



Town of Griswold



28 Main Street
Griswold, CT 06351
Phone (860) 376-7060, Fax (860) 376-7070

**GRISWOLD PLANNING & ZONING COMMISSION
REGULAR MEETING
GRISWOLD TOWN HALL**

**APPROVED MINUTES
DECEMBER 14, 2015**

I. 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, Erik Kudlis, James Krueger, Charlotte Geer, Alternates Tom Palasky, Robert Parrette, Peter W. Zvingilas, Town Planner Mario Tristany, ZEO Peter M. Zvingilas, Recording Secretary Donna Szall

3. Determination of Quorum

There was a quorum for this regular meeting.

4. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of November 9, 2015.

M. McKinney asked for a motion on the minutes for November 9, 2015.

MOTION: E. Kudlis moved to approve the minutes of November 9, 2015 as amended. C. Kinnie seconded the motion. C. Kinnie stated that on page 5, the minutes for October 13, 2015 were tabled because was a question of who made a motion for an official ruling. There was discussion of this matter to include those minutes for discussion at the January 11, 2016 meeting. All were in favor. The motion was carried.

5. Correspondence and Attachments

A. Email dated November 6, 2005 from Brian Baker, Chairman of Capital Improvement Committee requesting a replacement of James Kreuger for the seat of a Planning & Zoning Commission member.

M. Tristany explained that the memo from Brian Baker requesting a replacement for J. Krueger on the Capital Improvement Committee and said that J. Krueger wanted to address that. J. Krueger explained that he was still interested in being on that committee and he did speak to Brian Baker. M. McKinney stated that you will continue to be our representative on the Capital Improvement Committee. J. Krueger stated yes. M. McKinney asked for a motion.

MOTION: C. Kinnie moved to appoint J. Krueger as a representative for the capital improvement committee. C. Geer seconded the motion. All were in favor. The motion was carried.

B. Email dated October 16, 2015 from Building Department regarding a complaint against American Industries of the plant running until 2 am.

C. Email dated October 13, 2015 from Jeffrey Ryan regarding a complaint for the violation of Griswold Zoning Regulation 2.2.6.

M. McKinney stated that this email went to K. Skulczyk from Mrs. Proulx and it was forwarded to us. He stated that there are fines coming from the state level. He asked if there were any copies of the filings concerning this matter. M. Tristany stated we only have a copy of the November 2, 2015 letter from DEEP to P. Camputaro for the denial and limiting hours of operation. There was discussion of this matter including monitoring system to be put in place. M. McKinney asked M. Tristany to get this information regarding fines, hours of operations and noise restrictions. He asked for a motion to table this matter.

MOTION: C. Kinnie moved to table these communications until information is received from DEEP. J. Krueger seconded the motion. All were in favor. The motion was carried.

6. **Matters Presented for Consideration**

- A. **GRISWOLD HOUSING AUTHORITY, PROPERTY AT 230 TAYLOR HILL ROAD & 142 ASHLAND STREET, GRISWOLD, CT – SECTION 8-30g.** The Griswold Housing Authority has submitted a letter and site plan showing the addition of a 25 unit Assisted Housing Development planned for 230 Taylor Hill Road, Griswold, CT. The plan has been filed in accordance with Section 8-30g of the Connecticut General Statutes. Under said section, zoning regulations are not applicable to Section 8-30g applications. The Commission's responsibility is to review the application to ensure that the health, safety and public welfare of the residents and the general public have been addressed.

M. McKinney stated that the public hearing has been closed and there were some matters from staff reports and engineering information. M. Tristany stated that Boundaries had submitted their response to CME Associates review comments on November 17, 2015. M. Tristany stated that he receive a letter from CME Associates dated December 2, 2015 that they were satisfied with the findings and the few corrections to the site plan. He stated that the remaining review is with the Griswold Sewer Authority when the project gets underway. M. McKinney stated that this can be table or we can vote on this matter. C. Kinnie stated that he was abstaining from this matter.

MOTION: E. Kudlis moved to approve SE 01-16 Griswold Housing Authority, Property at 230 Taylor Hill Road and 142 Ashland Street incorporating the additional submittals by Boundaries on November 17, 2015 in response to the CME Associates consulting engineering review of November 9, 2015 for site development plan. C. Geer seconded the motion. M. Tristany explained that the special exception application was withdrawn because it is filed under Section 8-30g Low and Moderate Housing, the special exception was not applicable as stated by the Town Attorney. M. Tristany stated that the Special Exception had been withdrawn and suggested that there be a new motion. **E. Kudlis rescinded his motion. C. Geer rescinded her second.** M. Tristany suggested that the Planning and Zoning Commission has reviewed the application in accordance with Section 8-30g of the Connection General Statues and is satisfied with the project as designed and presented.

MOTION: E. Kudlis moved that the Planning and Zoning Commission has reviewed the proposed Griswold Housing Authority property at 230 Taylor Hill Road and 142 Ashland Street in accordance with Section 8-30g of the Connection General Statues and is satisfied with the project as designed and presented. C. Geer seconded the motion. There were 4 aye votes and one abstention. The motion was carried.

- B. **ZC 01-16 ECONOMIC DEVELOPMENT COMMISSION, 28 MAIN STREET, GRISWOLD, CT.** Requesting a text and map amendment to consolidate the C-1 zone and the C-2 zone into a single C – Commercial Zone by blending the Section 6.2 C-1 and Section 7.2 C-2 Permitted uses into one Section called Permitted Uses and blending Section 6.3 C-1 and Section 7.3 C-2 Special Exception Uses into one Section called Special Exception Uses. New section number to be determined. The C- Commercial Zone to be shown on the Town of Griswold Zoning Map for all C-1 Zones and C-2 Zones into a single color. Town-wide C-1 and C-2 zones.

M. McKinney asked Thomas Giard, Chairman of the EDC to make his presentation. T. Giard explained that the EDC is trying to blend C-1 and C-2 together to one Commercial zone to reduce barriers to increase economic development. He stated that this will require a public hearing and requested that the public hearing be set for February and he will make his formal presentation at that time.

MOTION: E. Kudlis moved to set an public hearing for ZC 01-16 Economic Development Commission for the combination of the C-1 and C-2 zones for 6:30 pm. on February 8, 2016. J. Krueger seconded the motion. All were in favor. The motion as carried.

7. **Additional Business**

- A. Discussion of a request from Brian Baker, Chairman of Capital Improvement Committee for a replacement for James Kreuger for the seat on the Capital Improvement Committee of a Planning & Zoning Commission member.

M. McKinney stated that we discussed this item in Correspondence.

8. **Old Business**

- A. Further discussion of American Industries

1. Letter dated November 2, 2015 from Anne Gobin, Chief, Bureau of Air Management, CTDEEP and April 17, 2002 New Source Review Permit.
2. Brooks Acoustic Report of American Industries New Sound Study.

M. Tristany explained that these letters were included on the agenda so that the Commission is aware of that finding by DEEP. M. McKinney reminded M. Tristany that the Commission will need more information on this.

M. Tristany explained that the second acoustic report that was done post partial construction of the berm that was required by the Inland Wetland Commission.

C. Kinnie stated that there was a question last month whether there was a representative from the town was present for that testing; and if that had been determined. M. Tristany stated that to his knowledge, he didn't think that anyone from the town was present. He stated that they were supposed to notify the town and the abutting property owners, but he did not think that it was done.

C. Kinnie stated that it would not be a hardship to request another testing to be done. He stated that he did not know when the berm would be completed. He stated that it was premature of them to have done the testing before the berm was completed. He questioned whether the testing was truly accurate and that there should have been representatives from the town present so that there was no question of how the plant was operating. E. Kudlis stated that there should be another test since the foliage was down and that could impact the sound levels that are there. M. McKinney stated that it was fine to requesting another test; but he stated that the berm should be completed before the testing is done again and all the improvements from wetlands should be complete. C. Kinnie stated that the wetlands permit is good for five years and can be extended another five years. There was discussion of this matter including that the testing should be done when they are operating.

C. Kinnie stated that we need to have communication from American Industries representative regarding what their goals are for completing the berm and when they will be up and running at full capacity in the spring. J. Krueger stated that the representative from the town should be there for the testing. M. McKinney stated that we are not getting paperwork that we used to be getting in this matter; not just complaints. M. McKinney asked for a motion.

MOTION: C. Kinnie moved to send a letter to Attorney Harry Heller representing American Industries that we need to know timelines for completion of the berm; when they will be operating again at full capacity in the spring, and that this Commission and other town officials want better notice to be present at a future third acoustic testing; and that a 24 hours notice is not adequate. J. Krueger seconded the motion. E. Kudlis asked if the photos in the packet should be discussed. P. Zvingilas stated that those were taken a few months ago. M. McKinney asked for a vote. All were in favor. The motion was carried.

9. New Business

A. Election of Officers

C. Kinnie moved to nominate and elect M. McKinney as chairman of the Planning and Zoning Commission. J. Krueger second the motion. All were in favor. The motion was carried. M. McKinney moved to nominate and elect C. Kinnie as vice chairman. E. Kudlis seconded the motion. All were in favor. The motion was carried. J. Krueger moved to nominate and vote for C. Geer as secretary of the Planning and Zoning Commission. All were in favor. The motion was carried. M. McKinney is Chairman, C. Kinnie is Vice Chairman, C. Geer is Secretary.

10. Reports from the Enforcement Officer

B. Notice of Violation letter dated November 25, 2015 sent to Steve J. Winnick, 36 Cook Hill Road, Griswold, regarding outdoor storage of used or discarded materials such as wastepaper, rags, scrap metal, building materials, house furnishings, machinery, vehicles or parts thereof.

P. Zvingilas explained that this is the second time that we are removing this kind of garbage from the property. We have a court order to remove this garbage and the DPW will be removing it shortly. The homeowner is billed for this work and there are liens on the property.

C. Follow-up on, Discussion of, and possible action regarding email dated Sunday August 31, 2015 from David Vieaux complaint of violation of cease and desist order for processing wood by J. Fellows before 8 a.m.

P. Zvingilas stated that he and M. Tristany went to look at J. Fellows property today regarding the cease and desist; and it seems he is in compliance with the agreement to keep 8 cords on his property for his own use. He has about eight cords of wood that is kept in the back. M. McKinney stated that he saw the property today with M. Tristany. P. Zvingilas stated that the photographs are in the file. He stated that from the roadside there is nothing that shows any type of use. He stated that the only picture that shows wood in the back. M. McKinney stated that there was another property that has a lot of wood on the left side. David Vieaux stated that he was listed on the August complaint too, Donald Shoales. He stated that they truck two truckloads every week.

M. McKinney stated that this is clean enough for the zoning board. Anything else must be a civil matter. He stated that everything was in order and lined up on one side; everything looked good from our point of view. He asked for a motion.

MOTION: C. Geer moved to close the matter and discussion involving the David Vieaux complaint of violation and cease and desist order against J. Fellows. C. Kinnie seconded the motion based on the inspection done by town staff and the Commission Chairman. All were in favor. The motion was carried.

P. Zvingilas stated that there should be an application for an official ruling regarding the property at 80 North Main Street from John Wood. P. Zvingilas explained that this official ruling is to subdivide the store known as Zuckerbraun. He stated that records show that this was originally two stores. He asked if there should be compliance to parking requirements or site plan requirements in the borough. M. McKinney stated that it is hard for parking compliance in the Borough. He stated that there is no area for parking and suggested that the commission should look at eliminating the parking and site plan requirement in the Borough.

M. Tristany explained that other towns, especially Norwich, eliminated parking requirements for existing buildings. He stated that it was different for new buildings. He submitted a copy of a text amendment to eliminate the parking requirement in the Borough for existing buildings. E. Kudlis asked if this was a legal, non-conforming preexisting use. P. Zvingilas stated that the store is legal, non-conforming.

John Wood explained that they are not expanding any retail use. He stated that it was originally two storefronts; the wall was knocked out and made it into one store. He stated that they want to make it two stores and there are two entrances. He stated that the 1974 street card lists it as stores. He explained the photographs to the commission showing the two entrances. He stated he was looking for a ruling to use it as two stores.

M. McKinney asked what kind of ruling he was looking for. P. Zvingilas stated that the ruling should be that existing stores and business in the borough can be subdivided as long as they stay within the existing square footage. M. McKinney asked if there were parking requirements for the Borough. P. Zvingilas stated yes and that they were quite extensive. J. Krueger asked if there was a back door for the two different areas for an emergency exist. P. Zvingilas stated that it was not big enough to require it.

E. Kudlis asked how handicapped accessibility would be handled. P. Zvingilas stated that the bathrooms will be handicapped accessible for employees; but accessibility from the street may not be accomplished since there is no space for a ramp. E. Kudlis stated that it is not a change of use. P. Zvingilas explained that ADA compliance is required for a certain percentage of the renovations. M. McKinney stated that historically, there were two storefronts and he wants to restore it to two storefronts. He asked for a ruling.

MOTION: C. Kinnie made a motion that we make an official ruling that this particularly property at 80 North Main Street, Jewett City, was shown to have two existing storefront businesses shown by the two entrances on the street side; and also rule that there can be two existing storefronts now that will not use any more square footage than the single use that is there now. C. Geer seconded the motion. All were in favor. The motion was carried.

M. Tristany stated that we can put an application together that we can present at a public hearing in February. There was discussion of possible changes to the Borough zoning regulations regarding commercial parking requirements and landscaping requirements.

11. Adjournment.

Respectfully Submitted,

Donna M. Szall
Recording Secretary