



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 27, 2009

GRISWOLD TOWN HALL

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

1. Call to order:

Chairperson Gail Rooke-Norman called this public hearing of Griswold Planning & Zoning Commission to order at 6:32 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Secretary Courtland Kinnie, Members John Taylor, Alternates Barbara Lukens, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Vice Chair Martin McKinney, Member Daniel DeGuire, Alternate Andrew Drobiak

3. Determination of Quorum:

G. Rooke-Norman appointed B. Lukens to sit for M. McKinney. There was a quorum for this public hearing.

4. Matter Presented for Public Comment:

A. SRC 01-10 Draft changes to the Town of Griswold Zoning Map to replace the current 2001 amended paper map with a digital map based on full tax parcels. Zoning district changes to eliminate the R-20 zone, to convert R-40 parcels to R-60 parcels based on the presence of one water and/or sewer, to create new C-1 parcels along the Routes 164, 138, and 201, and to create a Business Park District and an Open Space/Passive Recreation District. **Draft changes to the Town of Griswold Zoning Regulations** to multiple sections throughout and are mixed in content from administrative updates, clarification of wording, and to policy or bulk geometric requirement changes and age restricted housing. **Draft changes to the Town of Griswold Subdivision Regulations** to multiple sections throughout and are mixed in content from administrative updates, clarification of wording, and to regulation changes in the areas of common driveway configuration, conservation subdivision design, and stormwater management. **Draft change to Section 17.2 of the Borough of Jewett City Zoning Regulations** to clarify notice requirements for variance applications to Zoning Board of Appeals.

G. Rooke-Norman read the call of the meeting for the record. She stated that this public hearing will be continued to August 3, 2009 in this room at 6:30 p.m. and the public will attend the August 3, meeting as well. She stated that there is adequate notice for the web site and with the town clerk.

She asked that the full copies of the text be available upon request. She stated that typos and deletions are not substantive in nature and will be reviewed by staff and board members.

G. Rooke-Norman asked C. Fontneau to go through the sections for amendments. C. Fontneau explained the changes based on new State statutes to the Borough text Section 17 Amendments for variance notifications is now changed to first class mail and proof of mailings by a certificated of mailing and that ownership is based on the most recent grand list. G. Rooke-Norman asked for comments from the public or from board and staff members. There were no comments.

C. Fontneau pointed out the changes to the Town Zoning Map explained the changes to locations to the C-1 properties in the Route 164 corridor that included Haven Health Care Center as C-1. He explained the C-1 changes to locations on Route 12 that included Seymour's Sand and Stone changed from R-60. G. Rooke-Norman asked if the excavations are a special exception in the C-1 zone. C. Fontneau stated yes. C. Kinnie stated that this change is consistent with the Plan of Conservation and Development. C. Fontneau stated that American Industries is zoned C-2. P. Zvingilas asked if crushing and washing was permitted in the Industrial zone. G. Rooke-Norman stated that American Industries has always been in a C-2 zone.

C. Fontneau explained the new location of the Business Park zone. He stated that there have been regulations for a BP zone but that now there is a designated area. P. Zvingilas asked if residential uses are allowed in the Business Park Zone. C. Fontneau stated no. P. Zvingilas stated that in the new zone makes existing residential uses would be legal, nonconforming so that no expansion or additions will be allowed. G. Rooke-Norman stated that the property owners should be at the public hearing. There was discussion of this matter including that notice cannot be served on every property owner in the town.

C. Fontneau explained the changes to Commercial Parcel at the intersection of route 201. He explained the location to changes to Route 138 to create a more contiguous C-1 zone. He explained the location to the changes on Route 165 to C-1 zone. There was discussion of this matter. C. Kinnie raised the question of a residential zone on Route 138 that was discussed to be changed to C-1 for the Four Brother's property. G. Rooke-Norman stated that for the record this is an error as residential and will remain C-1. G. Rooke-Norman asked for public comment concerning C-1, C-2, Business Park, and Industrial.

John Faulise suggested that the trailer park being as part of the business park zone that will make the trailer park non-conforming. G. Rooke-Norman stated that this has been discussed and the owner of the trailer park can petition the commission to be the access to the business park as an access to the business park. There was discussion of this matter.

C. Fontneau reviewed the new text for Open Space Passive Recreation zone. (OSPR). He explained the locations of the OSPR which is State Forest land and land trusts, transfers of development rights and some are separate lots that are part of the Avalonia Land Trust. G. Rooke-Norman asked to see the zoning regulations for OSPR. C. Fontneau put the transparency for OSPR on the viewer for review. G. Rooke-Norman explained that this zone was created to allow the town a say in what can be introduced to these areas should the state decide to sell or lease land to a developer. She cited an example where a developer wanted to locate a radiation dump site on State land. G. Rooke-Norman asked for comments from the public, board and staff. There were no comments.

C. Fontneau explained the changes to the R20, R40, R60 and R80 zones. He explained that the R-20 zone in the town has been changed to R-40 since the R20 zones were around Jewett

City, so that R-40 must have water or sewer or both for development so there are only a few locations that are zoned R-40 that meet this criteria. C. Fontneau explained that most of the land around Pachaug Pond has been changed to R-60.

G. Rooke-Norman asked for comments from the public for R40, R60 and R80. J. Faulise stated that across from the school on the north at the intersection of Route 138 he asked if it was already commercial. G. Rooke-Norman stated that the lot was a C-1 zone C. Fontneau stated that this was an error. G. Rooke-Norman she pointed out another .6 acre parcel at the corner of pleasant view that was a C-1 zone. G. Rooke-Norman asked for comments or questions from staff.

C. Fontneau stated that there were few changes to R80. G. Rooke-Norman asked for comments from board members. C. Kinnie had a question of the location of an industrial zone in the wrong location that represents Tilcon. He pointed out where the industrial location should be on the map. C. Fontneau stated that this is a correction to the zoning map.

G. Rooke-Norman asked C. Fontneau to review the changes to the text in the zoning regulation. She asked the two other members what concerns they had for the changes in the zoning or subdivision regulations. Phyllis Knutson stated that she was concerned with Section 10.2.2. C. Fontneau explained 10.2.2 for reduced frontage or rear lots to be one or two tiers for frontage lots for more effective use of rear lots. G. Rooke-Norman stated that it is 2 x the standard lot size but that it will change to 1 1/2 times. C. Kinnie stated that this was to apply to the conservation subdivision only. C. Fontneau stated that the town attorney stated in an e-mail review of the subdivision regulations that there must be consistency in a zoning district so there cannot be different corridor widths associated with a rear lot or different bulk requirements different from the zoning regulations in the same district; so the commission must decided to keep it at 2 times or 1 1/2 times. There was discussion of this matter including that a conventional subdivision at 30 ft. frontage for a rear lot or remain 50 ft.

P. Knutson asked how this would affect her since they are not looking to subdivide. She stated that we have a road going into our property and will probably take our free cut. G. Rooke-Norman explained that the commission cannot state how it will affect a certain parcel. She explained that the commission has made it less restrictive so that there can be four flag lot side by side. She stated that a rear lot must be 2 times the size of a lot for the zone. C. Fontneau stated that a free split should not be affected. There was discussion of this matter of 50 ft. versus 30 ft. and the lessening of the need to create new roads and helps to preserve the rural nature of the road.

Peter Knutson asked about the east boundary of his property where all the lots have been developed are all on small lots and asked if anything could be done there. G. Rooke-Norman stated no, that what is there is there.

C. Fontneau explained Section 1.3 is a clarification to acknowledge the Plan of Conservation and development and owner of record; Section 1.3.4 changes alphabetical to street address. Section 2.1 addresses a deputy zoning enforcement officer in the enforcement officer's absence; Section 2.2 clarification of who can issue zoning permits. G. Rooke-Norman asked if there were any comments from the general public as we go thought these pages.

Section 2.8 policy describing zoning permits by the commission or the building commission describing progress of work; language for special exception documents for the same parcel to have expirations or can be voided after 270 days if not filed, or 5 years if no work has been started.

J. Faulise question the voiding of special documents needs more clarification and cited an example of a commercial use and suggested using words like not in use or failed to be acted upon. There was discussion of this matter.

C. Fontneau explained changes to a new Section 2.9.2 Road/Drainage improvement permits supporting subdivision lots or infrastructure plans for commercial projects applicant is to obtain a General Permit for Construction Activities from the CTDEP. He explained the changes to Section 2.10 concerning Appendix A Land Use Application Fees town ordinance. C. Fontneau explained the changed to Section 2.15 Abutter's notifications of public hearing. He explained the changes the section 3.1.1 referring to the new zoning digital map; and section 3.1.2 will be eliminated.

C. Fontneau explained section 4.2 regarding zoning permits to be issued by the zoning enforcement officer and those to be issued by the commission. He explained the new section 4.2.7 Garage Sales/Yard Sales in any residential zone. He explained the new section 4.2.8 the permitted uses for the OSPR district. He explained the changes to 4.3 Special exceptions He explained the changes to section 4.3.1 and Section 4.3.10 for kennel. He explained new Sections 4.3.16 Over 55 Neighborhood Housing Communities and/or 55 Plus Active Adult Neighborhood Housing Communities. He explained the new section 4.3.17 public service structures.

C. Fontneau explained that Section 5, High density R20 has been eliminated and will remain intentionally unassigned.

C. Fontneau explained the Changes in Section C-1 Village Commercial districts Section 6.2.1, 6.2.2, Section 6.2.3 changed to be up to and including 5000 s.f. with new Section 6.2.4 Temporary Garage Sales/Yard Sales. He explained the minor changes to Special Exception sections: Section 6.3.1, Section 6.3.13, Section 6.3.17, and New sections 6.3.18 and 6.3.19.

G. Rooke-Norman asked J. Faulise if he had specific questions for any changes to the regulations. He stated yes. She asked the commission if they were agreeable to this. There was a consensus.

J. Faulise gave his questions for section 8.6 regarding the business park maximum coverages and suggested that the coverage be detailed by the design and the land characteristics. G. Rooke-Norman asked that he bring this up again at the continued public hearing at 8/3/09. B. Lukens stated that she agreed if there is enough control over it; and C. Kinnie stated that the commission did not want to discourage commercial development. G. Rooke-Norman stated that it could be changed to 65% and 85%. He questioned Section 8.7.2 regarding the 100 feet for public utilities from the property line. There was discussion of this matter that this section was for water towers and is now listed section 8.9.1.5.1. G. Rooke-Norman stated that Section 8.7.2 will be taken out.

J. Faulise questioned Section 10.8.1 runoff from driveways and suggested that runoff to surface flow and change town property to existing or proposed streets. He stated that for Section 10.8.3 that 1% should be 3% for the driveway grade. J. Faulise recommended that in Section 10.9.5 that fire department should be replaced with Fire Marshal. There was discussion of this matter.

J. Faulise questioned Section 11.5 Fences for existing natural grade which he thought was in conflict with Section 11.8 landscape improvements for landscape berms and suggested or as proposed on an approved site plan. There was discussion of this matter including that there is reference in Section 11.8.2.4(c).

J. Faulise stated that the the Landscape Figures 1 and 2 have conflicting buffers and references to Section 10. There was discussion of this matter, D. Szall corrected the changes. J. Faulise stated that Section 12.21.5.10 that there appeared to be missing text. C. Fontneau stated that this was an administrative error and he showed the text on a transparency of this section. There was discussion of this matter. G. Rooke-Norman asked to check with the town attorney on this item to include it with this public hearing.

J. Faulise stated that in 13.2 he will get him the current title for the Code of Practice for Land Surveyors is not correct and is referenced in two other places in the regulations as an update. G. Rooke-Norman stated that the words as amended from time to time also be added. C. Kinnie had a question regarding the minimum lot area 20,000 s. f. lot size because it is separate C. Fontneau stated that there is potential for a minimum lot size for this type of housing. There was discussion of this matter including the maximum impervious surface requirements for this section.

J. Faulise stated that Section 13.2.1 was sentence a strikethrough, and the strikethrough should be removed.

J. Faulise stated that 14.2.15 regarding the parking for multi-family should be removed; C. Fontneau and that the town attorney suggested that a definition for multi-family be included in the definitions. J. Faulise had a question on Section 15.1.4 is contradictory and suggested that "no permanent" sign. There was discussion of this matter including that for special events there are the fluttering/moving signs. J. Faulise questioned Section 13.7 performance guarantees and that the changes and he pointed out that the "friendly to commercial development issue" that the bonding doesn't make sense since it makes the developer pay for them twice to have the credit or cash to bond it and the credit or cash to building it. He explained that these improvements are that the town will loam and seed to stabilize the site. He stated that this needs to be looked at. There was discussion of this matter. G. Rooke-Norman stated that there is some middle ground and asked if there is an exception in commercial or BP zones. And that the commercial site plans may be bifurcated or tiered and that the bond could be done in phases.

G. Rooke-Norman asked for comments or questions from staff. She asked J. Faulise if he had comments on on the Subdivision regulations. He stated that he did have some questions.

G. Rooke-Norman stated that this public hearing be continued and asked if there could be two dates for this public hearing if it runs over for August 3 and possibly August 4 There was discussion of this matter..

J. Faulise stated that for the subdivision regulations he had questions on Section 4.3.4 clarification of the locations of designations of all watercourses and wetlands, he stated that they cannot delineate wetlands on an adjoining property without permission but it can come from the New London County soil survey or a quad sheet for watercourses and may not be field delineation.

J. Faulise stated that Section 4.3.6 for trees in excess of 2 feet in diameter. He stated that there have only been a few occasions when this regulation had to be satisfied. He suggested that the trees deep in the property can do what they want and suggested that trees in excess of 2 feet in diameter within 100 feet of the street. There was discussion of this matter including a 100 feet of every boundary line.

J. Faulise stated that in Section 4,3.11 for zoning regulations section 20 should read 21. He stated that in Section 4.7.5 the word "shall" needs be changed regarding the letter from the

State Archeologist. P. Zvingilas suggested that the State Archeologist have a 30 day window to respond. J. Faulise suggested that the State Archeologist letter be added to the check list on the application. J. Faulise stated that that was all his comments and he thanked the commission for their time.

G. Rooke-Norman asked for a motion to be made to continue this public hearing to 6:30 p.m. on August 3, 2009 or continue if necessary to August 4, 2009 at 6:30 p.m. in the town hall meeting room or senior center. B. Lukens so moved. J. Taylor seconded the motion. There was discussion of the motion regarding commissioner and room availability on August 4. G. Rooke-Norman stated that the public hearing will be on August 3rd only. B. Lukens withdrew her motion. J. Taylor withdrew his second.

B. Lukens made a motion to continue the public hearing to 6:30 p.m. on August 3, 2009 in the town hall meeting room. J. Taylor seconded his motion. All were in favor. The ayes carried.

4. Adjournment:

G. Rooke-Norman asked for a motion to adjourn. J. Taylor made a motion to adjourn. B. Lukens seconded the motion. All were in favor. The public hearing adjourned at 9:15 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary