



# Town of Griswold



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

## GRISWOLD PLANNING & ZONING COMMISSION

### PUBLIC HEARING & REGULAR MEETING MINUTES

JULY 12, 2010

GRISWOLD TOWN HALL

#### I. PUBLIC HEARING (6:20 P.M.)

##### 1. Call to Order

G. Rooke-Norman called this public hearing to order at 6:25 p.m.

##### 2. Roll Call

**Present:** Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Members John Taylor Alternate Erica Bevis, Lawrence Laidley, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

**Absent:** Secretary Courtland Kinnie, Member Daniel DeGuire,, Alternates Heather Edge

##### 3. Determination of Quorum

G. Rooke-Norman appointed E. Bevis to sit for C. Kinnie and L. Laidley to sit for D. DeGuire. There was a quorum for this public hearing.

##### 4. Matter Presented for Public Comment

- A. SRC 02-10 Griswold, Town of, Text Amendment for a correction to Section 11.11 Animals of the Griswold Zoning Regulations. The keeping of animals, including poultry, but excluding cats, dogs, and household pets is expressly prohibited in high-density Residential zones.** Large animals such as cows, horses, and sheep may be kept solely for domestic purposes on non-farm property in R-40, R-60 and R-80 zones provided that (a) the lot contains at least three (3) acres of land; (b) no more than two (2) such animals over six months of age are kept on the lot; except that one additional animal may be kept for each additional half (1/2) acre up to the five (5) acre farm classification.

G. Rooke-Norman asked C. Fontneau to explain the change to this zoning regulation. C. Fontneau explained that in the changes made effective on August 10, 2009, the sentences referring to the keeping of animal including poultry was inadvertently omitted from the current regulations. He stated that the zoning officer had questions concerning the keeping of chickens and it was noticed that there was no reference to poultry as there had been in the past.

G. Rooke-Norman asked for any comments from the general public.

Art Coughlin, Preston Road, asked if the commission was changing the lot from 3 acres to 5 acres. G. Rooke-Norman stated that he brings up a good point. She stated that when she had horses it had to have been five acres. He stated that the high density residential zones what about subdivisions will it be allowed. G. Rooke-Norman stated that it the lot is large enough. He didn't think that the neighbors would want cows. There was discussion of this matter including that subdivisions have covenants and home owner association.

G. Rooke-Norman stated that L. Laidley and M. McKinney arrived at 6:30 p.m. She appointed L. Laidley to sit for D. DeGuire.

A. Coughlin stated that there should be regulation as how to raise and keep animals. C. Fontneau stated that other State agencies have jurisdiction of how an animal is raised and kept. G. Rooke-Norman stated that his comment about keeping cows and horses on three acre lots is a concise comment. G. Rooke-Norman asked C. Fontneau that this could not be changed at this time. C. Fontneau stated it could not be changed in the present notice because it makes the regulation more restrictive.

M. McKinney asked what the definition of domestic purposes was. G. Rooke-Norman stated that this referred to keeping a large animal as a pet. A. Coughlin stated that it should start at five acres and graduate up from there. J. Faulise stated that in 4.2.5 identifies the criteria for housing for the buildings for the animals. He stated that it refers to high density zones, there is no high density zones in the regulations any more. G. Rooke-Norman stated that there are areas in town that are fully developed and are high density.

G. Rooke-Norman asked what the commission wants to do. C. Fontneau stated that there were other people who came in. She asked if there are members of the public who would Yvonne Nordgren, 45 BMW, she asked about the map that was mailed to her. G. Rooke-Norman stated that map references a deferent public hearing. She asked for any other comments or questions from staff or the general public. Hearing none, she asked for a motion to adjourn the public hearing. M. McKinney made a motion to close the public hearing. J. Taylor seconded the motion. All were in favor. The public hearing was adjourned at 6:40.

## **II. PUBLIC HEARING (6:25 P.M.)**

### **1. Call to Order**

G. Rooke-Norman called this public hearing to order at 6:25 p.m.

### **2. Roll Call**

**Present:** Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Members John Taylor Alternate Erica Bevis, Lawrence Laidley, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

**Absent:** Secretary Courtland Kinnie, Member Daniel DeGuire, Alternates Heather Edge

### **3. Determination of Quorum**

G. Rooke-Norman appointed E. Bevis to sit for C. Kinnie and L. Laidley to sit for D. DeGuire. There was a quorum for this public hearing.

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

**A. ZC 02-10 Griswold, Town of, Map Amendment** To restore those previously-zoned Borough Multi-family District properties on Mechanic Street to that previous zone which were in included in the Borough Residential District as a Scribner's error.

G. Rooke-Norman asked C. Fontneau to explain this map amendment. C. Fontneau stated that the neighborhood on Mechanic Street where every lot on either side are multi-family. He stated that this should be restored from what is Borough residential back to Borough multi family. He stated there is a photo in the file showing the use patter. He stated that there are several multi-family dwellings that want to be rehab and there is a problem with getting the permits to do the rehabs.

G. Rooke-Norman asked if all the people on Mechanic Street received a copy of the notice. C. Fontneau stated that changes made by the commission it is not require to receive notice and that notices have not been sent. G. Rooke-Norman stated that in the future, the town should send notice to residences involved in zoning changes.

G. Rooke-Norman asked for any comments from commission members. L. Laidley stated that most of the houses on Mechanic Street are multi-family and that this is to fix what was left out. J. Taylor stated that he didn't see a problem. E. Bevis had no comments. C. Fontneau stated that there is a mock up to show which parcels are being changed. G. Rooke-Norman asked the general public for comments. There were no comments.

G. Rooke-Norman asked for other comments. L. Laidley stated that there are other multifamily dwellings beyond the Mechanic Street at the bottom of Matheson and Soule Street that should be included in this change. M. McKinney stated that staff should go look at the area. G. Rooke-Norman asked staff to look at the old zoning map to determine those areas that should be multifamily.

Hearing no other comments, she asked for motion to adjourn the public hearing. E. Bevis made a motion to adjourn. J. Taylor seconded the motion. All were in favor. The public hearing adjourned at 7:15 p.m.

### **III. PUBLIC HEARING (6:30 P.M.)**

#### **1. Call to Order**

G. Rooke-Norman called this public hearing to order at 7:15 p.m.

#### **2. Roll Call**

**Present:** Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Members John Taylor Alternate Erica Bevis, Lawrence Laidley, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

**Absent:** Secretary Courtland Kinnie, Member Daniel DeGuire, Alternates Heather Edge

#### **3. Determination of Quorum**

G. Rooke-Norman appointed E. Bevis to sit for C. Kinnie and L. Laidley to sit for D. DeGuire. There was a quorum for this public hearing.

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

**A. ZC 01-10 Skulczyk, Kevin A., 70 Haley Meadow Road, Griswold, CT 06351. Property location: 623 Voluntown Road, Griswold.** Applicant requests approval of Zoning Map Amendment change to reclassify an existing C-1 Village Commercial to a proposed R-60 Residential District for an existing 61,165± lot. Property is zoned C-1.

G. Rooke-Norman asked if there was anyone here representing the applicant. John Faulise, Boundaries, LLC was representing the applicant. He submitted the certificates of mailing for property owners within 500 feet of the proposed zone change. G. Rooke-Norman asked if it was his representation that all those who were entitled to notice had been notified. J. Faulise stated yes. He submitted a letter from the property owner's authorization to represent him. He submitted a copy of the abutters' notification packet.

He explained where the site was located on Route 138 west of the NAPA Site. He stated that the zone behind the lot is zoned R-80 and the lots across the street are zoned R-60. J. Faulise stated that this lot has access only on Route 138. He explained the abutting properties. He stated that this lot was created by a residential subdivision in 1988 that ran from this subject parcel to the Advance Auto facility. All those lots at that time were zone R-60.

G. Rooke-Norman asked if the lot with the brown ranch on it is zoned commercial. He stated that the odd shaped triangular lot is the subject parcel. He stated that this lot and the lot with the brown raised ranch are both zoned C-1 and share a curb cut to Route 138.

He stated that the lot has been vacant for 22 years and the zoning regulations provide more protection for abutting residential properties. He explained where all the wetlands were located on the subject parcel as well as the abutting properties. He stated that if the lot was to be developed as a commercial lot with the required set backs, buffers, leaves an area of 6500 square feet and the wetlands regulated area is 150 feet for commercial purposes. He stated that the access to the property is on a shared curb cut share with a residence on the adjacent property.

J. Faulise explained that if the lot was developed as a residential lot, the set backs, buffers and the 75 foot regulated area allows about 10,000 of usable square feet to locate a house within the building setbacks. He stated that the driveways and part of the yard can be in the buffer area. He stated that there is a draft copy of a site development plan for a residence; the test pits were done and the area in the front is the best area for sewer disposal that would push the house and well further back in to the rear of the lot. The lot does not offer any value in developing the lot as a commercial lot.

J. Faulise explained that they explored a text amendment to allow a residence in a commercial zone by special exception and would be town wide rather than to this unique parcel. M. McKinney asked if the abutting properties are residential. J. Faulise stated that the abutting properties are zoned commercial but are residential uses. There was discussion of this matter.

L. Laidley asked if this lot could be combined to create larger commercial lot to be developed would it be more conducive to keep it as commercial. J. Faulise stated that this lot has been vacant for more than 20 years; but that a developer could come before the commission and have the zoned changed back to a commercial zone and combine it with other parcels. He stated that there are residences beside it, behind it, and in front of it. There was discussion of this matter including that all of the parcels there are inundated with wetlands and that development has been maximized for the area.

G. Rooke-Norman asked for comments or questions from board members or staff. She ask for comments and questions from the general public. Yvonne Nordgren asked to show where her lot was located on the map that she received as an abutter. J. Faulise explained where her lot was located. She was concerned that there would be enough buffer if a house was built on the proposed lot. J. Faulise stated that a house would be seen less than if it was a commercial development.

G. Rooke-Norman asked if they approached the brown house next door to change the zone since she was concerned that the proposed zone change would create spot zoning. J. Faulise stated that he did not approach the owners of the brown house. He stated that he did not now what their intension was and that the commission should reevaluate some of the properties in that location. C. Fontneau stated that in the next change, that the other lot can be changed to a residential use to match the proposed zone change. There was discussion of this matter.

Paul Madonna, 63 Osga Lane, stated that he was for a house and asked why a house cannot be built on a commercial lot. G. Rooke-Norman stated that the regulations do not allow it and this is common in many other towns. C. Fontneau explained that it is to preserve commercial land and the zoning district to use a commercial lot for a residence. P. Madonna stated that it would be devaluating the property. L. Laidley stated that because of the wetlands it restricts commercial development since the regulated area is double that of a residential use and double the buffer zones.

C. Fontneau stated that the common driveway because you cannot mix commercial and residential uses with the same structure; and it would be impossible to put a driveway for a commercial use because the driveway is used for a residential use on the same common driveway. G. Rooke-Norman stated she was concerned that it would be a domino effect and if it eventually becomes a commercial use there is the hardship of a share drive way with residential use. J. Faulise explained that the problem with the driveway is that there are problems with site lines required for Route 138.

G. Rooke-Norman asked for other comments or questions from the general public.

P. Madonna asked if it would be allowed to have a residence on the commercial piece as the other residences are commercial on the other side. J. Faulise stated that many of those residences were residential before the zone changed to commercial. G. Rooke-Norman stated that that a commercial zone can be determined by the uniqueness of the parcel at either end. She stated that the footprint for this property it becomes problematic to expect that a commercial development there when there are commercial lots with greater flexibility.

Art Coughlin asked when the commission decides to make a parcel commercial you do it as whole and you're not looking at each individual property. G. Rooke-Norman stated that we don't look at each individual parcel and would take an inordinate amount of time to do that sort of thing. A. Coughlin asked why can't zoning allow a residential use on a commercial lot to conform to the rest of the area. A. Coughlin G. Rooke-Norman asked are you suggesting allowing a residence to build on a commercial lot. A. Coughlin stated that there are not restrictions for a commercial and when it's designated residential. G. Rooke-Norman stated that this is not the right forum to talk about that issue. J. Faulise pointed out a similar situation with the Carl Brown property that was not feasible for any commercial development and that they were rezoned to be residential. There was discussion of this matter.

G. Rooke-Norman asked for other questions or concerns from the commission or staff or the general public. G. Rooke-Norman asked for a motion to adjourn the public hearing. J. Taylor made a motion to adjourn the public hearing. M. McKinney seconded the motion. All were in favor. The public hearing adjourned at 7:40 p.m.

#### **IV. PUBLIC HEARING (6:45 P.M.)**

##### **1. Call to Order**

G. Rooke-Norman called this public hearing to order at 7:40 p.m.

##### **2. Roll Call**

**Present:** Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Members John Taylor Alternate Erica Bevis, Lawrence Laidley, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

**Absent:** Secretary Courtland Kinnie, Member Daniel DeGuire, Alternates Heather Edge

##### **3. Determination of Quorum**

G. Rooke-Norman appointed E. Bevis to sit for C. Kinnie and L. Laidley to sit for D. DeGuire. There was a quorum for this public hearing.

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

**A. SE 01-10 Romano, Paul, 28 Leha Avenue, Griswold, CT 06351. Property location: 1131 Voluntown Road, Griswold.** Applicant requests approval of a Special Exception for a proposed automotive, marine recreation and agricultural equipment, sales, service and repairs. Property is zone C-2.

G. Rooke-Norman asked if there was anyone representing the applicant. John Faulise, Boundaries, LLC was here to represent Paul Romano who was also present. He submitted a copy of the certificates of mailing and the abutters' notification packets for this hearing. G. Rooke-Norman asked if it was his representation that notice was sent to those property owners who were entitled to receive notice. J. Faulise stated it is.

J. Faulise stated that this is for a special exception for lot 5 of Lakeside Landing. He submitted copies of a letter dated 6/24/10 from David Held, town consulting engineer that his recommendations have been satisfied; and the site plan is in conformance. He submitted a CTDOT curb cut approval for lot five off of the loop drive that is currently under construction. He

submitted an approval from the Department of Health regarding this property dated 6/7/10; a copy of the administrative ruling identifying that there are no wetlands or regulated areas within 150 feet of these lots; a letter dated 6/26/10 from Fire Marshal Fred Marzec listing his concerns and that those comments have been addressed in the revised plan that were submitted and that there is an e-mail correspondence that those changes have been addressed and is in the file. J. Faulise stated that there is a copy of the storm drainage calculations date May 2010 and reviewed by the town engineer. G. Rooke-Norman asked if it was submitted in full to the town engineer. J. Faulise stated yes and that it is referenced in the town engineer's comments. J. Faulise stated that Mr. Romano has submitted some architectural drawings of the intended look of the building. J. Faulise stated that there are some facings and canopies; faux masonry treatment on the front the building; a landscaping, canopy and vinyl clapboard siding on the front face that faces Route 138. J. Faulise submitted copies of the schematics for the wall pack lighting that is a cut off shielded lighting and area cut off lighting for lamppost in the parking area. J. Faulise submitted a copy of bond estimate for soil erosion and sedimentation controls dated May 27, 2010 in the amount of \$6380 bond that was reviewed by your town engineer and is part of the town engineer's review.

M. McKinney asked about the LED lighting. J. Faulise explained that those were proposed and are a shielded light for a efficient lighting. J. Faulise explained the access will be over a driveway from Route 138 to an access loop driveway in the northeast corner and will serve lots 4, 5, 6, and 7. He explained the parking area in the front of the building will be for six cars to the west and an access drive 26 feet in width along the easterly side of the build for an additional five parking spaces, a loading space and access to that side of the building. He explained that the septic system is proposed for the front of the building underneath the front six spaces; the well will be at the rear of the property as well as the dumpster enclosure.

J. Faulise explained that stormwater drainage will be surface flow to the east into a vegetated grass filter strip and infiltration swale and to the west side through a vegetated grass filter strip and infiltration swale along with associated landscaping on each side of the lot and in the parking field in the front of the building. He stated that there is a propane storage tank at the rear of the building that will not be visible from the street.

J. Faulise stated that the existing tree line vegetation at the south side of the lot will be a screen to Latham Drive and not proposed for any clearing. G. Rooke-Norman asked him to explain the tree line vegetation. J. Faulise stated that it would be the dense shrubs and trees that exist at the south side of the lot will remain in place. There was discussion of this matter.

J. Faulise explained the signage adjacent to the loop drive and was reviewed by David Held during the subdivision process. M. McKinney asked if there will a standardize sign for all those places or will there one for each parcel. J. Faulise state that the parcels have the ability to install its own sign in front of its building in back of the loop drive; but all the signs will be in front of the development off of Route 138 in front of the parking field to attract traffic into the developed area.

J. Faulise stated that this site is consistent with the currently developed sites. The site is all sand and gravel so the drainage is designed for infiltration which is recommended in the 2004 Stormwater Quality Manual for low impact development feature. He stated that the proposed swales adjacent to the building will be gentle sloping grassy swales,

L. Laidley asked about designated HAZMAT materials dumpster. J. Faulise stated that there is a dumpster location on the S.E. corner of the site and hazardous materials will be dealt with by a certified contractor for disposal of those materials; there are DEP containment requirements and DMV containment and licensing requirements. L. Laidley asked about storage of materials. J. Faulise explained that the 20 x 24 back portion of the building will be for storage of and equipment materials. The building itself will house blasting areas and baking areas for the powder coating; but it is the maintenance and service of those types of equipment, automobiles and boats. He stated that work is done in the building not outside.

M. McKinney asked if the vehicles being repaired will be parking in the back. J. Faulise stated this is not car repair, this is powder coating use; but the regulations lump this in with those automotive, marine recreation and agricultural equipment, sales, service and repairs. He explained that the customer would bring in the piece of equipment to be, cleaned, prepped and powder coated inside the building in a booth. Once it is cleaned and blasted in cannot be left outside where the metal would rust. When the item is done, the customer will pick up the completed item. M. McKinney explained that he was concerned when this property was sold and then it could be used as automotive, marine recreation and agricultural equipment, sales, service and repairs. J. Faulise stated that if it was not designated on this proposed site plan, they must come before this commission for site plan approval. There was discussion of this matter.

L. Laidley asked if it would be soda blasting or abrasive blasting. Paul Romano, 28 Leah Avenue explained that it would be glass bead blasting since there is concern for cross-contamination so he wants to only use one type of blasting medium. He stated that he has HAZMAT training with 25 years as a volunteer firefighter.

M. McKinney asked if there would be a compressor. P. Romano stated that the rear room will be used for the compressor and equipment storage and a containment area. M. McKinney asked if there would be a fire rated wall. P. Romano stated that there will be a steel roll up fire-rated door and Tom Holowaty, Deputy Fire Marshal has looked at the MSDS sheets and he will meet with the Fire Marshal when he gets the permits. J. Faulise stated that the only thing that the Fire Marshal Fred Marzec was looking for addition wall pack cut off lighting and lighting at the proposed egress door and a 3 ft. sidewalk to connect that egress doorway to the front parking area. He stated that the Fire Marshall had a concern for turning radii for fire apparatus on the S.E. side of the building so the pavement width was increased by two feet but will have no effect on the impervious surface but will provide more turning space for fire apparatus.

G. Rooke-Norman asked for questions from commission members. M. McKinney stated that he would like to see an oil separator added prior to going into the septic system for a future user. C. Fontneau stated that the commission could condition the approval that there is not any outside storage, but any car repair use would require a new permit. J. Faulise stated that regarding automotive repair may require disassembly of a vehicle for a section to be powder coated and the vehicle would remain until the work is completed. P. Romano stated this would be more piece work and very little overnight storage. There was discussion of this matter including that the powder coating falls under the State of Connecticut motor vehicle repairers' license.

G. Rooke-Norman asked if the lights are all shielded. J. Faulise stated that the lights are full cut-off lights. She asked if the lights dim down at night. J. Faulise stated that the lighting at night is for security purposes only.

G. Rooke-Norman asked for comments from the commission, staff and general public. Hearing none, she asked for a motion to adjourn. J. Taylor made a motion to adjourn the public hearing. L. Laidley seconded the motion. All were in favor. The public hearing adjourned at 8:40 p.m.

## **V. REGULAR MEETING (7:00 P.M.)**

### **1. Call to order:**

### **2. Roll Call:**

**Present:** Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Members John Taylor Alternate Erica Bevis, Lawrence Laidley, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

**Absent:** Secretary Courtland Kinnie, Member Daniel DeGuire, Alternates Heather Edge

**3. Determination of Quorum:**

G. Rooke-Norman appointed E. Bevis to sit for C. Kinnie and L. Laidley to sit for D. DeGuire. There was a quorum for this regular meeting.

**4. Approval of Minutes:**

**A. Approval of Minutes of the Regular Meeting of June 14, 2010**

J. Taylor made a motion to approve the regular meeting minutes of June 14, 2010. E. Bevis seconded the motion. All were in favor. The ayes carried.

**B. Approval of Minutes of the Special Meeting of June 28, 2010**

J. Taylor made a motion to approve the special meeting minutes of June 28, 2010. E. Bevis seconded the motion. All were in favor. The ayes carried.

**5. Correspondence and Attachments:**

**A. Letter dated June 2, 2010 to Ellen Dupont, Town Clerk from Joseph Siner, Secretary, North Stonington Planning & Zoning Commission regarding a public hearing set on or by for 8/06/10 for Zone/Regulation Change REP, LLC.**

G. Rooke-Norman asked C. Fontneau if this zone change affected Griswold. C. Fontneau stated that there was no impact to Griswold. There was discussion of this matter including that their application form is a good model.

**B. Letter dated June 9, 2010 to Ellen Dupont, Town Clerk from Louis J. Soya, Jr., Town Planner, Town of Plainfield regarding a public hearing on July 13, 2010 at 7 p.m. for TA 2010-03 Text Amendments.**

G. Rooke-Norman asked C. Fontneau if the text amendments change affected Griswold. C. Fontneau stated that there was no impact to Griswold. There was discussion of this matter.

**C. Letter dated June 23, 2010 from Demian Sorrentino, Boundaries, LLC requesting a modification to existing lots within a previously approved and filed subdivision plan entitled Improvement Location Survey, Lot Line Modification Plan for David G. Sorensen, 594 & Kenneth Dziadul, 596 Bethel Road to correct an existing encroachment of Mr. Sorensen's concrete pool patio and vinyl picket fence onto Mr. Dziadul's property in accordance with Section 7.9.**

C. Fontneau stated that this matter will be discussed under additional business as an Official Ruling.

**D. Letter from J. R. Normand Sylvestre regarding blighted buildings and other areas of blight and or cluttered areas not in compliance with zoning regulations.**

G. Rooke-Norman stated that the Blight Ordinance is not under the prevue of the Planning and Zoning Commission. It is a function of the Town so it falls under the supervision of the Board of Selectmen and the Zoning Officer as the Blight Officer does not report to the planning and zoning commission but has complete reporting responsibility and complete employment supervision responsibility by the Board of Selectmen. She asked C. Fontneau to write a letter to Mr. Sylvestre enclosing a copy of the blight ordinance stating that this ordinance does not provide the Planning and Zoning any jurisdiction for enforcement of the blight ordinance. G. Rooke-Norman asked for a copy of the draft letter before it is sent to Mr. Sylvestre. There was discussion of this matter including that many properties were located in the Borough.

6. **Matters Presented for Consideration:**

**A. SRC 02-10 Griswold, Town of, Text Amendment for a correction to Section 11.11 Animals of the Griswold Zoning Regulations. The keeping of animals, including poultry, but excluding cats, dogs, and household pets is expressly prohibited in high-density Residential zones.** Large animals such as cows, horses, and sheep may be kept solely for domestic purposes on non-farm property in R-40, R-60 and R-80 zones provided that (a) the lot contains at least three (3) acres of land; (b) no more than two (2) such animals over six months of age are kept on the lot; except that one additional animal may be kept for each additional half (1/2) acre up to the five (5) acre farm classification.

G. Rooke-Norman asked the commission what they want to do in this matter. L. Laidley asked if the working can be changed to five acres instead of three. C. Fontneau stated that it would be two sweeping a change. J. Taylor stated that since this was worded as in years past it should be changed. G. Rooke-Norman stated that it can be problematic if someone wants two cows in a subdivision on a lot with three acres. M. McKinney asked if there was a reason why this was brought up. D. Szall explained that Peter was getting complaints from who because people are getting chickens in the borough, in the town, so there is nothing in the regulations as it is written now that prohibits poultry. G. Rooke-Norman stated that this should be tabled or go back to the drawing board to make changes to the minimum acreage. L. Laidley suggested looking at the agricultural guidelines for those animals to determine the correct acreage.

M. McKinney made a motion to table this application to the next regular meeting. L. Laidley seconded the motion. All were in favor. The ayes carried.

**B. ZC 02-10 Griswold, Town of, Map Amendment** To restore those previously-zoned Borough Multi-family District properties on Mechanic Street to that previous zone which were included in the Borough Residential District as a Scribner's error.

M. McKinney stated that he wanted to see if there were other property owners that are in the same situation and do it all together. There was discussion of this matter. G. Rooke-Norman stated that there are property owners who are waiting for permits to rehab their properties and cannot do so because of the zone. J. Taylor made a motion to approve ZC 02-10 to restore those previously-zoned Borough Multi-family properties on Mechanic Street. E. Bevis seconded the motion. There was discussion of this matter. J. Taylor amended his motion to approve ZC 92-10 to restore those previously-zoned Borough Multi-family properties on Mechanic Street to be effective on August 1, 2010. E. Bevis amended her second. There were 4 ayes votes and 1 nay vote. The ayes carried.

**C. ZC 01-10 Skulczyck, Kevin A., 70 Haley Meadow Road, Griswold, CT 06351. Property location: 623 Voluntown Road, Griswold.** Applicant requests approval of Zoning Map Amendment change to reclassify an existing C-1 Village Commercial to a proposed R-60 Residential District for an existing 61,165± lot. Property is zoned C-1.

G. Rooke-Norman asked the commission what they would like to do. J. Taylor made a motion to approve ZC 01-10 with an effective date of August 1, 2010. E. Bevis seconded the motion. There was discussion of the motion that in the future, on a zone change all the residents should be asked for their participation. All were in favor. The ayes carried.

**D. SE 01-10 Romano, Paul, 28 Leha Avenue, Griswold, CT 06351. Property location: 1131 Voluntown Road, Griswold.** Applicant requests approval of a Special Exception for a proposed automotive, marine recreation and agricultural equipment, sales, service and repairs. Property is zone C-2.

G. Rooke-Norman asked what the commission what they would like to do. M. McKinney stated that they must come back to the commission for the use change. G. Rooke-Norman offered some conditions: 1) that no equipment machinery and or vehicles may be stored or exhibited for

sale in the front yard of said lot. G. Rooke-Norman stated that this is commercial subdivision where there would be a clear grassy area in front yards but to start exhibiting things for sale that was not the intend of the subdivider or the commission when the subdivision was approved. 2) All parking spaces shown on the site plan are spaces reserved for customer and employee parking; and if the applicant and or his successor desires to create additional parking for the temporary storage of vehicles and/or equipment which is in the queue for service or repair or to utilize the existing parking for said units in the queue than that applicant shall be required to get a separate approval from the Planning and Zoning commission for that change of use. There was discussion of this matter of the suggested conditions.

L. Laidley was concerned that the wording would make it harder for him to provide his service to customers. J. Faulise explained that the front portion of the building is that the area to the east of the building is for customer and employee parking and that there is landscaping that is a screen to the front of the building. He stated that the area waiting in the queue can be kept on the paved area on the east side of the building is a small area because of the customer and employee parking and the 26 ft. driveway so any storage would be limited.

G. Rooke-Norman added to this condition. 2) All parking spaces shown on the site plan **before the front line of the building with the exception of the paved area east of the building** are spaces reserved for customer and employee parking; and if the applicant and or his successor desires to create additional parking for the temporary storage of vehicles and/or equipment which is in the queue for service or repair; or to utilize said other parking for said repairs than that applicant shall be required to get separate approval from the Planning and Zoning Commission for that change of use. There was discussion of this matter of the suggested conditions. M. McKinney stated that he felt that it was becoming too restrictive. J. Faulise stated that it could be "" would allow use at the back of the building. There was discussion of this matter including that the use is broad and we need to control a buildup of storage at the front of the building.

G. Rooke-Norman asked C. Fontneau to draft the motion and asked to table this matter to the end of the meeting. M. McKinney so moved. L. Laidley seconded the motion. All were in favor. The ayes carried.

**E. ZP 15-10 Held, Walter H., 100 Brewster Road, Griswold, CT 06351. Property location: 80 Brewster Road, Griswold.** Applicant requests approval of a zoning compliant residential rear lot. Property is zoned R-80.

G. Rooke-Norman asked if there was someone here representing the application. Walter Held presented his application requesting approval for a compliant residential rear lot.

He explained that that he had an adjoining property that he took a free split which was surveyed. He had one front lot and one rear lot. He stated that the front lot met the requirements of zoning and that the remaining lot needed a zoning permit. C. Fontneau explained that there is a site plan in the file showing the front lot and the front portion of the rear lot. He stated that it was a free split that did not require a subdivision. He stated that the tax parcel changes were made to the zoning map. The free split involving a frontage lot and the remainder became a rear lot so it requires a commission approval of this zoning compliant for the 8.8 acre rear lot in the R-80 zone. He stated that the map has been filed on the land records and it needs commission approval to make it a legal lot.

G. Rooke-Norman asked a customer comes in to the land use office with questions about a free split, is anything done is there any documentation done that is put in a file. C. Fontneau stated that there is no and it is a verbal discussion of the free split procedure. There was discussion of this matter including that there must be a review by staff for the "remaining land" is compliant not needing additional review. G. Rooke-Norman requested that a form be designed to address free split procedures for review in August.

G. Rooke-Norman asked for a motion. M. McKinney made a motion to approve ZP 15-10. L. Laidley seconded the motion. All were in favor. The ayes carried.

**7. Additional Business:**

**A. Request from Walter Held for renewal of Special Exception SE 02-01 for a restricted private landing strip located at 100 Brewster Road, Griswold**

G. Rooke-Norman asked if there was someone to represent the applicant. Walter Held presented his request to renew his special exception for a restricted private landing strip. G. Rooke-Norman asked when the last was done. L. Laidley stated that it was August 11, 2010. W. Held explained that nothing has changed during the last ten years. C. Fontneau stated that there is a complaint form in the file from a property owner. G. Rooke-Norman read the complaint for the record.

Rudy Mackin 474 Voluntown Road, asked to see the map of the airport. G. Rooke-Norman showed him the map. He explained his complaint to the commission that he doesn't want to hear aircraft flying over his property at 6:30 am or 7:30 am and the noise is excruciating and when the landing occurs it goes over his land. M. McKinney asked if he wanted the flight plan changed. He stated that it should not have been approved in the first place. He babysits for his family and the plane wakes the children up. He asked if the planes are inspected. G. Rooke-Norman stated that the zoning officer can inspect the land, but the FAA inspects the planes. He wants to know why Mr. Held uses his property. G. Rooke-Norman stated that Mr. Held uses the air space. E. Bevis asked if there are properties abutting his property. And are there other complaints from other property owners. R. Mackin stated that they don't come because they don't want to be ridiculed. E. Bevis stated that the commission doesn't have jurisdiction over airspace. R. Mackin stated that how can the commission give permission then when it is somebody else's permission. W. Held stated that he has FAA and State Licensing.

G. Rooke-Norman asked Mr. Mackin what is questions were. R. Mackin asked how many planes he has, how long the air strip is, does the are craft that off in a shorter distance that other aircraft he had, can the plane take off and land over Brewster Road, what are the hours of operation, is the aircraft certified, G. Rooke-Norman stated that that is not our jurisdiction. We zoned an air strip we do not approve any aircraft. R. Mackin stated that Mr. Held had a minimum of 40 landings and take offs and who monitors that. L. Laidley asked how often he was disturbed at 6:30 or 7:00 am and for how long. R. Mackin stated that it was several times a month and long enough to wake him up.

M. McKinney asked R. Mackin if Mr. Held took off and landed in another direction, you would never bother him again. R. Mackin stated yes and that he didn't want to bother him know. He stated that he knew that he would land there and that he used to go in and out from the south and once he got the approval, he changed the directions.

G. Rooke-Norman asked Walter Held to answer the questions posed. She stated that he represented that there is a limit of 40 take offs and landings a year. W. Held explained that there is no limit now because it is licensed by the State and the FAA and it wasn't considered an airport unless there were more than 36 take offs and landings a year. G. Rooke-Norman asked if he has a license of approval for the record. W. Held stated that there is no license; the strip is on a chart as an airport. G. Rooke-Norman asked for a copy of the letter for the record.

J. Taylor stated that any complaints for the operation of the airport should be made to the State or the FAA. W. Held stated that the airport or un-airworthy planes are directed to the state. M. McKinney asked if he could take off from the other direction. W. Held stated that he used to go that way to the left. J. Taylor stated that there is more concentration going over Brewster Road and that there is more distance going to the north toward Voluntown Road leaving more room in case there is an emergency. W. Held explained that plane flies at air speed and you want to take off into the wind and so you can take off at a slower speed.

M. McKinney stated that you come back every two years for renewal. W. Held explained that he flies over I-395 when he takes off because absorbs some of the sound because of the traffic sounds. L. Laidley asked if his is required to file a flight plan. W. Held stated that he is not required to file a flight plan. G. Rooke-Norman asked his hours of operation. W. Held stated that he has never taken off before 7 am and the original approval stated that it was in daylight hours.

G. Ra asked if there was unauthorized planes taking off and landing in violation of the approval. W. Held stated not that he was aware of and he had not authorized any landings. in the last couple of years he had only one. J. Taylor asked how many planes he had. W. Held stated that he had only one small blue plane. G. Rooke-Norman asked if the shape or configuration changed since the last approval and does it have the same clearances. W. Held stated that it has not changed; it is identical with the same visibility and clearances.

M. McKinney asked that W. Held work on trying to mitigate some of the concerns by banking to the left. W. Held stated that he normally files down wind and turn to land on the air strip and it is not over his how and landing uses very little power so it s less noisy than take offs.

R. Mackin asked if video would help. G. Rooke-Norman stated that the commission would act on this matter tonight. She asked C. Fontneau if he was aware of other complaints. He stated no and he had not here of any complaints from Peter and that there have been no complaints from R. Mackin in the last two years. R. Mackin stated that there was an authorized plane went over his house that landed on Mr. Held's strip and two days later it took off over my house. G. Rooke-Norman asked Mr. Held if there were unauthorized aircraft. W. Held explained that there would be tracks in the grass but that he doesn't look at the strip every day. G. Rooke-Norman asked R. Mackin to in the future to submit photographs prior to the meeting.

L. Laidley stated that for the record the State police have been flying low level marijuana searches and they have been flying over his house at 100 feet and it was a white plane with State Police on the back of it. E. Bevis stated that there have been C-130s. L. Laidley stated that there are Apaches flying over. R. Mackin stated no, that it was only W. Held's friends.

G. Rooke-Norman asked for any further questions from board members, hearing none she asked for a motion to renew Special Exception SE 02-01 for a restricted private landing strip located at 100 Brewster Road, Griswold. E. Bevis so moved, L. Laidley seconded the motion. All were in favor. The ayes carried.

- B.** Request for a modification to existing lots within a previously approved and filed subdivision plan entitled Improvement Location Survey, Lot Line Modification Plan for David G. Sorensen, 594 & Kenneth Dziadul, 596 Bethel Road to correct an existing encroachment of Mr. Sorensen's concrete pool patio and vinyl picket fence onto Mr. Dziadul's property in accordance with Section 7.9.

G. Rooke-Norman asked if there was anyone to represent the applicant. John Faulise, Boundaries, LLC was here to represent the applicant. He explained that this was a modification to a subdivision approval in 1979. He explained that the southerly lot line is being modified because in 2000 Mr. Sorensen constructed an in ground pool, patio, and vinyl fence with the proper building permits and installed. He stated that at the time it was installed that the locations of two iron pins at the front and further back of the property line were correct. J. Faulise explained that Boundaries performed a survey in 2009 for Mr. Dziadul where it was determined that a corner of the picket fence around the pool enclosure and four inches of the patio extended over the property line. J. Faulise stated that a variance granted for Section 10.2.2 was acquired to reduce the access strip from 50 feet to 47.65 feet in order to maintain the improvements on Mr. Sorensen's property only for those improvements for a total of 360± square feet around those improvements. He submitted a copy of the variance for the record dated June 3, 2010 for the Dziadul property to convey the 360± sq. ft. to Mr. Sorensen.

C. Fontneau stated that this was as an Official Ruling OR 10-10 for the lot line adjustment. G. Rooke-Norman asked for a motion to approve the lot line adjustment and provide an official ruling OR 10-10 with a positive finding. J. Taylor so moved. L. Laidley seconded the motion. All were in favor. The ayes carried.

C. Discussion of the April 12, 2010 Minutes relating to the SRS Travel Center site plan modifications.

G. Rooke-Norman asked for a motion to move this to the end of the meeting. L. Laidley so moved. M. McKinney seconded the motion. All were in favor. The ayes carried.

D. Discussion of changes to subdivision and zoning regulations and setting a public hearing for their possible enactment.

G. Rooke-Norman stated that we should table this to get made some additional changes to the regulations. M. McKinney made a motion to table this item to next regular meeting. L. Laidley seconded the motion. All were in favor. The ayes carried.

## 8. Old Business

There was no old business.

## 9. New Business:

G. Rooke-Norman asked for new business. Rudy Mackin asked if it was required to post the agendas in the town hall. L. Laidley stated that it is in the bulletin board at the clerk's office. D. Szall stated that it is posted in the foyer at the entrance. M. Mackin stated that page 2 and page 3 are not posted on which you acted on are not posted. He wanted those decisions reviewed because pages 2 and 3 were not posted. D. Szall stated that she posts all the pages and has no control over who touches them after they have been posted to the foyer bulletin board. G. Rooke-Norman asked if it is posted on the internet. D. Szall stated that the agenda was posted on the internet. R. Mackin stated that everyone does not get the internet. He wanted it on the record that it was not posted in the town hall.

G. Rooke-Norman asked for the record that when you post the agenda you get a certified copy of what was posted signed by the town clerk. D. Szall explained that the Town Clerk signs the Agenda, three copies are made, one goes into the locked bulleting board across from the clerk's office, one goes in the foyer to which everyone has access so there is no control; but there is a copy in the locked bulletin board by the clerk's office and it is on the internet. G. Rooke-Norman asked if she certifies each page; D. Szall stated that the clerk certifies the cover page.

C. Fontneau stated that there was a request from the Griswold Housing Authority for an 8-24 Review, but Paul Brycki was not present. The commission can add this to the agenda if the commission chooses. There was discussion of this matter.

G. Rooke-Norman asked for C. Fontneau to read proposed language for the SE 01-10.

**6D. SE 01-10 Romano, Paul, 28 Leha Avenue, Griswold, CT 06351. Property location: 1131 Voluntown Road, Griswold.** Applicant requests approval of a Special Exception for a proposed automotive, marine recreation and agricultural equipment, sales, service and repairs. Property is zone C-2.

C. Fontneau presented additional conditions in the form of a motion to approve SE 01-10 for a powder-coating and sand blasting of marine recreation, agricultural automotive component parts at 1131 Voluntown Road as described in the public hearing of July 12, 2010, the architectural elevation drawings, site plan as revised through July 9, 2010 and other exhibits submitted to the project filed subject to the following conditions: 1) submission of the sum of \$6,380 for site restoration as a letter of credit or cash passbook in a form reviewed and acceptable to the Town

Attorney and evidence of payment of all outstanding review fees to the Town Engineer or Town Attorney before signature is affixed to the special exception document for filing in the land records. 2) that no equipment machinery and or vehicles may be stored or exhibited for sale in the front yard of said lot; 3) All parking spaces shown on the site plan before the front line of the building with the exception of the paved area on the east side of the building are spaces reserved for customer and employee parking; and if the applicant and or his successor desires to create additional parking for the temporary storage of vehicles and/or equipment which are in the queue for repair or processing; or to utilize the parking in the front of the building for said repair or equipment in the queue than that applicant shall be required to apply for separate approval from the Planning and Zoning Commission for that change of use.

J. Taylor so moved. L. Laidley seconded the motion. All were in favor. The ayes carried.

**7C.** Discussion of the April 12, 2010 Minutes relating to the SRS Travel Center site plan modifications.

G. Rooke-Norman asked if everyone got a copy of the CD and asked if everyone listened to it. G. Rooke-Norman stated that the areas of track 10 to 14. C. Fontneau stated that he attached a copy of the e-mail from Bob Schuch dated April 19 and at the meeting on April 12, it was his sense that the commission by consensus had asked him to engage a consulting town engineer and he asked David Held to review the revised plans submitted by Boundaries and discussed at the meeting on April 12 and that if there were any revisions necessary that he was to deal directly with Bob Schuch at Boundaries. The April 19 email describes some additional changes and information that Bob Schuch make to David Held's comments regarding changes to grading adjacent to the parking area of a 5 percent grade change; drainage calculation to properly size the stormceptor; and to add a painted striped area approximately 14 feet to 18 feet to the southeast corner of the building. There is a small scale diagram of the revision to the plan.

G. Rooke-Norman stated that she did not see where the commission had authorized the ZEO or the planner to approve the changes on the site plan. She asked if he had issued an approval. He stated that he was to engage an engineer, review the changes to the site plan and to have them reviewed by the fire marshal as he understood it from the minutes. He stated that there is a letter from David Held dated 4/19 with some concerns, a letter from Bob Schuch and a revised plan and letter dated 4/18 from the fire marshal with an addition change and in a letter on 4/19 that the change was ok. He stated that there was no letter drafted formally approving the changes by the planner or the ZEO. He stated that there has been a question about the minutes.

G. Rooke-Norman stated that it never came back to the commission. C. Fontneau stated that it never came back but the paperwork was in the file on those dates. G. Rooke-Norman asked that how could the commission determine whether the administrative change unless they saw the responses from the town engineer. C. Fontneau stated that it was his understanding that if the changes were made and reviewed by the fire marshal and the town engineer and if they were in agreement then that would resolve the issue and then write a letter would be written to make the attachments. G. Rooke-Norman stated that was not what was on the tapes. C. Fontneau stated that his decision was based on the reflection of the minutes and had not listened to the tapes.

G. Rooke-Norman stated that she wanted the commission to listen to the tapes for the next meeting and that she has an almost verbatim of what was said. She stated that there may be a problem that a portion of the properties has been raised a foot and that the applicant was not certain that it would gel with the adjacent property. She was concerned if the berm has been adjusted to protect the residential areas from the headlights. M. McKinney stated that he was concerned that the infrastructure; but we didn't ask the engineer to review site one and site two if they would work together. John Faulise as SRS representative stated that when he left the April meeting that night for those modifications; he and the applicant left with the understanding that if the fire marshal and the engineer were satisfied with the revisions then we could proceed, because that action was holding up the building permit; once the fire marshal and the town

engineer approve those changes, the building permit was issued predicated on that revised plan and that is what SRS has built to. He stated that Bob Deluca has reviewed drainage analysis from the as-built plan for the drainage work on the hotel site and Bob Deluca insured that they work and that those do work and they do interact between sites and function properly.

J. Faulise stated that the only change that Mr. Mackin has referred to was whether or not to change the grade of the roadway between the two sites. Mr. Mackin has not come before the commission for any changes to the roadway; and it has not been field staked that way. J. Faulise stated that the roadway is being constructed according the approved plans. G. Rooke-Norman asked about the berm. J. Faulise stated that the berm has been raised with the rest of the site; the access points and the connection sites have not been changed.

M. McKinney asked about changes to the stacking. J. Faulise stated that this is a painted island recommend by the town engineer with the removal of one parking space.

G. Rooke-Norman stated that the town must never, never employs two separate engineering firms for the review of different pieces of the same project. M. McKinney stated that he was concerned that the changes match up to the existing site. He asked if the hill is removed. J. Faulise stated that that is where the berm is being built into. J. Faulise stated that there is a constructed berm with landscaping on top of the berm. The construction stake out is based on the approved plans; SRS will provide an as-built.

C. Fontneau read the minutes for the record regarding the consensus of the commission that the planner and the ZEO can make an administrative approval. There was discussion of this matter. G. Rooke-Norman stated that the applicant would like an itemized bill before the applicant pays the review fees. C. Fontneau stated that he and Peter went to the site with the approved site plan and that plan is being followed by the constructors and the site should work.

G. Rooke-Norman asked for the members to listen to the tapes. She wants to make certain that nothing is being missed or overlooked because there are so many engineers on this project. There was discussion of this matter including a better procedure for payments for consultant fees.

C. Fontneau stated that the MDP was discussed when he was on vacation and he asked the commission if it was consistent with the town's PoCD. He stated that a letter the the present priorities of the MDP are consistent with the POCD and a letter is needed before the MDP can be enacted. J. Taylor made a motion that a letter be drafted that the MDP is consistent with the PoCD. E. Bevis seconded the motion. All were in favor. The ayes carried.

**10. Reports from the Enforcement Officer:**

There was no zoning officer report.

**11. Adjournment:**

J. Taylor 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