



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION

**Unapproved Minutes
FOR DISCUSSION ONLY**

REGULAR MEETING
MINUTES

AUGUST 11, 2014

GRISWOLD SENIOR CENTER

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

1. **Call to order:**

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

2. **Roll Call**

Present: Martin McKinney, Erik Kudlis, James Krueger, Charlotte Geer, Alternates Stewart B. Oakes, Thomas Palasky, Town Planner Mario Tristany, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Courtland Kinnie, Alternate Elias Baron,

3. **Determination of Quorum**

M. Tristany appointed S. Oakes to sit for C. Kinnie. There was a quorum for this regular meeting.

4. **Approval of Minutes**

A. Approval of Minutes of the Regular Meeting of July 14, 2014

M. McKinney asked for a motion on the minutes.

MOTION: E. Kudlis moved to approve the minutes of July 14, 2014. J. Kreuger seconded the motion. There were 4 aye votes and 1 abstention by S. Oakes.

5. **Correspondence and Attachments**

A. Letter from Griswold RTC recommending an alternate to the Planning & Zoning Commission.

M. Tristany stated that we have a new P & Z member. M. McKinney explained that there was a new alternate member to replace C. Geer who was appointed as a full member of the commission. He stated that the Republican Town Committee appointed Tom Palasky. M. McKinney stated that T. Palasky has not been sworn in and asked for a motion from the floor to seat T. Palasky; he will be sworn in before the next meeting.

MOTION: J. Kreuger moved to seat T. Palasky on the Planning and Zoning Board. C. Geer seconded the motion. All were in favor; the motion was carried.

B. Letter from Louis Soja, Jr. Town Planner, Plainfield Planning & Zoning Commission regarding a Public Hearing on Tuesday August 12, 2014 for a text amendment to Section 7.1a pertaining to sheds and floating decks and to modify Section 15.6 Fences.

M. McKinney asked M. Tristany to explain this to the board. M. Tristany explained that the Town of Plainfield is holding a public hearing for a proposed text amendment which by State Statute requires a Town to notify abutting Towns if it is within 500 feet of a town line. He explained the text amendment is regarding structures and detached decks not exceeding 200 sq. ft. and fences due to changes in the State Building Code for single story detached structures not exceeding 200 sq. ft. can be constructed or placed without a building permit. The Town of Plainfield proposes to exempt these types of structures from a Zoning Permit. M. Tristany explained that this could cause a problem to Town of Griswold residences that abut the Town of Plainfield if a Plainfield resident places these types of structures at the property line. He suggested that the Commission write a letter to the Town of

Plainfield expressing their concerns for eliminating the need for a zoning permit. There was discussion of this matter. M. McKinney asked what merit will be given if we write a letter. M. Tristany stated that the Southeastern Connecticut Regional Planning Agency has taken a negative position; he stated that he would draft a letter of putting the possible zoning problems in a formal recommendation from this Board asking them to reconsider. M. McKinney stated that he didn't have a problem with it. E. Kudlis stated that it was their town, they can do it. M. McKinney asked the board if a letter should be written. There were no motions made in this matter.

- C. Letter sent to Joe Fellows, 61 Leha Avenue regarding the Planning & Zoning Commission decision to allow until October 20, 2014 to comply with cease and desist.

M. McKinney asked P. Zvingilas if anything has changed from our original discussion. P. Zvingilas state that he has spoken with Joe Fellows who is in the process of removing the wood. He has not been out there to check it. He is processing the wood but he is not bringing anything in. M. McKinney stated that he has until October 20, 2014. David Vieux, 59 Leha Avenue, abutting neighbor, stated that he is not complying with the hours of operation set by the commission and is still using the skid steer loader and the other loader which makes a racket. M. McKinney stated that the letter refers to materials removal between 8 am and 8 pm. D. Vieux stated that he was working at 6:15 am last Saturday. M. McKinney asked P. Zvingilas to write J. Fellows another letter. D. Vieux stated that the skid steer loader and the other loader was brought up by the First Selectman that they shouldn't be used. There was discussion of this matter including that those items were not mentioned in the letter. M. McKinney gave D. Vieux a copy of the letter. E. Kudlis asked what the motion read. M. McKinney stated that there was no motion made regarding this matter; there was only discussion that a letter be sent. D. Vieux stated that there is the state law that J. Fellows should be in compliance with regarding noise. M. McKinney stated that we given him a cease and desist; we have been in contact with our attorney; is matter; and we are trying to close this matter out.

- D. Letter from Donna M. Seresin of DEEP dated July 24, 2014 regarding Discharge of Stormwater Associated with Industrial Activities issued October 1, 2012, Plainfield Road, Jewett City.

M. McKinney asked about DEEP. M. Tristany stated he receive an email and there are copies of reports from DEEP regarding American Industries inspections; copies have been sent to Attorney Branse; there are additional reports from deep and follow up inspections as well as EPA air quality reports. M. McKinney asked if the Commission could meet with staff and Attorney Branse in a workshop regarding these reports. M. Tristany stated he will follow up with Attorney Branse who will give us direction in this matter.

- E. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Summer 214, Volume XVII, Issue 3

M. Tristany stated that this newsletter was informational and no action is needed.

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 anyone to represent the applicant. Susan Mattern, Mattern & Stefon Land Surveyors was representing Peter Lambert who was also present. She passed out revised site plans to the commission. She explained that CTDOT has approved the curb cut; but that because changes have been made to the curb cuts, a new approval by CTDOT is needed. She read the CTDOT letter dated July 14, 2014 for the record.

S. Mattern explained the change to the existing curb cut on Parcel B will be widened for two-way traffic for ingress and egress on Route 138. This curb cut provides access to the property owned by Peter and Susan Lambert which is in two deeds for SAR Enterprises property and for Peter and Susan Lambert property to pass and re-pass over lands accessed by John Drive to Pachaug Pond. She read the deeds for the record.

S. Mattern explained that the 4 ft wide painted walkway along the building for pedestrians access in that area; there will be a stop bar and signage for private driveway for residents and employees. She explained there is access in front of the building that will become one-way traffic in which ingress will be located at the existing curb

cut and egress will be at the third curb cut. She stated that there will be 10 parking spaces to be located east of the building; the parking spaces will be 9.5 ft. wide and 18 ft. except for the handicapped parking space at 60 degree angle with wheel stops; there will be a 5 ft. wide bituminous concrete sidewalk that will meet the existing pavement and there will be sidewalk to the entrances for each of the business in the building.

S. Matter explained that there will be seven parking spaces added the west side of the access way for display of used automobiles sales. She stated that there will be a movable barrier fences so those spaces cannot be used by customers coming into the businesses. She explained that she will add a detail showing a pipe in the ground at grade in which a smaller diameter pipe will go into with chains from one pipe to the other to block it off.

S. Mattern explained the entrances to each unit: unit 1 has one step up that will be ramped to the sidewalk; unit two is flush with the sidewalk; unit 3 is flush with the sidewalk, unit 4 is flush with the sidewalk and the entrance unit 5, the proposed apartment, has three steps.

S. Mattern explained that there will be 18 ft. for backing up out of the parking spaces; there will be a painted stop bar; a stop sign and a do not enter sign at both sides of the exit drive. She read a letter requesting a waiver for the landscaping requirements. She explained that the thirty foot grass area where 24 feet is in the State right of way for Route 138 and there is 6 feet on the applicant's property which meets the intent of the regulations. M. McKinney asked if any shrubs will be added to the property. S. Mattern stated that there are existing shrubs that will be removed to get the required parking. M. McKinney stated that the commission would like to see some landscaping be added to the site.

S. Mattern explained that there are details on Sheet two for pavement and wheel stops. M. McKinney asked if the whole entrance will be paved. S. Mattern stated yes and it will be graded to drain. M. McKinney asked if the last entrance will be used to go out back. S. Mattern stated the first entrance will be at the first curb cut driveway. She explained that the plan was drawn based on what the commission wanted to see. M. McKinney asked if the parking for the cars in front would be paved. S. Mattern stated that this area already is paved because it was the original existing parking.

J. Kreuger asked S. Mattern to explain the movable barrier again. M. McKinney asked P. Zvingilas about the doorways being handicapped accessible. P. Zvingilas stated that the doors will have to be wide enough to be accessible and there needed to be an accessible parking area. E. Kudlis asked if the entrance to Parcel B is being widened to go over the well. S. Mattern stated that it was a property point; and that the entrance will be widened to allow two way accesses.

M. Tristany stated that this is the first time seeing this plan but that he had reviewed a mockup with the applicants which is close to what is presented tonight. He stated that he had no concerns or comments about this plan. He suggested that the 1.5 parking spaces below the well is a grassed area and that this should be pulled back to the black top. There was discussion of this matter.

M. McKinney asked about the shrubbery. M. Tristany stated that there should be an attempt to add low, decorative plantings since Mr. Lamberts business is landscaping to make it attracting. M. McKinney stated that we can leave the approval of the landscaping up to staff. M. Tristany suggested three conditions of approval: 1. The parking space be turned 90 degrees and shifted to the east to remove the 1.5 parking spaces from the grass island; 2. add decorative landscaping on the 6 ft of the Lambert property; and 3. Final review and approval by CTDOT District II. M. McKinney asked for a motion.

MOTION: E. Kudlis moved to approve site plan by Mattern & Stefon, Job ID No. 09-0118 for SAR Enterprises, LLC, 1061 Voluntown Road as submitted conditioned upon the reposition of the display parking spaces and elimination of the grass parking space; and minimal landscaping to be determined with staff; and the approve by CTDOT District II. J. Kreuger seconded the motion. All were in favor. The motion was carried.

7. Additional Business

M. McKinney asked for additional business. M. Tristany stated that UCFS has been looking at property on the PWC parcel at 226 East Main Street. He stated the hazmat clean up is nearly done and the town and UCFS are both having appraisals done for this site. He stated that the commission should propose a text amendment to allow by Special Exception in the Industrial Zone to allow medical facilities uses as clinics, doctors' offices and other similar uses. M. McKinney asked if this was considered to be spot zoning. M. Tristany stated no, the zone is not being

changed. He explained the conditions of spot zoning: 1. it is a small piece of property; sole benefit to the property owner and 3. There would be no benefit to the town. There was discussion of this matter. M. Tristany stated that there will be a text amendment for this use at the next regular meeting.

8. Old Business

There was no old business.

9. New Business

There was no old business.

10. Reports from the Enforcement Officer

P. Zvingilas explained there is a problem with Surrell's Restaurant and Bar on Slater Avenue. He explained that there are many signs for advertising on a fence; they want expand the liquor operation out on to the patio with picnic tables with umbrellas. He stated that this use is not allowed in the regulations to have outside areas. He stated that he expanded on the Pizza side with a window for ice cream at the back of the building. He stated that he will be working with the property owner. He stated that the original permit went back to allow access on the right side of the building and the exit on the left side of the build. He will put the file and make copies for the commission. P. Zvingilas stated that signs are on the neighbor's fence. M. Tristany stated that the bar is in the borough and zoning does not allow bars in a residential/commercial zone. P. Zvingilas stated that that it doesn't comply with the original approval in 1994 or so. M. Tristany stated that you cannot expand a non-conforming use. P. Zvingilas stated that there has always been a bar there which preexisted zoning. M. McKinney asked why it was going to be a battle. P. Zvingilas stated that the tenants of the building are not cooperative.

P. Zvingilas stated that there was an article regarding 50 Shades. He stated that they have opened up and they are successful. He stated that she has done what she said she would do. The windows are block from the street and when he was there, you have to be buzzed in to the entrance and identification is checked for 18 years and over. M. McKinney stated that he received feedback and to check the approval. P. Zvingilas stated that there was a question of the DVDs; he stated that those DVDs are secondary sales and are located in a separate room. He stated that when there were the Video Stores, those stores had an adult section in a separate room. P. Zvingilas stated that he wanted to know about what to do with the DVDs. He stated that his biggest complaint was for the signs that were put up all over. Those have been removed. M. McKinney stated that we will wait until next month to see if there are more complaints.

P. Zvingilas stated that the Dollar General has poured the foundation and the lower walls are up and the floor will be poured and a building is pre-cut steel building and they are on schedule. He stated that there is a penalty if the 40 days.

There was no other business.

11. Adjournment

M. McKinney asked for a motion to adjourn. J. Kreuger moved to adjourn. C. Geer seconded the motion. All were in favor. The meeting adjourned at 8 pm.

Respectfully Submitted,

Donna M. Szall
Recording Secretary