



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION

PUBLIC HEARING AND REGULAR MEETING

MINUTES

OCTOBER 14, 2014

GRISWOLD SENIOR CENTER

I. PUBLIC HEARING (6:45 P.M.)

1. Call to Order

M. McKinney called this public hearing at the Griswold Senior Center to order at 6:45 pm.

2. Roll Call

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

Absent: Erik Kudlis, Alternate Elias Baron

3. Determination of Quorum

M. McKinney appointed T. Palasky to sit for E. Kudlis. There was a quorum for this public hearing.

4. Matter Presented for Public Comment

A. **SRC 05-15 GRISWOLD, TOWN OF ECONOMIC DEVELOPMENT COMMISSION GRISWOLD.**

Requesting approval of a text amendment to Section 9 Industrial Districts adding to Section 9.4 Special Exceptions new Section 9.4.5 Medical Clinics, Medical Offices, Research Laboratories and other related Medical Services including Veterinary Services and Section 9.4.6 Mixed Use Developments such as Multi-Family Residential, Elderly Residential, Retail, Restaurants and Office uses. Property is zoned Industrial.

M. McKinney asked if there was someone to represent the applicant. M. Tristany, Town Planner, explained that Thomas Giard, Chairman of the Economic Development Commission could not attend due to a conflicting meeting at his place of employment. M. Tristany explained that the Economic Development Commission is sponsoring this text amendment to add new language in Section 9 Industrial zones because the 226 East Main Street PWC property is in final stages of cleanup and United Community Services is interested in the property as a Medical Clinic which is not allowed in the Industrial Zone. He explained that rather than have a map amendment, the EDC requested that a text amendment to add Section 9.4.5 for Medical Clinics, medical offices, research laboratories and other related medical services including Veterinary services, and Section 9.4.6 for Mixed Use Developments such as multi-family residential, elderly residential, retail, restaurants and office uses. This will provide other uses for this site and for the larger PWC site across the street especially since industrial uses in Connecticut are non-existent so that these properties can get back on the tax rolls. He asked for any questions regarding this text amendment.

M. McKinney asked for anyone present to speak in favor of the text amendment. He asked if there was anyone in opposition to this text amendment. Edward Burdick, 764 Voluntown Road, stated that he had

three items: 1) that it was hard to here with the soda machine running; 2) that it was a sad testament that Tom Giard was not here; and 3) that why have zoning when you can create a text amendment to the regulations to get around zoning. E. Burdick stated that he does support economic development but that it should be done a different way where people living in a residential area and was concerned that you can wake up one morning and this can set a precedent which can impact the quality of life of the residents.

M. McKinney stated that the text change was to benefit the community with a hospital. He stated that the mechanism to notify residents of a public hearing. E. Burdick stated that the alternative is to change the zoning map. M. Tristany stated the text change versus a map change, the position is that zoning

M. McKinney stated that the text change was to benefit the community with a hospital. He stated that the mechanism to notify residents of a public hearing. E. Burdick stated that the alternative is to change the zoning map. M. Tristany stated the text change versus a map change, the position is that zoning should be dynamic to encourage growth and be open to some kind of change. He explained that many surrounding towns have change the Industrial Use such as the Norwich Industrial Park that is now a Business park with housing developments and business offices and some manufacturing, E. Burdick stated that it may be the right thing for the town, but that his objection is to the process.

M. McKinney asked for anyone to speak in opposition. He asked for questions from the members. J. Kreuger had a question about the mixed use and if there was the possibility of condominiums and three-family houses. M. Tristany stated yes, multiple families is 3 family or more. M. McKinney asked if multifamily and elderly is part of the mixed use. M. Tristany stated that it is a combination of any of those things such as a medical facility and some other support facility such as a lab or doctors office to complement the clinic and there could be an assisted living development with retail support and or office support rather than all residential. J. Kreuger asked if the multifamily residential needs to be in that amendment. M. Tristany asked if he wanted to strike multi-family residential. J. Kreuger stated that he did not want to see three-family development. M. Tristany stated that it would be up to the commission to decide but that if you strike multi-family, you would want to strike residential. C. Kinnie stated that you want good use of your Industrial zone. P. Zvingilas stated that there is a density requirement for multifamily residential. C. Kinnie stated that striking both seems extreme but it would be hard to strike one and not the other. There was discussion of this matter including that there only two industrial zones in town.

C. Kinnie stated that for clarification, this amendment is only for town industrial zones and will not affect the borough industrial zones. M. Tristany stated yes, the borough has its own zoning regulations.

M. McKinney asked for a motion to close the public hearing. C. Kinnie asked that the hearing should be kept own so that Mr. Giard can give a presentation of the EDC's position on this text amendment. C. Kinnie moved to continue this public hearing to November 10, 2014 at 6:45 p.m. in the town hall meeting room. J. Kreuger seconded the motion. All were in favor. The motion as carried.

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

1. Call to Order

2. Roll Call

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

Absent: Erik Kudlis, Alternate Elias Baron

3. Determination of Quorum

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

4. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of September 8, 2014

M. McKinney asked for a motion on the minutes from last month.

MOTION: J. Kreuger moved to approve the minutes of September 8, 2014. C. Geer seconded the motion. All were in favor. The motion was carried.

5. Correspondence and Attachments

M. McKinney asked M. Tristany about the correspondence. M. Tristany stated that these items will be discussed under additional business.

- A.** Letter dated September 10, 2014 from Mario Tristany to Joseph Fellows regarding removal of excess wood from 61 Leha Avenue
- B.** Letter dated September 16, 2014 from Mario Tristany to Surrell's Pizza regarding recent compliance with removal of signage.

6. Matters Presented for Consideration

A. SRC 05-15 GRISWOLD, TOWN OF ECONOMIC DEVELOPMENT COMMISSION, GRISWOLD.

Requesting approval of a text amendment to Section 9 Industrial Districts adding to Section 9.4 Special Exceptions new Section 9.4.5 Medical Clinics, Medical Offices, Research Laboratories and other related Medical Services including Veterinary Services and Section 9.4.6 Mixed Use Developments such as Multi-Family Residential, Elderly Residential, Retail, Restaurants and Office uses. Property is zoned Industrial.

M. McKinney stated that this was a public hearing that was continued. He asked for a motion to table this item to the next meeting.

MOTION: C. Kinnie moved to table SRC 05-15 to the next regularly scheduled meeting. J. Kreuger seconded the motion. All were in favor. The motion was carried.

B. SE 07-06 RENEWAL TILCON CONNECTICUT, INC. PROPERTY AT 22 SIBICKY ROAD & 138

RIXTOWN ROAD. Requesting approval of a continuation of an existing earth products excavation operation currently operating in Phase 2,3 and 5 areas; total 10.6 unclaimed acres (as of 10/20/2014); total 12 reclaimed acres (as of 8/20/2014). Property is zoned R-80

M. McKinney asked if there was anyone to represent the applicant. Attorney Harry Heller, 736 Route 32 in Uncasville was representing Tilcon, Connecticut, Inc. also present was Frank Lane, Director of Environmental Compliance for Tilcon. He explained that this was a renewal of a special exception permit that was granted in 2006; the two year renewal is for Tilcon to demonstrate that the permit is in compliance with the terms and conditions of the original permit and the town regulations. He explained, at the September meeting, the site was surveyed, CME determined that there the maximum of the 10 acre had be exceeded for the active excavation area; he stated that Tilcon will affect reclamation to bring the site into compliance before this meeting. He stated there is 8 x 11 plan prepared by CME Associates delineating the reclamation area. He explained the demonstration plan that the excavated area and reclaimed area is green lined area and the active excavation area in pink was reduced to 9.5 acres.

H. Heller stated that Tilcon owns the industrial property across the street on Sibicky Road and the materials is hauled across the road to be processed. He stated that it is a good operation and he asked that the permit be renewed.

M. Tristany stated that Tilcon has been an excellent steward of the land and run a good operation. He explained that he had requested Attorney Heller to submit copies of their Spill Prevention Control Plan.

M. Tristany explained that Attorney Heller submitted copies of Tilcon's MPDES State permits, their Spill Prevention Control Plan, and a letter from Tilcon Environmental Consultant to DEEP Bureau of Materials Management and Compliance Assurance. He stated that Tilcon has satisfied the special exception criteria and recommended that the two extension of the permit be granted. M. McKinney asked if there should be any stipulations based on past renewals. M. Tristany stated that there were no stipulations for the last renewal permit.

P. Zvingilas asked C. Kinnie about the missing industrial zones for Tilcon. C. Kinnie stated that the industrial zone was missing from the map. M. Tristany stated that this was a scribe's error and it will be corrected.

M. McKinney asked for any comments from the commission.

MOTION: C. Geer moved to approve SE 07-06 for approval of Tilcon Connecticut, INC. request for renewal of the permit operating at the property of 22 Sibicky Road and 122 Rixtown Road for a two year extension. J. Kreuger seconded the motion. All were in favor. The motion was carried.

C. ZP 01-15 RUBINO, FRANK J. PROPERTY AT 37 D MAIN STREET, JEWETT CITY. Requesting approval of a Zoning Permit to add a concrete patio an existing sidewalk for outdoor dining to an existing restaurant. Property is zoned BC - Borough Commercial

M. McKinney asked if there was someone to represent the applicant. No representative came forward for this application. M. McKinney recommended tabling this application to the next regular meeting and to send him a letter to appear at the next meeting

MOTION: C. Kinnie moved to table ZP 01—15 concerning Frank Rubino and his request of the addition of a concrete patio to an existing sidewalk for outdoor dining. J. Kreuger seconded the motion. All were in favor. The motion was carried.

7. Additional Business

A. Request from Joseph Fellows to address the Planning & Zoning Commission

Joe Fellows, 61 Leha Avenue, stated that he was here for a few items he wanted to discuss. He asked M. Tristany about the letter dated September 10, 2014 he received asking him to not process firewood on Sunday; and if there was an ordinance for the Town of Griswold that wood could not be processed on Sunday. M. Tristany stated no there is not; and he explained that at the September Planning and Zoning Commission meeting, this matter was discussed and the commission suggested that you refrain from cutting wood on Sunday to give peace and tranquility to the surrounding neighbors. He stated that it was up to you to decide to follow the suggestion; and you opted not follow the suggestion. J. Fellows that that there was no one who he spoke with who could tell him if there was an ordinance for firewood, number of cords on your property, the time to start and end to cut wood.

M. Tristany stated that again those hours were a suggestion to you. M. McKinney stated that there was a complaint that you were operating a business processing 500 cords of firewood for sale. J. Fellows asked if there was a file. M. Tristany stated that there is a file. There was discussion of this matter. J. Fellows stated that he was operating a business and would like an apology for operating a business. He stated that there is a complaint for anything that he did in his yard. M. McKinney stated that you have met the deadline for removing all but ten cord of wood by a certain date. P. Zvingilas stated that he received a complaint that J. Fellows was operating a business by processing firewood and Mr. Fellows wrote him a letter that he would remove the excess firewood to ten cord on site and to cease sale of wood. P. Zvingilas stated that the next letter that you receive from him will be a letter that he met the requirements of the previously agreed to letter. J. Fellows stated that he can bring in 10 cords for next

winter; except that his neighbor Mr. Vieaux will say there is 50 cord. M. Tristany stated that it has come to the point where it has become a civil matter and that the parties involved acquire attorneys and let the court decide the matter. M. McKinney stated that you can keep wood for yourself but that you cannot be trucking out wood. J. Fellows asked if the town had the right to tell him to remove any equipment from his property.

M. McKinney stated that he will add a new item B to the agenda regarding American Industries and Johnson Cove Road.

B. American Industries and Johnson Cove Road residents issues with American Industries

Jeff Ryan, 72 Johnson Cove Road, asked where we are at with American Industries noise levels. M. McKinney stated that we did some noise and decibel monitoring there. He stated that American Industries has hired an acoustical engineer to come up with a plan to address the noise issues and we are waiting for that report. He stated that we have received some reports from the DEEP and the EPA and we are waiting for further reports on outstanding issues from DEEP and EPA on further inspections that have been done that we did not know about. We want to be sure that we have all the facts and all the information that we need.

J. Ryan stated that on May 5, 2014, we submitted questions on a complaint form and that he was still waiting for answers whether American Industries was compliant. M. Tristany stated that if he was referring to the court document, he stated that his answer would be no, they were not in compliance. J. Ryan stated that he needed that information in a letter from the commission or M. Tristany about American Industries was compliant in order for him to proceed. McKinney stated that he was unaware that we were to reply to your questions. M. Tristany stated that all violation letters in this matter were sent to the town attorney so we will have to review that with Mark but we will definitely review that. M. McKinney stated we are not running away from this; but that some of these violations are directly connected to us and some are directly connected to other agencies in the town and sort out which ones are our jurisdiction to handle and which ones we don't.

M. McKinney asked for other people to come up and speak.

Harold Sugden, 39 Johnson Cove Road, he wanted to wait to see what was resolved. M. McKinney stated that there probably won't be 100 percent closure by the next meeting; but we are working on it. H. Sugden asked if the state was involved in this. M. McKinney stated that we have received report of a notice of violation issued by the state on September 18, 2014. H. Sugden stated that there are other issues other than noise, the smell; and he will wait on that.

Fabiola Proulx, 23 Fairview Avenue, stated that it is so bad at our house that the kids cannot stay outside because of the smell. She stated that this has been going on for a long time. She lived there for 43 years and it was not like this before in 1975-1977 she spoke with the father when it was only a gravel bank; there was no asphalt being done there. She stated that now we see clouds of black smoke going up and there is soot on the cars. Earl Proulx, 23 Fairview Avenue, you can see the black smoke coming across the tree line.

M. McKinney stated that we very concerned with the quality of life in the neighborhood, we understand it and we understand the noise and we are working very hard trying to work out something that both can exist; and we understand the noise; but we need to know all the facts from DEEP, EPA and the acoustical engineer to make a comprehensive decision.

F. Proulx asked how this was going to affect their wells. M. McKinney stated that he did not know. She stated that it is affecting our health, and our lungs and it will eventually seep into their wells. M. McKinney stated that it is an aquifer recharge area that the state has earmarked and has a long of rules and regulations for this aquifer recharge area; he stated that you will be protected somehow by the

state. She asked how long it would take. M. McKinney stated that he did not know if the wells are affected but that it is being looked at.

C. Geer stated that this operation operation is hurting all of you terribly; we trying to do something about the problem and that it should never have been making asphalt and she did not know how it had gotten approved.

Beverly Cholewa, 16 Fairview Avenue, stated that we have been fighting it from the beginning; but we cannot even open our windows ever because they run 24/7; they run on Sundays and anytime they want to run; all our complaints fall on deaf ears. I cannot go outside. We cannot use our pool, the grandchildren cannot go outside because of the oil fumes; we use Dawn first to clean the oil film off of the windows. She stated that realtors will not even list her son's house because of this situation with American Industries.

C. Geer stated that it is affecting property values and she gets upset for all of you and that the Commission is trying to fix this problem. She M. McKinney stated that you have selectmen now that are championing you cause, and a board that is working on this. We want to be educated and make the right decision for all parties and that we need time to do what we need to do and try what we need to try.

F. Proulx stated that a DEEP person came out and talked to us on the street; and after she left, she was to go over to American Industries; a half-hour after she left, all of the noise and pounding began again. You can hear this pounding noise from the other side of the house. We cannot sleep like this and the smell comes through the windows.

C. Geer stated that we have received a notice of violation issued by DEEP and it is being investigated by the board; but we are doing what we can to get this resolved.

Mike Cholewa, 266 Plainfield Road, stated that he is about a half mile south of American Industries; he can hear all the noise at his house with the backup alarms, beeping, the machines running at night, the smell off and on, the trucks going by, and the soot on our windows.

Lucy Gallion, 39 Johnson Cove Road, stated that when the asphalt is running, it is the smell that is horrendous. We cannot keep the windows or doors open when it is a beautiful day; even with the doors closed there is soot on my furniture, noise, and the hours. We are breathing in this soot. We cannot sell our home, the realtor told us that because of American Industries is right down the road. I have the same complaint as everyone here: the noise the asphalt, the hours. She stated that now she uses an inhaler and she had never used an inhaler in her life.

C. Geer stated that it bothered her that the water was right across the street.

Nancy Richardson, 51 Johnson Cove Road, stated that she has a mobile home on her property that she rented; but for the last five years, when she gets a tenant, they stay for six months and then they leave. . She said for the last two years, she cannot get a renter because of the noise and smell from American Industries. She is taking a big loss all these years.

Kathryn Londe, 66 Johnson Cove Road, stated that she lived right on the water; you can throw a stone and hit American industries. She stated that she has a heart condition and all she hears is this clang, clang, clang 24/7. She stated that they don't even stop to clean the shovels. The children cover their faces when they are going to school because of the smell. She wanted to know what the black sludge is which she can see from her house when they back up their tractors and dump it into the water. This was my retirement home; we cannot anyone over to have picnics anymore. K. Londe stated that she doubted that you can fish in the river anymore; it is really bad and there is something wrong with that water. She stated that she has watched it for 17 years get bad. She stated that, please if there is any way you can help us; this is not right, this is not how Griswold should be, it is a beautiful town. We pay a

lot of taxes to live on the waterfront property and it is not working; none of us can sell our house, it stinks there.

J. Kreuger stated that we are very concerned about all of your concerns and we appreciate that everyone came and voiced their concerns and we need to keep that up. He stated that American Industries needs to be a good neighbor and we, as a board, need to be good neighbors to each other; we as a board will do everything we can do to make this happen. He stated that the state will also follow suit. You have genuine concerns about living under these conditions.

Bonnie Manville, 28 Culver Road, stated that she was not affected by American Industries but her friend Bev is. She asked if the Department of Health comes out regularly to inspect this property. M. McKinney stated that we have only become informed of some of the state and federal inspections. He explained that Planning and Zoning's criteria are and wetlands handles water issues. B. Manville stated that there seems to be a lot of agencies involved and so many rules and regulations and that no one has gotten together to see that the rules are being followed and that maybe an Ombudsman could handle the whole thing altogether and act as a go between for the residents. She stated that it is an important industry, but they are not following the state laws as to how long they should be doing their business and running 24/7. She stated that it was her understanding that the State has set a limit to the number of hours American Industries should be running and they are not following it. B. Manville stated that this neighborhood has the right to have them follow the laws as stated in the books, now and they should be shut down if they are not following the laws. She stated that her friend has been working on this since 1994 on this issue. She stated that they cannot even sell their houses; they want to move and they cannot.

M. McKinney stated that we are not going to shun our responsibility and with the controls that we have, we will take care of what we can take care of. He stated that we are taking it seriously; the town attorney is taking it seriously. He stated that don't kid ourselves that this will be solved next meeting; we can dictate what needs to be done; but it is American Industries has the right to go to court and it may take a couple years. He stated that our tact is to document as many violations as we can from our point of view, work out a settlement that abides by the law and them to control certain issues and this will solve some of your issues; and that the next agency handle their issues.

B. Manville asked what we can do to help you to help use./ M. McKinney stated that we need a little more time. He stated that the Commission received a notice of violation on September 18, 2014 and there has not been enough time for the attorney to review it yet; but we are moving forward.

B. Cholewa, 16 Fairview Avenue, stated that it gets old when we hear that they are the largest taxpayer in town. It won't matter if we are all dead. M. McKinney stated that we are not shunning our responsibility; but at the end of the day, we don't have enough of the facts to make a decision that will stand up.

Dave Vieaux, 59 Leha stated that he was not affected by this; He stated that he has been to the last meeting and listened to their attorney's lip service and he asked were their attorney is tonight. M. McKinney stated that their attorney is here; the town attorney is not here tonight. Attorney Harry Heller stated that he will speak when the commission asks him to.

George Wood, 58 Johnson Cove Road, stated that he is right on the water and he can see their trucks moving around at night when the leaves are off the trees. He stated that his house is for sale and that he cannot even get people to look at it. He stated that he would like to retire and move from Griswold. He stated the other day when he was fishing in the river; he was up the river almost to Butts Bridge and he still could here American Industries even from more than a mile away. He stated that the windows must be kept closed and it was not that way ten years ago, and it is all night long every day and we are surprised when they do take a break.

M. McKinney asked if there was anyone else; he stated that we are taking all of your comments seriously and we will try to resolve this as quickly as possible.

Harry Heller representing American industries stated that he wanted to make it clear to the board that American Industries takes this very seriously also. He stated that they are trying to run a business and regulations to comply with; address the regulatory concerns and to address your concerns and to come to some kind of accommodation that allows everyone to move on. He stated that he would provide a time line last month of what AI is planning to do. He submitted the time line to the commission. He stated that the process is underway and that this commission has jurisdiction, inland wetlands, DEEP and EPA. He stated that he submitted information to the EPA for their review of the Spill Prevention Control and Countermeasures plan with respect to the aquifer protection area and that this report lists remedial action to be done by American Industries; and when this plan is approved by EPA, there is a time line for the implementation by American Industries for these measures. He explained that a sound study has been done and all the field work has been done and the acoustical engineer's report will be available at the next Planning and Zoning meeting that will show where the noise exceeds state levels occur and remedial measures for the plant to run more quietly.

B. Cholewa explained that when the company was doing the sound study at 10:30 one night, that was the quietest that they have ever been. H. Heller stated that he was there that night and that they took measurements at a number of places. He explained the regulatory criteria are at the property line; they took readings in front of your house; at the intersection of Fairview and Johnson Cove and at the property line. He stated that they waited until 1 am because the plant does not run continuously. This statement raised responses incredulous laughter from the residents. H. Heller explained that the state cannot begin pave until 10 p.m. for nighttime paving; all of trucks are loaded before 10 p.m. and leave the site. The readings could not be taken before 10 p.m. because the state levels for noise at night do not start until 10 p.m. They waited until 1 am when the trucks returned from Groton, when the plant stated making bituminous again.

F. Proulx asked why is it running at 1 am with they are supposed to run from 7 to 7 six days a week. H. Heller stated that that is one of the issues that is being addressed. He stated that the sound study will be available for next month's meeting. M. McKinney stated that we are not agreeing or disagreeing with anything. H. Heller stated that he understood that.

E. Burdick stated that you had a big file for the guy with the wood; and asked if the commission had a big file for this operation on Route 12. M. McKinney stated that there is a pretty big file on this. E. Burdick stated okay, thank you.

Selectman Kevin Skulczyck asked for any questions that he would answer. B. Manville asked him what his authority was to shut down. K. Skulczyck stated that there is a court order and we could have gone forward with a violation quickly. We chose to take this on head on; he stated that there will be a final resolution here. There will be a detailed solution to deal with this operation. She asked if the state and federal laws will be tied in. He stated that he keeps in touch with all the parties. He stated that you are being heard. B. Manville asked if the health department has gone out. K. Skulczyck stated that the AI Gosselin of the Uncas Health District and Pat McCormick, Uncase Health District has gone out. He stated that he asked the state rep about the wells that they homeowner should have their wells tested.

M. McKinney asked if there were any other questions or comments. He thanked everyone for coming out.

8. Old Business

There was no old business

9. New Business

A. 1066 Voluntown Road – 40 x 50 ft. Addition for possible Zoning Permit.

M. Tristany stated that there is an exiting commercial building at 1066 Voluntown Road. He submitted photographs that show the building front and side views of where there had been a convenience store and with two other office uses. He explained that there are five (5) 1000 s. ft. offices in the building. M. Tristany stated that an electrical contractor is interested in purchasing the building and want to add a 40 x 50 addition to the rear to store electrical supply. He stated that the addition will match the existing architecture. He explained that there will be a total is 29 spaces, regulations requires 25 spaces. He asked if the commission wanted to see a zoning permit application and site plan or just a building permit.

M. McKinney asked if there was a drainage problem with this. He stated that it was not done to the site plan. C. Kinnie stated that it was never finished for drainage or landscaping. M. McKinney stated that he did not have a problem with the expansion. C. Kinnie stated that they should come in for a zoning permit.

B. Aspinook View Condominiums installation of gates at main entrance and emergency entrance.

M. Tristany stated that Aspinook View Condominiums want to install automated sliding gates so that it will be a gated community. He stated that he didn't think that they needed a site plan approval. M. McKinney asked if the gate was going around the whole property. M. Tristany stated that the only access is the main access. There is an emergency access at the back of the property; the main entrance area will have sliding gates. He stated that there will be a locked gate at the emergency entrance and that the Fire Marshall did not have a problem with it; they will have a key for access. M. McKinney stated that he would like to see two car lengths at the Main entrance gate to accommodate a truck and to keep the cars from backing into Mathewson Street. M. McKinney stated that if the gates need to be no higher than six feet or they would have to come back for approvals. M. Tristany stated that the gate panels are 6 ft. high by 6 ft wide; each gate is two sliding panels on ingress and two sliding panels on egress.

M. McKinney asked for other new business.

C. Approval of 2015 Schedule of Meeting Dates.

M. McKinney asked that the commission for a motion to accept the new Meeting Schedule for 2015.

MOTION: J. Kreuger so moved to accept the 2015 Schedule of Meeting. C. Geer seconded the motion. All were in favor. The motion was carried.

There was no other new business.

10. Reports from the Enforcement Officer

- A.** Cease & Desist Notice dated August 21, 2014 to David and Melissa Bergeron, property at 38-44-46 Mechanic Street in violation of Borough Zoning Regulations, Section 10.5 Junk Yards Prohibited in all Zones.

P. Zvingilas stated that the refrigerators and freezers stored in the yard have been removed; they are now in compliance with zoning.

- B.** Update and discussion of a continuing complaint for 61 Leha Avenue

P. Zvingilas stated that this was discussed earlier with Joe Fellows.

- C.** Update and discussion of notice of violation for 167-169 Slater Avenue

P. Zvingilas stated that Surrell's have removed all of the signs from the fences and front of the building and this has been resolved. M. Tristany stated that he send a letter to the lessee's thanking them for complying with removing the signs.

11. Adjournment

M. McKinney asked for any other business. He asked for a motion to adjourn.

MOTION: J. Kreuger moved to adjourn the meeting of October 14, 2015 at 8:15 p.m. C. Geer seconded the motion. All were in favor. The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Donna M. Szall
Recording Secretary