



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION

REGULAR MEETING MINUTES

DECEMBER 10, 2012

GRISWOLD TOWN HALL

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

1. Call to Order

Chair Martin McKinney called this public hearing to order at 6:50 p.m.

2. Roll Call

Present: Martin McKinney, Courtland Kinnie, Daniel DeGuire, Alternates Charlotte Geer, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Lawrence Laidley, Erik Kudlis, Benjamin E. Hull,

Determination of Quorum

M. McKinney appointed C. Geer to sit for E. Kudlis and J. Kreuger to sit for L. Laidley. There was a quorum for this public hearing.

3. Matter Presented for Public Comment

A. SUB 02-13 Ware, Ryan N. & Beth A. 222 Shetucket Tpke, Griswold, CT 06351. Property location: 194 Shetucket Tpke, Griswold. Applicant requests approval of a re-subdivision of a parcel consisting of 8.43 acres for the creation of one new lot. Property is zoned R-60. – continued from November.

M. McKinney asked if there was someone to represent the applicant. Joseph Przylucki was present representing Beth and Ryan Ware. He stated that the commission wanted to see a new map and an approval from the state for the apron at the last meeting. He stated that the commission has the new maps and that he submitted an e-mail from the CTDOT approving the road access. C. Fontneau stated that the email format was not the usual letter that the commission received from the CTDOT for apron approval. There was discussion of this matter.

M. McKinney asked if the driveway was there for a long time. J. Przylucki stated that this road access was approved for a long time and that the state has paved and repaved this access. C. Kinnie asked if the driveway access was separate from his shop. J. Przylucki stated that it was separate from his shop which has its own access. He stated that the state reduced the width of the apron. There was discussion of this matter.

C. Fontneau stated that there are adequate site lines depicted on the map. M. McKinney asked if the map complies with the zoning regulations. C. Fontneau stated that it did comply. M. McKinney asked for any further questions from the commission; hearing none, he asked for a motion to close the public hearing.

MOTION: D. DeGuire made a motion to close the public hearing. C. Kinnie seconded the motion. All were in favor. The motion was carried. The public hearing was closed at 6:56 p.m.

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

1. Call to order:

M. McKinney called this regular meeting to order at 7:00 p.m.

2. **Roll Call**

Present: Martin McKinney, Courtland Kinnie, Daniel DeGuire, Alternates Charlotte Geer, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Absent: Lawrence Laidley, Erik Kudlis, Benjamin E. Hull,

3. **Determination of Quorum**

M. McKinney appointed C. Geer to sit for E. Kudlis and J. Kreuger to sit for L. Laidley. There was a quorum for this regular meeting.

4. **Approval of Minutes**

A. Approval of Minutes of the Regular Meeting of November 13, 2012

M. McKinney asked for approval of the minutes.

MOTION: D. DeGuire made a motion to approve the minutes of November 13, 2012. J. Kreuger seconded the motion. All were in favor. The motion was carried.

5. **Correspondence and Attachments**

A. Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter, Fall 2012, Volume XVI, Issue 4

C. Fontneau stated that there were some interesting cases in this newsletter.

6. **Matters Presented for Consideration**

A. **SUB 02-13 Ware, Ryan N. & Beth A. 222 Shetucket Tpke, Griswold, CT 06351. Property location: 194 Shetucket Tpke, Griswold.** Applicant requests approval of a re-subdivision of a parcel consisting of 8.43 acres for the creation of one new lot. Property is zoned R-60.

M. McKinney asked for a decision from the commission.

MOTION: D. DeGuire made a motion to approve SUB 02-13 as presented with the condition that the final Mylar sheet 24 x 36 and at least two paper copies and a 12 by 18 boundary sheet for the Tax Assessor be provided for signature and the filed with the Town Clerk. C. Geer seconded the motion. All were in favor. The motion was carried.

B. **SE 01-13 Trahan, Kevin and Delaine M, 318 Bethel Road, Griswold, CT 06351.** Applicant requests approval of a gravel excavation of 9,000 cubic yards of sand and gravel for expansion of the existing lawn on the property. The property is currently developed with a single family home. Property is zoned R-60.

C. Fontneau explained that this is a gravel excavation that requires a public hearing, the site plan is adequate and that this is not a commercial gravel excavation but a landscaping project to improve the property and does not need a commercial permit and fee.

MOTION: D. DeGuire made a motion to set a public hearing for January 14, 2013 at 6:45 p.m. There was discussion of this matter. C. Geer seconded the motion. All were in favor. The motion was carried. C. Fontneau stated that the site plan has been forwarded to Bob Deluca of CLA Engineering. M. McKinney asked that we get CLA's bill.

7. **Additional Business**

A. Input to draft budget for FY 2013-FY 2014

MOTION: C. Kinnie made a motion to move Item 7A to the end of Section 7. D. DeGuire seconded the motion. All were in favor. The motion carried.

B. C. Kinnie made a motion to add **OR 05-13** to the agenda. D. DeGuire seconded the motion. All were in favor. The motion was carried.

P. Zvingilas asked for clarification to Section 6.2 and in the C-1 Zone about the different kinds of business services and Section 6.2.3 personal services. He stated that there is a contractor in a C-1 zone and he wants to be legal and wants to have his equipment on his site and to do contracting services off site. P. Zvingilas stated that he has his house on this

property which is in a C-1 zone which was the Chinigo house and that had a commercial greenhouse. M. McKinney asked if the questions about having his equipment there and have his house and commercial business. P. Zvingilas stated that he wants to have his equipment on the property. D. DeGuire stated that this is zoned commercial. P. Zvingilas stated that he wanted clarification whether this use fits

Dan Mackin stated that he bought the Chinigo farm and wants to move his equipment to the property. He wanted to put up a sign and he wanted to be legal and he wants to be able put equipment on it and take it out to do work when we need to. C. Kinnie stated that it fits since this is a commercial zone. P. Zvingilas stated that it fits but that this is not spelled out in Section 6.2. C. Kinnie stated that there might be a problem with the size of the lot and what the surrounding lots are; and there is only one other old house near him. D. Mackin stated that the lot is 8 acres. He stated that he has no plans to build any buildings at this time.

C. Fontneau stated he had had experience in other towns where the use had intensified and suggested that the applicant make changes to the zoning regulations for outside storage of contractor vehicles in a commercial zone; and also for the applicant to submit a site plan with the location of the equipment and where the sign will be located. D. Mackin stated that he will have equipment parked near where the vehicles are parked. He does not intend to keep 10 trucks or excavators there. P. Zvingilas stated that it cannot be too close to the road because it is State property. There was discussion of this matter including that Mr. Mackin will come for permits if he decides to build any buildings.

M. McKinney stated that the application fits and how intense the activity will be. P. Zvingilas suggested that next month Mr. Mackin have a site plan review showing the location of the vehicles and the sign. C. Fontneau suggested that the plan be a scaled plan and recommended that the commission consider how to treat logical growth of outside storage of contractor vehicles to encourage the growth but not have it take over. There was discussion of this matter.

D. Mackin stated that eventually he would like to put a building up.

P. Zvingilas asked for the commission to make an official ruling whether that kind of use fits into Section 6.2 and 6.2.3 in a C-1 zone. There was discussion of this matter. M. McKinney asked for motion for an Official Ruling:

MOTION: D. DeGuire made a motion that the use does fit Sections 6.2 and 6.2.3 and encourage the applicant to bring in a site plan for review. C. Kinnie seconded the motion. All were in favor. The motion was carried.

C. M. McKinney asked for the next item to be put on the agenda

MOTION: C. Kinnie made a motion to put **SUB 03-13** on the agenda. D. DeGuire seconded the motion. All were in favor. The motion was carried.

C. Fontneau stated that this is a re-subdivision that needs a public hearing.

MOTION: D. DeGuire made a motion to set a public hearing for SUB 03-13 on January 14, 2013 for 6:30 p.m. C. Kinnie seconded the motion. All were in favor. The motion was carried.

D. M. McKinney asked for a motion for the next item to be put on the agenda.

MOTION: C. Kinnie made a motion to put **ZC 01-13** on the Agenda. D. DeGuire seconded the motion. There were 3 aye votes and 1 abstention. The motion was carried. C. Geer recused herself from this matter.

C. Fontneau explained that this is a text amendment for a new Section of 4.2.5 adding f for accessory uses for a farm over five acres. C. Fontneau stated that he has worked with the Geers on the language to be appropriate in all zones. M. McKinney stated that this should be reviewed by the town attorney. C. Fontneau will send it to the appropriate town attorneys. M. McKinney asked for a motion to set a public hearing.

MOTION: D. DeGuire made a motion to set a public hearing on January 14, 2013 at 6:15 pm. C. Kinnie seconded the motion. All were in favor. The motion was carried.

A. Input to draft budget for FY 2013-FY 2014

C. Fontneau explained that the draft budget was sent on December 7, 2012 and is due to Finance on December 31, 2012. This is the only meeting for this commission to consider the budget. There was discussion of the advertising line item and the PoCD line item. M. McKinney suggested \$7500 for advertising. C. Fontneau asked if the commission needed money for the PoCD. M. McKinney stated that there was money for the PoCD. C. Fontneau stated that there is \$800 for the PoCD. M. McKinney asked what was statutory for the regulations. C. Fontneau explained that the performance guarantee needs to be addressed and we need permission from the BOS to have the town attorney do the performance guarantee and we have money for already. M. McKinney stated that anything that needs to be outsourced should be covered in this

new budget. There was discussion of this matter including that professional services may require 8-24 reviews. M. McKinney suggested \$1500 for contractual services.

C. Fontneau asked if the budget for staff was adequate. He asked for the commissions' input. C. Fontneau explained that currently there is a part-time planner and a full-time secretary. M. McKinney suggested that money be put into the overtime line item. D. Szall explained that the overtime is for her overtime for all the land use commissions. There was discussion of this matter. M. McKinney asked for a letter to be written to the Board of Selectmen to request that the town planner position be returned to full time. There was discussion of this matter including that the commission go to the Board of Finance meetings to request the position be returned to full time.

M. McKinney asked to be informed of the next BOS meeting is scheduled. C. Fontneau stated that Section 5 needs to be updated for the PoCD and the commission should look at the changes. M. McKinney stated that this takes about 3 months to implement. C. Kinnie asked if there is extension on the mapping. J. Kreuger stated that there is half the potential for what the town can achieve and for the future, how can we gain prosperity with a part-time town planner and to grow the town more.

8. Old Business

A. Discussion of long term needs for revisions to zoning and subdivision regulations

C. Fontneau stated that there is no answer to the letter sent on 10/2/12 to the BOS requesting action or guidance. C. Fontneau stated that there is funding through a grant we obtained a year ago and the BOS wants to be involved in every decision big or small made about money. There was discussion of this matter. M. McKinney stated that we have a motion to make these revisions and to use Mark Branse but to take out the Hawkers and Vendors language.

MOTION: D. DeGuire made a motion to use Mark Branse to write the performance guarantee language into the zoning and subdivision regulations. C. Kinnie seconded the motion. All were in favor. The motion was carried.

B. Status of update of 2007 Plan of Conservation and Development – Section 5 input from members.

C. Fontneau asked the commission to review Section 5. He stated that many of the items have been accomplished and we need new goals. M. McKinney asked for a motion to table this item to the next meeting.

MOTION: D. DeGuire made a motion to table 7B to the next meeting. J. Kreuger seconded the motion. All were in favor. The motion was carried.

9. New Business

There was no new business.

10. Reports from the Enforcement Officer

P. Zvingilas explained that Amy and Dennis Shelton, 265 Taylor Hill Road had complaints of violations of the regulations regarding the VFW and would like to address the commission.

M. McKinney stated that at the last meeting there was discussion of the BBQ pit built without a permit, the driveway. P. Zvingilas stated that he was not at the last meeting. M. McKinney asked the Dennis Shelton to explain their complaint. Dennis Shelton, 265 Taylor Hill Road explained that he was complaining about the pallets in the back; they were moved away and now they have put them back about 40 yards from his property line. He stated that the P. Zvingilas asked them to over the pallets. He stated that they have boxes of trash. M. McKinney asked what the pallets were used for. P. Zvingilas stated that they use the pallets to start fires in the BBQ pit. I spoke with the VFW and they moved them and covered them. He stated that he went the A. Gosselin and that they did not find evidence of rodents. Amy Shelton read the blight ordinance regarding debris left out for 15 days or longer in public view was read for the record. D. Shelton stated that the pallets can be contaminated with hazardous materials such as PCP and asbestos. M. McKinney stated that it meets the blight ordinance.

D. Shelton submitted photographs of the VFW for the record of their right of way being blocked by delivery vehicles; he stated that there are 3 entrances to the VFW but they park blocking their right of way. He stated that the delivery vehicles block the site line on Taylor Hill Road. There was discussion of this matter including that the trucks can be made to park in the delivery area.

D. Shelton stated that their neighbor was concerned that when the start a fire in the BBQ pit, that there would be a fire. D. Shelton stated that the VFW has two flood lights that shine into their bedroom. He stated that the VFW now is more like a bar and you can go there any time. M. McKinney asked where the dumpster was. D. Shelton showed the location of the dumpster near the pit. D. Shelton stated that they wanted the area blocked off since they were tired of seeing headlight shining in his yard and that they do other actions near his yard such as urinating in the dirt area that is not a parking lot. C. Kinnie asked where the pallets were located. D. Shelton showed the location of the pallets on the property.

M. McKinney stated that we need to find the best way to solve this problem. C. Kinnie asked if P. Zvingilas spoke to anyone at the VFW. P. Zvingilas stated that he has talked to them there. M. McKinney asked P. Zvingilas to look at the violations and a possible cease and desist. P. Zvingilas stated that the BBQ has been there forever. P. Zvingilas stated that we don't have a site plan and we can ask them to come in. M. McKinney suggested a six foot vinyl fence along the parking area and this use seems to be intensifying. He stated that he wanted the VFW to come in for the next meeting. P. Zvingilas will ask them to come in for next month. P. Zvingilas stated that the pallets are an expansion of the use since they never used pallets before. M. McKinney stated that they can turn to lights around and that the unpaved area is not to be used for parking. J. Krueger struggles that the fire marshal should look into the fire lanes and the fire pit. P. Zvingilas stated that we can start with the parking in the back and the pallets.

M. McKinney asked about the notes from the planner. C. Fontneau stated that you can read those at your leisure. C. Fontneau stated that he received information regarding Coal Pit Hill subdivision has a new plan and this will be brought to the commission possibly by the next meeting. C. Kinnie asked about the alternative A and alternative A. C. Fontneau explained that alternative A was paving all the way to Camp Whiteman. There was discussion of this matter including that the open space first choice was to be deeded to the town; and can be swapped with the state for property more suitable for recreation.

11. Adjournment

M. McKinney asked for a motion to adjourn. C. Kinnie made a motion to adjourn. J. Kreuger seconded the motion. All were in favor. The meeting adjourned at 8:20 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary