



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION

PUBLIC HEARING & REGULAR MEETING MINUTES

SEPTEMBER 8, 2008

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 6:58 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Secretary Courtland Kinnie, Members Daniel DeGuire, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Vice Chair Martin McKinney, Member John Taylor, Alternates Andrew Drobiak, Barbara Lukens,

3. Determination of Quorum:

There is a quorum for this public hearing.

4. Matter Presented for Public Comment:

A. SE 02-08 DELMAC, LLC, 156 Preston Road, Griswold, CT. Property Location: 134 & 140 Preston Road, Griswold. Applicant requests approval of a site plan amendment to the approved gas station site plan revised September 9, 2007 to add diesel pumps at the islands for intended use by passenger vehicles and to eliminate note 4 on the special exception condition. The property is in the C-1 & C-2 zones.

G. Rooke-Norman asked if there was anyone here representing the applicant. Mario Tristany, 23 Harry Hall Drive, was here representing the applicant Greg Mackin and Warner Adele. He submitted the abutters' notifications packet and the certified mail receipts to the commission. G. Rooke-Norman asked if it was his representation that everyone entitled to notification had been notified. M. Tristany stated that was correct. He submitted a site plan to the commission for review stating that there are no changes to the plan. He read a letter from Greg Mackin, President of DELMAC, LLC dated 29 July for the record that was sent to the Planning and Zoning Commission regarding the DELMAC, LLC SE 02-08 travel center on Route 164 in Griswold that referred to the prohibition of diesel fuel for passenger vehicles and light duty trucks having an impact on the ability to execute a development contract with the travel center developer and the loss of developers for the hotel and restaurant.

M. Tristany explained that they were asking the commission to allow diesel pumps for passenger vehicles and light duty trucks and the future of biofuels. He stated that tractor trailers or tourist buses would not be allowed on the site. He explained that the DOT has restricted right hand turn only for northbound traffic. He explained that the turning radii cannot be reduced because of safety vehicle access and fuel deliver trucks. He asked the commission to reconsider the prohibition of sale of diesel fuel for passenger and light duty vehicles and to restrict it to domestic vehicles, cars, light duty trucks and can restrict the location and the number of diesel pumps.

G. Rooke-Norman asked if there would be diesel pumps at each of these locations there would be a diesel pump and will not have a separate diesel pump and to keep the carwash. M. Tristany stated yes. G. Rooke-Norman asked if he had independent data supporting the 20-30% of a travel center's sales represented for diesel fuels. M. Tristany stated that he did not have a number and that number was quoted to DELMAC by one of the developers.

Greg Mackin, DELMAC LLC, explained that a developer looking at the site layout stated that the biodiesel and diesel fuels will be used by more vehicles to use that and with the conditions of the permit, they would restrict themselves and they want to be competitive. G. Mackin has spoken with Cumberland Farms, X-tra Mart and Valero with Route 164 being a travel location than a destination-retail location. He stated that he did not want to lose the customers coming from other states. There was discussion of this matter.

C. Fontneau stated that there is a letter that addresses diesel and gas stations from Leslie Cosgrove of Garnet Consulting Services representing the EDC to attract business.

G. Rooke-Norman asked for questions from the commission.

D. DeGuire asked if there would be a diesel pump at each island and he thought that it should be a separate pump by itself. G. Mackin stated that there would be one a one pump on the outside location. There was discussion of this matter.

G. Rooke-Norman asked how they would deal with the height restrictions so that buses and tractor trailers can't access the pump. G. Mackin stated there is a certain way to pull in that the canopy was designed as an extension of the roofline of the building that runs from the pumps to the building and this would restrict the vehicles. C. Fontneau stated that the orientation of the gas pumps restricts the length of a tractor trailer or tour bus to negotiate the narrow opening between the two pumps. He stated that more signs could be added. There was discussion of this matter.

C. Kinnie asked about signage and the wording to be used. M. Tristany stated that the wording will be short. C. Fontneau recommended "no tractor trailers, no buses. M. Tristany stated that they would use whatever the commission or the planner suggests. C. Kinnie stated that this could service a single axel dump truck or light duty dump truck. M. Tristany stated that there are farm vehicles that use gasoline. C. Kinnie stated that the diesel could be located at the two exterior pumps. There was discussion of this matter.

G. Rooke-Norman asked for comments from residents for or against the inclusion of diesel.

Al Zabbo, 12 Walter Drive, stated that he was in favor of it and that he would like to see Griswold to be competitive with our neighboring towns like Lisbon and Plainfield and that we need more commercial development in our small town.

G. Rooke-Norman asked for any other comments.

Lee Daley, 12 Walter Drive spoke in favor of it and asked why we would want to drive business away into our neighboring towns when we have a facility right there that can cater to fuel.

G. Rooke-Norman asked for any other comments or questions from staff.

P. Zvingilas asked that the e-mail be part of the record. C. Fontneau stated that a copy can be added to the record.

C. Kinnie stated that the signage would be stand alone or would it be added to the sign listing the name of the company. M. Tristany stated that we could do both. C. Fontneau stated that it can be at the entrances to warn trucks and buses are not welcome: "no tractor trailers, no buses" and this can be added to the site plan. There was discussion of this matter including that it is a directional sign and not an advertising sign.

G. Rooke-Norman stated that this could be added to travel brochures, and websites. M. Tristany stated that this could be a condition of approval. G. Rooke-Norman stated that this signage must be clear because it abuts a residential area and would be a concern having a more intensive travel center usage.

G. Rooke-Norman asked if there was an update on what was happening with the hotel and restaurant. M. Tristany stated that DELMAC, LLC has been talking with a hotel and restaurant developers as well. He stated that the developers want assurance that the uses will be there for a hotel, gas station and restaurant. He stated that the proof is to show the developers signed contracts with the adjacent uses. G. Rooke-Norman asked M. Tristany was representing that this is one barrier in blocking the three uses from being developed. M. Tristany stated yes, nobody wants to be the first on the block which is why this was approached as a commercial village type of development.

G. Mackin stated that the site must be done all at once, when the hotel is ready to go, then the travel center and the restaurant must be ready so that the cost is being bid by all three parties as a 1/3 deal. He stated that there is a contract in place for the hotel that brought the travel center to us. He stated that they want to be competitive with Lisbon. G. Mackin stated that Griswold has a high tie-in fee of \$30,000,000 and Lisbon's tie-in fee is \$4,000,000 which puts us at a disadvantage and as a developer, we're lucky that casino traffic is on Route 164 because if it was on Route 12, they would be there.

G. Rooke-Norman asked if the town engineer looked at this and were there different requirements for the two different types of fuel such as separation from each other. C. Fontneau stated that would be through the Fire Marshal's office during the building permit phase. P. Zvingilas stated that the tanks are split wall tanks. G. Mackin explained how the tanks are designed and used.

D. DeGuire asked about Note 4. M. Tristany explained that Note 4 was the condition on the approval that restricted the use of diesel. There was discussion of this matter.

C. Fontneau stated that the site plan was not filed because of the lack of tenants. M. Tristany explained that the plans would not be filed until the bond is filed. He stated that this was done during the previous planner's term. C. Fontneau stated that there is no time frame in our regulations. There was discussion of this matter including that a time limit be added to the regulations.

G. Rooke-Norman asked for any further questions or comments. She asked for a motion to close the public hearing. D. DeGuire made a motion to close the public hearing. C. Kinnie seconded the motion. All were in favor. The ayes carried.

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

1. Call to order:

Chairperson Gail Rooke-Norman called this public hearing of Griswold Planning & Zoning Commission to order at 7:40 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Secretary Courtland Kinnie, Members Daniel DeGuire, ZEO Peter Zvingilas, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Vice Chair Martin McKinney, Member John Taylor, Alternates Andrew Drobiak, Barbara Lukens

3. Determination of Quorum:

There is a quorum for this meeting.

4. Approval of Minutes:

Approval of Minutes of the Public Hearings of August 11, 2008

G. Rooke-Norman asked for a motion to table the minutes to the next regular meeting. D. DeGuire made a motion to take the minutes to the October 14, 2008 meeting. C. Kinnie seconded the motion. All were in favor. The ayes carried.

5. Zoning Regulation & Subdivision Regulation Update

G. Rooke-Norman asked for a motion to move Item 5 to the end of the agenda. C. Kinnie made a motion to move Item 5 to the end the agenda after Item 11. D. DeGuire seconded the motion. All were in favor. The ayes carried.

6. Correspondence and Attachments:

G. Rooke-Norman asked C. Fontneau if there was any correspondence to address here. C. Fontneau stated that there is correspondence that will be addressed later in the agenda and stated that the letter relating to 4 Brothers Motor Sports should be discussed under the ZEO report.

7. Matters Presented for Consideration:

A. SE 02-08, DELMAC, LLC, 134 & 140 Preston Road, Griswold, CT. Applicant requests approval of a site plan amendment to the approved gas station site plan revised September 9, 2007 to add diesel pumps at the islands intended for use by passenger vehicles and to eliminate note 4 on the special exception condition. The property is in the C-1 & C-2 zones.

G. Rooke-Norman stated that this was a prior public hearing to allow diesel pumps to be used by passenger vehicles and note 4 replaced. C. Fontneau stated that Note 4 can be replaced to read Note 4 that diesel would be allowed to be dispensed at the two outside pump island for passenger vehicles and light trucks with signage for no tractor trailers or buses at the three entrances to the site and would be automatically added to the final revisions to the site plan. There was discussion of this matter including that this would be added to the special exception document that is recorded on the land records.

G. Rooke-Norman asked the applicant if this can be done within 60 days. G. Mackin stated that 60 days is too short and that 90 days would be better. G. Rooke-Norman stated that the request for a 90 day time period be added to the application. There was discussion of this matter.

G. Rooke-Norman asked for a motion to approve SE 02-08 DELMAC, LLC site plan amendment to add diesel pumps for passenger vehicles and light duty trucks only at the two outside pumps only for a maximum of two diesel pumps total at the site with signage at all entrances that the diesel fuel is for passenger vehicles and light trucks only, no tractor trailers, no buses and that note 4 the special exception condition will be replaced with those conditions and limitations and that will be filed with the plan within 90 days. C. Kinnie so moved to approve SE 02-08 DELMAC, LLC. D. DeGuire seconded the motion. All were in favor. The ayes carried.

B. SUB 01-09 Boulanger, Allan, 237 Taylor Hill Road, Griswold, CT. Applicant requests approval of a subdivision to consist of 1 new lot in order to correct two tracts that were combined into one tract; each tract contains a dwelling unit. The property is in the R-20 zone.

G. Rooke-Norman asked if there was someone here to represent the applicant. Allen Boulanger presented the application. C. Fontneau stated that there was a revised plan in the file. A. Boulanger explained that the property was his father's place that he turned into one property, then it was two properties, and now it is back to one property. They would like to make it back into two properties.

G. Rooke-Norman asked if the zone is R-20. A. Boulanger stated yes. She asked if both parcels have enough acreage to meet the R-20 requirement. A. Boulanger stated yes. D. DeGuire asked where the driveway to the rear lot was located and how wide was that. A. Boulanger showed where the right-of-way to the rear lot was and that it was 25 ft. wide. C. Fontneau stated that a variance was granted for a zero frontage for the rear lot. There was discussion of this matter.

G. Rooke-Norman asked if both houses were built and the garage. A. Boulanger stated yes. She asked how two houses got on one lot. A. Boulanger stated that the house already existed since 1936 and the other was built by his father in 1965 along with the garage. There was discussion of this matter.

C. Fontneau stated that the commission directed him to contact Attorney Branse. He stated that there is an e-mail dated 7/18/08 in the staff report regarding the options available; and recommends that the subdivision option. C. Fontneau stated that there is a list of waivers to make the land undevelopable. Claire Boulanger stated that you cannot build any more on the land. There was discussion of this matter.

G. Rooke-Norman asked about the waivers as part of the application. C. Fontneau stated that he didn't have a list and he reviewed the subdivision requirements. There was discussion of this matter including identifying the waivers: 4.3.9; 4.4; 4.5; 4.6; 4.7 to the Boulanger Subdivision for 27,950 for the rear lot and 24,000 for the front lot.

G. Rooke-Norman stated that this is a new subdivision to correct the existence of two dwellings on one lot.

D. DeGuire made a motion to approve SUB 01-09 Boulanger Subdivision, waive the site plan requirements that are not contained in this subdivisions application and map as presented and were waived by the commission as this is a unique application to create two lots that were previously separate lot except for the subdivision requirements required by the planner. C. Kinnie seconded the motion. All were in favor. The ayes carried.

C. ZC 01-09 Knutson, Peter R. and Phyllis N., 268 Route 2, Preston, CT. Property location: 989 Voluntown Road, Griswold. Applicant requests approval of a zone change from an R-80 zone to an R-60 zone in order to make the property more consistent with other lake front properties on Pachaug Pond. The property is in the R-80 zone.

G. Rooke-Norman asked if there was someone representing the Knutsons. C. Fontneau stated that this is a zone change and requires that a public hearing be set. C. Fontneau stated that there are changes to the law regarding abutters' notifications as of October 1st that only requires notification to the abutting parcels. There was discussion of this matter.

Phyllis Knutson asked how many days were required to mail it in and to return it back. G. Rooke-Norman stated that she work with C. Fontneau regarding what was required. There was discussion of this matter.

D. DeGuire made a motion to set a public hearing for ZC 01-09 for Tuesday, October 14, 2008 at 6:30 p.m. in this room. C. Kinnie seconded the motion. All were in favor. The ayes carried.

D. OR 01-09 Zvingilas, Peter, 28 Main Street, Griswold, CT. Property location: Town wide. Applicant requests an Official Ruling regarding pre-existing-discontinued signs with state permits. All town zones.

P. Zvingilas explained that he received correspondence from the State regarding pre-existing, non-conforming signs and billboard signs. He is asking the Commission for their position on this matter. G. Rooke-Norman asked about abandonment language in the regulations. P. Zvingilas stated that he didn't think that case law support its. There was discussion of this matter.

G. Rooke-Norman stated that this would be a policy decision and that the full board should be involved. D. DeGuire made a motion to table this matter to the next regular meeting. C. Kinnie seconded the motion. All were in favor. The ayes carried. P. Zvingilas asked if advice be sought from Attorney Branse. There was discussion of this matter. G. Rooke-Norman stated that an opinion should be gotten from Attorney Branse regarding abandonment.

8. Additional Business:

A. Section 8-24 Review requesting the discontinuation of Lee Road (a.k.a. Forest Road) at a town road.

C. Fontneau stated that the selectmen asked to start the process for a request from Elizabeth Brothers of the DEP regarding Lee Road in the state forest to be abandoned as a town road so that it will be used as a forest road in Pachaug Forest. There was discussion of this matter.

G. Rooke-Norman stated that further definition is needed from the State to determine the section of Lee Road to which the state is referring. C. Fontneau will contact the state to get more information.

D. DeGuire made a motion to table this matter to the October 14, 2008 meeting. C. Kinnie seconded the motion. All were in favor. The ayes carried.

G. Rooke-Norman stated that this gentleman wishes to be heard but stated that we are not making any kind of decision since it is not clear on our maps. Ransom Young stated that they discontinued the old Shetucket Tpke in 1946 to dissipate it south to a certain point and east to a certain point of that intersection.

9. **Old Business**

- A. Discussion of a request for a bond reduction for the Homes at Aspinook View, 148 Mathewson Street, Jewett City from William H. Coons, Quantum of Jewett City, LLC from \$1,500,000 to \$175,000.

C. Fontneau stated that this is a request for a reduction in the letter of credit. Walter Twachtman was here representing Homes of Aspinook View and Mr. Coons to consider our request. C. Fontneau explained that there was a review by the engineer that the \$175,000 is more than adequate for the original phased site implementations. W. Twachtman stated that project was reduced to three phases and that the site work is done for the public elements, and that there are only a few items that have not been complete and that there are 19 units remaining to be completed. Joe Fisas explained the work that was to be completed as well as the work that was completed. There was discussion of this matter.

G. Rooke-Norman asked for any questions. D. DeGuire made a motion to reduce the letter of credit balance for the Homes at Aspinook View from \$1.5 million to \$175,000. C. Kinnie seconded the motion. All were in favor. The ayes carried.

- B. Discussion of a request from Randy Brown, Clearwater Home Improvements of a bond reduction for Danika Way in Danika Estates from \$286,365.00 to \$17,181.90.

C. Fontneau stated in a note from Todd Babbitt, the inspection of in the field of the density measures the day of the paving were fine, but the materials test taken off the truck didn't meet specs. There was discussion of this matter.

G. Rooke-Norman stated that this should be tabled until the correction has been made.

D. DeGuire made a motion to table to the next regular meeting on October 14, 2008. C. Kinnie seconded the motion. All were in favor. The ayes carried.

10. **New Business:**

- A. Discussion of a request from Dennis E. Fontaine for a bond reduction for Camelot Lane in Kingsbridge Estates from \$163,005.00 by 94 percent to a balance of \$9780.000; and that the Board of Selectmen accept Camelot Lane into their road system.

C. Fontneau stated that Bob DeLuca, engineer, reviewed the as-built and that the stormwater trench was different than the approved plan as well as some other minor things at the end of the cul-de-sac. He stated that not all the items have been fixed. C. Fontneau stated that it can be reduced to \$19,780 based on Bob DeLuca's recommendation that would protect the town's interest. There was discussion of this matter.

D. DeGuire made a motion to reduce the letter of credit from \$163,005 to \$19,780 after the completion of the final review letter from Bob DeLuca; it can be reduced by an additional \$10,000. C. Kinnie seconded the motion. All are in favor. The ayes carried.

SE 07-06 Tilcon of Connecticut, Inc. 1 Forest Road, North Branford, CT 06471-1023
Property Location: 22 Sibicky Road/ 183 Rixtown Road, Griswold. Applicant requests approval for continuation of an existing earth products excavation operation. A portion of Phase I currently stabilized and reclaimed with 8.4 acres remaining in Phase I. The property is in the R-60 and R-80 zoning districts.

C. Fontneau stated that this requires a public hearing. Attorney William McCoy was present representing the applicant and explained that the present permit will expire on October 8th. There was discussion of this matter including the reclamation in Phase I as well as the date for the public hearing.

D. DeGuire made a motion to set a public hearing for November 10, 2008 at 6:30 p.m. for Tilcon of Connecticut. C. Kinnie seconded the motion. All were in favor. The ayes carried.

11. Reports from the Enforcement Officer:

P. Zvingilas explained that Terrie Berry had written a complaint regarding Four Brothers Motor sports and stated that she would like to address the commission.

Terrie Berry, 1053 Voluntown Road stated that she had written a letter to the commission citing the times that Four Brothers had violated their permit. She explained that she had documented the violations that included working after the hours of operation. She stated that they have a shared driveway with Four Brothers and she has been complaining over the past year. She stated that there had been loud noises after 7 p.m. and as late as 11 p.m. She stated that there were ATV drivers on a Sunday afternoon and they said that they had permission to ride there. She stated that she submitted pictures of Four Brothers test driving vehicles after operating hours. C. Fontneau stated that those are on file. There was discussion of this matter.

G. Rooke-Norman read the conditions of approval of the Four Brothers special exception for the record. P. Zvingilas stated that the owner of Four Brothers is present.

Patrick Strain stated that he had not violated the conditions. He explained that he does work overtime. He stated that the state police have been out there and that there is no noise ordinance except past 10 p.m. He stated that they have had problems with the Berry's coming over and making threatening comments, swearing at us. He explained that approximately 32 vehicles are pushed and the larger, heavier vehicles are ridden into the store. He stated that if there is something different that he can do since he cannot afford to have bikes stolen from this property.

G. Rooke-Norman stated that the applicant was responsible that there wasn't any riding by trespassers and that he was to have put up fences, post it. P. Strain stated that he did not give his permission for anyone to ride on his property because it is an insurance risk. G. Rooke-Norman stated that P. Strain should notify the state police and in no doing so, he passively is agreeing to them being there. There was discussion of this matter.

G. Rooke-Norman stated that C. Fontneau make copies of the CD's that Terrie Berry submitted to give to Patrick Strain. T. Berry stated that he does do test rides. P. Strain stated that he does not do test rides but that he does ride the vehicle after repairs to insure that it runs properly. Brian Rice stated that he worked with P. Strain. He stated that they have been harassed by the Berrys. There was discussion of this matter.

G. Rooke-Norman asked P. Strain write a letter of his definition of what a test drive is regarding the repairs to the vehicles and what he considered to be hours of operation. P. Zvingilas suggested that repair test drives not be done after hours. D. DeGuire stated that the vehicles be in before 6 p.m. P. Strain stated that he has no problem stating on record that no test drives of repairs would be done after 6 p.m. G. Rooke-Norman stated that we need to listen to the tapes of the public hearing. There was discussion of this matter.

G. Rooke-Norman asked D. Szall the let the member know that they should come in to the office to listen to the tape of the special exception public hearing before the next meeting.

51 Sunset View

P. Zvingilas explained that he wanted a clarification from the commission regarding 51 Sunset Drive that was Mackin Drive North between Popple Bridge and Mackin Drive. He stated that he remembered something about not issuing any more building permits because the bond had been reduced to \$7,000 on the road. He asked if that was correct.

D. DeGuire stated yes. G. Rooke-Norman stated that she remembered that. He asked the commission what was to be done with those lots and asked for direction from the commission to be able to deny zoning permits. G. Rooke-Norman stated that the approval of the building lots was conditional upon certain prerequisites such as the road being done in a certain manner and the bond being kept in place and when that was renege upon.

P. Zvingilas stated that when the subdivision was Pond View Estates that was recorded in the subdivision records that it was voided until it was renewed under A. Deroy and Sons. He stated that there were subdivision approvals for different phases. There was discussion of this matter including that there must have been notice on the land records.

G. Rooke-Norman stated that we will discuss the letter from Norman Sylvester while P. Zvingilas got a file from the office.

Norman Sylvestre Letter

G. Rooke-Norman asked the commission if they received a letter from Mr. Sylvestre. She asked what the commission's feelings were about incorporating this into our ordinances. She stated that Town Ordinance 139 it is not specific. G. Rooke-Norman stated that blighted buildings should be combined with unlicensed junk cars since they are two very separate issues. She stated that it should be part of the town ordinance so zoning regulations and the town ordinance and state statutes are consistent. There was discussion of this matter including that if it is a state law, the state should enforce it.

51 Sunset View - resumed

G. Rooke-Norman stated that P. Zvingilas is back and speaking about Pond View Estates matter. P. Zvingilas stated that there is a bond reduction letter, but there is no date on the letter. G. Rooke-Norman asked if we had tapes on this matter. D. Szall stated that there may not be tapes for that year; the clerk can destroy them after one year. P. Zvingilas stated that they changed the law. There was discussion of this matter.

G. Rooke-Norman stated that there needs to be a letter to Phil, Ellen and Cathy Maxwell regarding keeping the records. D. Szall stated that she will check the basement storage for tapes from 2001.

C. Kinnie asked if the drainage was ever completed on that road. P. Zvingilas stated there are some catch basins are in but the lips are two inches above the pavement but the road was never completed. There was discussion of this matter including working on the town road ordinance.

C. Fontneau stated that it can go to a public hearing to void the rest of the lots. C. Kinnie asked if it was five years. C. Fontneau stated that there was a 5 year limitation for all public improvements. There was discussion of this matter.

C. Kinnie asked if that subdivision incorporated the lots on Jennifer Lane and Mackin Drive. P. Zvingilas stated yes. There was discussion of how the name was changed from Pond View Estates to Sunset View.

G. Rooke-Norman stated that sometime between 10/15/03 to 12/03 time frame was when there was some approval of the binder coat and paving from correspondence in the file. P. Zvingilas suggested that we get an opinion from the town attorney. There was discussion of this matter including that the lots have separate owners.

G. Rooke-Norman asked if because there is so much water on the lot that it could be deemed a wetland. C. Fontneau stated that the soils would be the same. C. Kinnie stated that a soil scientist determines the quality and type of the soil. C. Kinnie stated that he did not remember seeing a subdivision plan for this road. There was discussion of this matter.

G. Rooke-Norman stated that there are two or three things that we need an opinion from the town attorney and to be specific in those questions.

5. Zoning Regulation & Subdivision Regulation Update

G. Rooke-Norman asked the effective date of the Moratorium. C. Fontneau stated that it was February 1, 2008 was the effective date of the moratorium for nine months. G. Rooke-Norman stated that we will not be done by November 1, 2008 so we need a public hearing for an additional three months. There was discussion of this matter to have an additional four months.

D. DeGuire made a motion to hold a public hearing at 6:45 p.m. on October 14, 2008 to extend the moratorium from November 1, 2008 to March 1, 2009 for the Borough, Town and subdivision regulations with the same terms and conditions of the original moratorium. C. Kinnie seconded the motion. All are in favor. The ayes carried.

G. Rooke-Norman stated that C. Fontneau to have the new regulations in the same format as the regulation book. She also stated that prior planners would have the staff report in the agenda package. She stated that it is difficult to review the staff report when I get here. There was discussion of this matter including doing an addendum.

Additional Zoning Officer Report

- A.** Discussion of the clarification of lot coverage regarding impervious surfaces such paved driveway, patios and sidewalks, etc. and practical permeable alternatives.

P. Zvingilas asked for clarification of lot coverage of impervious surfaces. He stated that many lots are covered with pools, driveways concrete patios, sidewalks and theoretically, the whole lot can be impervious. G. Rooke-Norman stated that other towns have a percentage of the lot as impervious. P. Zvingilas state that we have maximum lot coverage and to look at making impervious surfaces as part of the lot coverage then those can be regulated. He stated that this is a problem with the tiny lots such as those on Latham Drive. There was discussion of this matter including the use of permeable surfaces and a stormwater quality issue.

P. Zvingilas stated that this should be addressed in the regulation updates.

G. Rooke-Norman asked to schedule a special meeting work for the fourth Monday on September 22nd at 7 p.m. C. Fontneau asked that a letter be sent to the first selectman to approve his attendance at this meeting. There was discussion of this matter including fourth Monday meetings for November and December.

G. Rooke-Norman asked for a motion. D. DeGuire made a motion to set a special meeting workshop for the regulations on September 22, 2008 at 7 p.m. for 1.5 hours. C. Kinnie seconded the motion. All were in favor. The ayes carried.

G. Rooke-Norman asked D. Szall to send a letter to commission members regarding this special meeting.

P. Zvingilas stated that at the school building site, there were 2 invalid social security numbers out of 145 names that were found during the search. There was discussion of this matter.

P. Zvingilas stated that the original plans submitted for the school did not have the proper state approvals and signatures and stamps but that they now have the properly signed and stamped plans.

G. Rooke-Norman stated that the bond rating has been approved with an good rating that will give the town good interest rates. She stated that there were two teleconferences with the bonding factors. There was discussion of this matter.

C. Fontneau stated that Jim Sperry is working on the plans for the elementary school.

12. Adjournment:

G. Rooke-Norman asked for a motion to adjourn.

C. Kinnie made a motion to adjourn. D. DeGuire seconded the motion. All were in favor. The meeting adjourned at 10:20 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary