit 2 is for a landscaping business owned by the applicants;

unit 3 is planned for a barbershop; unit four will be another retail/service space; and unit five will remain the residential apartment.

S. Mattern explained that they are proposing a 30 foot wide driveway access for ingress and egress to the rear of the property that will utilize an existing curb cut. There are no inland wetlands on the property; soils are very permeable and suitable for development. There is an existing paved parking area in front; S Mattern showed the locations of all the paved areas on the property and stated that there is an access strip that is for the parking for the existing house where the applicants live; the rest of the site is grass and there is stockpile materials that will be utilized when the site is regraded.

S. Mattern stated that there is an area in the southwestern corner of various grades that the owner is cleaning it out and any debris will be removed and graded in a 3:1 slope. She stated that the grading is 2 percent going away from Route 138 to the south. She explained that the stormwater runoff from existing impermeable areas and the proposed paved driveway goes into the existing grassed areas infiltrating into permeable soils and are proposing an 18 inch x 18 inch deep stone trench east of the proposed driveway. She explained that silt fence will be used during the regrading and an anti-tracking pad will be installed on the new driveway location.

S. Mattern explained the parking calculation plan to the commission where 18 spaces were required and that 23 spaces have been provided 2 of which are handicapped spaces: one in the existing parking area in the front of the building and one behind the building. She stated that there are 30 spaces along the runway for the used cars.

S. Mattern explained the septic system to the commission which consisted of two 6 foot diameter x 8 foot high dry wells; the plan shows a State Health code compliant area consisting of three 6 foot diameter by 6 foot deep drywells; the proposed sanitary flow is not increasing greater than 50 percent of the existing sanitary flow at 768 gallons per day and propose 829 gallons per day. The water service is an existing well.

She submitted for the record a letter from Mark Sullivan, Soil Scientist, that there are no wetland soils on the property; she submitted the calculations for the septic system. She stated that they are awaiting a response from Uncas Health District. M. McKinney asked about the well needing to be a public well if there are more than 25 people. M. Tristany stated that there won't be near 25 people. S. Mattern submitted the erosion and sedimentation control measures; and copy of a letter to Andrew Morrow of the CTDOT for the proposed driveway and they are awaiting their response.

M. McKinney asked the narrow alley way was being widened or was it staying the same.. S. Mattern stated that it is an existing access; and will remain the same and provides access to the house. M. McKinney asked if it will be utilized by the public. S. Mattern stated that they are proposing it to be utilized by the public and signage that it will not be used for egress by customers. P. Zvingilas asked if there was signage shown on the plan. S. Mattern stated that there is signage at the front and that the owner will be repairing the sign.

M. McKinney asked about the parking for the barbershop and the retail space and those customers will come from the back. M. McKinney asked if there was any proposed paving. S. Mattern showed the areas that will be paved. M. McKinney asked if there was an addition or if the units were being reconfigured. S. Mattern stated that the units will be reconfigured. Peter Lambert stated that the apartment will be reduced in size to a two bedroom apartment. P. Zvingilas asked that new size of the apartment because there is a minimum size requirement. S. Mattern stated that the apartment will be 705 sq. ft. which is unit 5. S. Mattern stated that unit 4 will be approximately 850 sq. ft.

M. McKinney asked about the barbershop parking. S. Mattern stated that 3 parking spaces were calculated for two stations for a total of 6 spaces. M. McKinney asked if this was a barbershop or a hair salon. P. Lambert stated that the interested party would have a barbershop.

M. McKinney asked for questions from the commission. C. Kinnie asked about access to each of the units as all being in the front for all the business. S. Mattern stated that there were three garage bay doors in the back. S. Mattern stated that the apartment unit will be located in the rear and other units will have access in front. He was concerned that customers parking in the back would have to walk to the front to access the business with vehicles entering and exiting the rear. C. Kinnie asked if there was striping along the building for pedestrians. P. Lambert stated that there is striping. C. Kinnie suggested that the proposed driveway be used for the main access. There was discussion of this matter.

M. McKinney stated the erosion control bond estimate is for \$2700.00. M. McKinney asked about signage for customers who are using this existing driveway. P. Lambert stated that the signage will be moved between the two driveways and signage for additional parking in the rear. P. Zvingilas asked why the proposed driveway is so far from the building. P. Lambert stated that is where the existing curb cut is located. P. Zvingilas suggested that they could have additional parking on the side of the building and would solve access to the four business units. There was discussion of this matter including the costs of constructing a parking area. M. McKinney asked the condition of the old runway. S. Mattern stated that it is in good condition but can use sealing and some TLC.

P. Lambert stated that they have only one tenant who will be selling used cars. M. McKinney asked if there will be a dealer repair license. P. Lambert stated that there will be a dealer repair license. He stated that there are two bays for repairs. M. Tristany stated that used car sales are a permitted use in the C-2 zone and he stated that this was addressed in his report for Section 7.3.1 and the special exception section in his report. M. McKinney asked about drainage with a potential for contamination from oil and gasoline. M. Tristany stated that there would be catch basins with sump to catch that. C. Kinnie stated there this is no increase of impermeable surfaces. E. Kudlis stated that it is sheet drainage and asked if the sheet drainage trench has a maintenance schedule. S. Mattern stated that a note could be added to the site plan.

P. Zvingilas stated that we do not bond for paving and that no businesses can open until all the paving is done. P. Lambert stated that the 5 Brothers Motorcycle Shop, Absolute Landscaping that is not open to the public, unit 3 was preexisting and there will be a proposed unit 4 and the apartment is unit 5. C. Geer they were selling ATVs before and she asked if the landscape business will be retail since there is a retail landscaping business nearby. P. Lambert stated that the business maintains laws, fertilizing, trimming shrubs, excavation equipment for retaining walls, pavers, and storage for materials. Customers do not come to the business, the business works at the customer location. He stated that there will be no retail sales at this location or signage. P. Zvingilas asked if the lifts will remain where they are for the sanding trucks. P. Lambert stated yes they are still there. S. Mattern submitted an aerial photograph

C. Kinnie stated that he was concerned for customers walking from the back to the front of the building; the hours of operation if customers are viewing cars in the evening; and if the landscaping equipment location should be sectioned off from the retail customers. S. Mattern stated that the sales would be during daylight hours. P. Lambert stated that if the used cars sales do well we can come back to the commission for lighting.

M. McKinney stated the commission's concerns for the pedestrian safety issues walking from the front to the back where the additional parking is located and whether those 6 parking spaces in front are adequate for 5 units. He stated that there are no sidewalks proposed and asked if the pedestrians will be walking across the grass to get to the front of the businesses. P. Lambert stated that they would walk along the striped area on the side of the building. S. Mattern stated that unit 5 will be accessed from the back. M. McKinney stated that there is no sidewalk for the apartment. C. Kinnie suggested that for the existing residential unit, dedicated space for the residents should be depicted on the site plan. M. McKinney stated that the customers and the residents should not be walking across grass for public access. S. Mattern stated that she will put this on the plan. C. Kinnie suggested that any of the units in the front could have access in the rear. P. Lambert stated that the barbershop unit has a one step access in the rear than could be ramped. C. Kinnie stated that signage would be needed for that unit. There was discussion of this matter including the first floor elevations for the pedestrian access and the parking.

M. Tristany stated that we don't know whether CTDOT will approve the driveway access for sight line distances for Route 138 speed limits. E. Kudlis stated that there is an existing curb cut. M. McKinney asked about the arborvitae. S. Mattern stated that the arborvitae are existing. C. Kinnie asked about the regrading at the access and John Drive, what would be the landscape buffer. P. Lambert stated that it would be pines between John Drive

and the property. He stated that replanted along the edge to John Drive with 30 8 foot pines because the existing pines are too large to be a buffer.

M. Tristany stated that if there could be rear store front for the car sales. P. Lambert stated that Unit 1 has the garage bay doors.

M. McKinney asked S. Mattern asked for a site plan to show the pedestrian safety and to put the entrance to some of the units in the rear of the building to alleviate some of the parking in the front of the building: show a rear entrance for the apartment and parking; show a rear entrance for one commercial unit; and sidewalks.

M. McKinney asked for a motion to table.

MOTION: C. Kinnie moved to table SE 03-14 to the next regular meeting, C. Geer seconded the motion. All were in favor. The motion was carried

7. Additional Business

No additional business.

8. Old Business

No old business.

9. New Business

- A. Bond Release Request in the amount of \$25,000 by MEW Development Corporation held by the Town of Griswold until completion of the final course of pavement for ZP 04-05 River Run Condominiums, 61 South Main Street, Jewett City.

M. Tristany explained that the new owners of the condominiums at 61 South Main Street have applied the final course of asphalt and removed the island for fire and emergency vehicles; the asphalt course corrected the lip to the driveways. He explained that there is a sidewalk that is still about a 7 1/2 inches drop to the asphalt; E. Kudlis asked about the accessibility issues for three of the units. M. Tristany stated that there will be ADA compliant wooden ramps added for the three existing handicapped units. There was discussion of this matter. M. McKinney stated that this should be tabled to the next regular meeting until this site is inspected by P. Zvingilas and M. Tristany. He wanted to see the issues resolved.

MOTION: C. Kinnie moved to table this matter to the next regular meeting. E. Kudlis seconded the motion. All were in favor. The motion was carried.

10. Reports from the Enforcement Officer

- A. Jody & Margaret Fellows, 61 Leha Avenue, Griswold, CT Cease and Desist Order for operating a commercial level/grade logging and log storage operation in residential zone. Tabled from the May 12, 2014 meeting.

P. Zvingilas apologized for not having up to date information on this matter since he has just returned from vacation.

- B. American Industries

P. Zvingilas stated that he had received a number of complaints about American Industries regarding hours of operation, the noise created by the activities on the site. He stated that he spoke to one of the owners and suggested that he address the commission with a possible solution to eliminate the noise and explain the hours of operation. M. Tristany explained that copies of the stipulated agreement, and the complaints received are being handed out. P. Zvingilas stated that there is a letter from Attorney Mark Block requesting a certificate of compliance and that he was hesitant to do that. He stated that he has talked with Town Attorney Mark Branse who will be working with Attorney Harry Heller to resolve these issues. He stated that the owner is present and willing to make modification to the site and come to an agreement for the hours of operation and that this is just a preliminary meeting ant that the

commission will want a more formal item. M. McKinney stated that the Commission needs to digest this information; he asked if owner would like to speak.

John Faulise, Boundaries, LLC and owner Pat Camputuro of American Industries. He stated American Industries is aware of the complaints and spoke with P. Zvingilas. He stated that Attorney Heller is working with Attorney Branse to resolving the issues of the complaints. He stated that the June 1997 Stipulated Judgment confirmed the existing status of the asphalt plant and the conditions that the asphalt plant agreed to by the Selectmen for continuation of the plant: confirmed the existing non-conforming status: outlined in the document were hours of operation, Dust Control, Buffering at the property boundaries, and operations in accordance with the State of Connecticut. J. Faulise stated that the State of Connecticut mandated that for traffic safety and to mitigate traffic problems, paving would be done at night; so this drives the operation hours of American Industries. J. Faulise submitted copies of the suggestions for mitigation and amendment to the stipulated judgment, and a request to modify the stipulated judgment for operating hours for State of Connecticut projects only. He cited a list of mitigations: increasing berms to attenuation noise, washing and crushing plant, water to watering to contain dust at night; night hours do not include holidays and the day before or after a holiday; and tailgate operations to be stockpiled in the lowest part of the pit and moved during daylight hours, and tailgate dampers to be installed. J. Faulise read and submitted a letter from M. Tristany in 1997 for the record. He submitted a copy of non-conforming uses for the site.

Pat Camputaro explained that does paving for the State of Connecticut, municipalities and private companies. He stated that has 168 employees and he wants to keep them working so they do State jobs that are generally done at night. He stated that they are at the mercy of the State for their hours of operation for a State job. There was discussion of this matter. C. Kinnie asked if American Industries will notify the Selectmen when there will be night hours for State projects. P. Camputaro stated that he would notify the Selectmen as he has in the past.

M. Tristany stated that the DEEP Water Quality, Air Quality and Aquifer Protection Departments inspected American Industries. He stated that he is awaiting the report from DEEP. He stated that Kim Czapl of DEEP will be scheduling another inspection soon. There was discussion of this matter.

M. McKinney stated that the commission will await further information from the DEEP and the town attorney.

E. Kudlis asked P. Zvingilas about Cease and Desist was given to 18 or 12 Maple Street for unregistered motor vehicles. He asked P. Zvingilas to look at the a number of items in the front yard.. P. Zvingilas will look at those houses on Maple Street.

11. Adjournment

M. McKinney asked for a motion to adjourn.

MOTION: C. Kinnie moved to adjourn. S. Oakes seconded the motion. All were in favor. The meeting adjourned at 8:28 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary