



Town of Griswold



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GRISWOLD PLANNING & ZONING COMMISSION

PUBLIC HEARINGS & REGULAR MEETING MINUTES

DECEMBER 09, 2013

GRISWOLD TOWN HALL

I. PUBLIC HEARING (6:30 P.M.)

1. Call to Order

Vice Chair Courtland Kinnie called this public hearing to order at 6:42

2. Roll Call

Present: Courtland Kinnie, James Krueger Alternate Charlotte Geer, Town Planner Mario Tristany, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Also Present: First Selectman Kevin Skulczyck

Absent: Martin McKinney, Erik Kudlis, Benjamin E. Hull, Alternates Stewart B. Oakes, Elias Baron

3. Determination of Quorum

C. Kinnie appointed C. Geer to sit for M. McKinney. There was a quorum for this public hearing.

4. Matter Presented for Public Comment

A. SUB 01-14 GARY CZECZOTKA, 5 COLONEL BROWN ROAD, GRISWOLD, CT. Request approval for a 1-lot re-subdivision consisting of 8.74 acres with lot #1 having 2.10 acres and lot #2 having 6.64 acres. The property is zoned R-80.

C. Kinnie asked if there was someone to represent the applicant. Demian Sorrentino, Boundaries, LLC was present to represent the applicant Gary Czczotka for a one lot resubdivision. He submitted the certificates of mailing to the record. C. Kinnie asked if it was D. Sorrentino representation that it was a complete list of abutters. D. Sorrentino stated yes, they were notified in accordance with the regulations.

D. Sorrentino read and submitted a letter dated September 13, 2013 an Administrative Ruling of the Inland Wetlands Watercourses & Conservation Commission and Aquifer Protection Agency from Peter M. Zvingilas, Wetlands Enforcement Officer that there are no wetlands within 75 feet of the proposed project at 5 Colonel Brown Road. a letter dated September 12, 2013 from Uncas Health District that both lots meet the minimum requirements of the Connecticut Public Health Code;

D. Sorrentino explained that this is a re-subdivision 8.74 acres of a larger subdivision that is owed by Jan Czczotka, Gary Czczotka's brother, and is to create lot 1 with 2.1 acres and Lot 2 with 6.64 acres. He stated that the new subdivision of the rear lot which is oddly shaped. Both lots are conforming to the R 80 zoning district. He explained that the existing house at 5 Colonel Brown Road at the corner of Bethel and Colonel Brown Road is not conforming to the R 80 zoning district setback requirements. He explained that the existing driveway access, house and septic system will remain and a code compliant septic area is shown on the plan for TP1 and P-1. D. Sorrentino stated that the rear lot #2 will have a

new driveway with a proposed paved apron and a tracking pad during construction. He explained the regulation sections for the tiered driveways that for lot 2 is the first tier and the existing lot 3 is the second tier rear lot so that lot #2 has the required 30 ft. of frontage on Colonel Brown Road. D. Sorrentino explained the location of the proposed house on the knoll with the septic system in front of it and the well to the west of the house.

D. Sorrentino explained that there is a ground mounted solar array that is located on G. Czczotka's property that serves the house by Jan Czczotka and a 27 ft. x 65 ft. easement to Jan Czczotka is proposed for maintenance and repair of the solar array. He stated that he did not know how that array was installed over the property line so there will be an easement.

D. Sorrentino explained the construction sequence and erosion control notes and narrative explaining the project. He stated that this was a straightforward application.

C. Kinnie asked about the new driveway sight line and if there was enough distance. D. Sorrentino stated that there is 175 ft. from the corner of Bethel Road and that Robert Schuch P. E of Boundaries LLC verified that 175 ft. is adequate. C. Kinnie asked if he was aware of the regulations for shared driveways since the Lot #3 driveway already has a curb cut; and asked if this was considered by the applicant. He noted that the existing Lot #3, part of that driveway is on G. Czczotka's property. D. Sorrentino stated yes and that an easement can be provided or the driveway can be moved over to resolve that issue since the property owners are brothers. He stated that it can be shown in the notes that the driveway can be relocated on the Jan Czczotka's property; and that G. Czczotka can discuss this issue with J. Czczotka. There was discussion of this matter including that the corner at Bethel Road can be redesigned to be safer 90 degree angle rather than the broad sweep that it is now.

P. Zvingilas asked how much land is remaining on Jan Czczotka's property. D. Sorrentino stated that he did not know but that lots 1 and 2 are from a previous subdivision. P. Zvingilas asked if the acreage owned by J. Czczotka was being reduced. D. Sorrentino stated no. D. Sorrentino read the Assessor's notes for the record that it is noted as Lot #3 remaining lands and has a house on it. There was discussion of this matter.

M. Tristany asked about the excavation on that piece of land. D. Sorrentino stated that he did not know. M. Tristany asked about the sight line on Bethel that there is a large amount of scrub growing at the existing house and is creating a hazard and suggested a condition of approval that this scrub be removed. D. Sorrentino stated that this can be done prior to the Mylars approval and the town taking title to it. P. Zvingilas asked why the solar panel didn't go with the other lot. D. Sorrentino stated that this was discussed with the applicant to cut it out to go with Jan Czczotka's property. M. Tristany stated that as an assessor structure it would be required to meet the setbacks for the R-80 zone. D. Sorrentino stated that if the commission wants us to do that we can do that. There was discussion of this matter. D. Sorrentino stated we can cut the solar array out and transfer it to J. Czczotka's property as a lot line adjustment if the commission requires it. P. Zvingilas stated that this will make the solar array a more conforming structure.

C. Kinnie asked for comments from the public. He asked for comments from the staff and members. He asked for a motion to close the public hearing.

MOTION: J. Kreuger moved to close the public hearing. C. Geer seconded the motion. All were in favor. The motion was carried. The public hearing closed at 7:03 p.m.

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

1. Call to Order

Vice Chair Courtland Kinnie called this public hearing to order at 7:03 PM.

2. **Roll Call**

Present: Courtland Kinnie, James Krueger Alternate Charlotte Geer, Town Planner Mario Tristany, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Also Present: First Selectman Kevin Skulczyck

Absent: Martin McKinney, Erik Kudlis, Benjamin E. Hull, Alternates Stewart B. Oakes, Elias Baron

3. **Determination of Quorum**

C. Kinnie appointed C. Geer to sit for M. McKinney. There was a quorum for this public hearing

4. **Matter Presented for Public Comment**

A. SRC 03-14 GRISWOLD ECONOMIC DEVELOPMENT COMMISSION, 28 MAIN STREET, GRISWOLD, CT. Requesting a text amendment to Borough Regulations Section 6 RC-Residential/Commercial Districts to add new language to add **Section 6.1.5** to allow light custom crafting of specialty items such as fishing rods and related products, dental labs, optical labs, computer repair and retail sales of products assembled on site and storefront retail businesses at street level.

C. Kinnie asked if there was someone to present this application. M. Tristany stated that T. Giard, Chairman of Economic Development Commission was to be here to present this application. M. Tristany explained that this began a number of months ago when this company was forced to relocate from the Slater Mill Mall for structural defects when an employee's leg fell through the floor. The company manger consulted with the building department and the planning department and a temporary location was found at 1 Brown Avenue at the corner of Brown Avenue and Route 12 North Main Street. He stated that this amendment expands the permitted uses in the Commercial Residential Zone. He stated that this expansion will not harm the residential zones and that there is a gas station and a repair and used car sales across the street. He explained that this company assembles high-end fishing rods and they are looking to expand in the future when they add more fishing related operations in a new building.

M. Tristany stated that the EDC spearheaded the text amendment and that K. Skulczyck was a member of the EDC at the time.

C. Kinnie read the proposed text amendment for the record. He asked for comments from commission members. C. Geer stated that we should do everything to keep this business going so that grateful that it is in this community. She stated that we should help them and is text amendment does. M. Tristany showed the Borough map showing the RC zones.

C. Kinnie asked for comments from the public on this proposal.

First Selectman Kevin Skulczyck stated that he had met the owners of this company and that he was very impressed with this company's mission statement. He stated that the manager of this company is amazing and he developed a machine that winds the fishing poles. He stated that they are affiliated with Bass Outfitters, Wicked Tuna and other commercial fishing companies. He stated that it will be one to two years before putting up another building with a warehouse. He stated that everyone should stop by there to look at what this company is doing. We will be discussing growing Griswold at the next EDC meeting and he encouraged the commission to put this text amendment forward.

C. Kinnie asked for any other comments regarding this proposal. J. Kreuger stated that this is a good economic decision. He stated that it isn't manufacturing but it is assembly and will be distributed from this location. It's a good start. C. Kinnie asked for a motion.

MOTION: J. Kreuger moved close the public hearing for SRC 03-14. C. Geer seconded the motion. All were in favor. The motion was carried. The public hearing was closed at 7:15 p.m.

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

1. **Call to order:**

C. Kinnie called the regular meeting to order at 7:16 pm.

2. **Roll Call**

Present: Courtland Kinnie, James Krueger Alternate Charlotte Geer, Town Planner Mario Tristany, ZEO Peter Zvingilas, Recording Secretary Donna Szall

Also Present: Kevin Skulczyck, First Selectman

Absent: Martin McKinney, Erik Kudlis, Benjamin E. Hull, Alternates Stewart B. Oakes, Elias Baron

3. **Determination of Quorum**

C. Kinnie appointed C. Geer to sit for M. McKinney. There was a quorum for this public hearing

4. **Approval of Minutes**

A. Approval of Minutes of the Regular Meeting of November 12, 2013.

C. Kinnie asked for a motion to table the minutes to the next regular meeting of January 13, 2014.

MOTION: J. Kreuger moved to table the minutes of the November meeting to January meeting. C. Geer seconded the motion. All were in favor. The motion was carried.

5. **Correspondence and Attachments**

There was no correspondence or attachments

6. **Matters Presented for Consideration**

A. **SUB 01-14 GARY CZECZOTKA, 5 COLONEL BROWN ROAD, GRISWOLD, CT.** Request approval for a 1-lot re-subdivision consisting of 8.74 acres with lot #1 having 2.10 acres and lot #2 having 6.64 acres. The property is zoned R-80.

C. Kinnie stated that this was the subject of a prior public hearing this evening. C. Kinnie asked for questions from the commission. J. Kreuger stated that this is not out of order as far as the change but that something should be done about the sight line with removal of the shrubbery and the solar panel array should be configured with a lot line adjustment. C. Kinnie stated that those can be part of the conditions of the motion and that the representative stated in the public hearing that that would not be an issue and would be a minor sight plan revision. P. Zvingilas stated that the chairman would look at the lot line adjustment before he signs the Mylars.

MOTION: J. Kreuger moved to approve SUB -01-14 Gary Czczotka 1 lot re-subdivision with the conditions: 1) that there shall be a boundary line revision for the solar array panel and 2) removal of the low growth shrubs on lot 1 adjacent to Bethel Road to improve sightline. C. Geer seconded the motion. All were in favor. The motion was carried.

B. **SRC 03-14 GRISWOLD ECONOMIC DEVELOPMENT COMMISSION, 28 MAIN STREET, GRISWOLD, CT.** Requesting a text amendment to Borough Regulations Section 6 RC-Residential/Commercial Districts to add new language to add **Section 6.1.5** to allow light custom crafting of specialty items such as fishing rods and related products, dental labs, optical labs, computer repair and retail sales of products assembled on site and storefront retail businesses at street level.

C. Kinnie stated that this was prior public hearing this evening requesting a text amendment to add new language Section 6.1.5. He stated that the First Selectman and former member of the Economic Development Commission. M. Tristany presented this text amendment in the absence of Tom Giard, EDC Chairman. D. Szall presented a point of order that an effective date be set if there is an approval on this motion. There was discussion of this matter.

MOTION: J. Kreuger moved to approve SRC 03-14 Griswold Economic Development Commission Text amendment to the Borough Regulations to add Section 6.1.5 with an effective date of December 16, 2013. C. Geer seconded the motion. All were in favor. The motion was carried.

- C. ZP 02-14 JAMES PENDERGAST, 6 QUIET COVE LANE, GRISWOLD, CT.** Request approval of a Zoning Permit for a Home Occupation in order to operate a home beauty salon. Property is zoned R-60.

C. Kinnie stated that this application was presented at the November meeting and there were some outstanding issues. He stated that Mr. Pendergast is present. M. Tristany stated that Mr. Pendergast presented the sheets tonight showing a scale of 1 inch equals 60 feet. M. Tristany explained that the red line on the plan impedes the parking spaces at the garage. He stated that the dimensions seem to be wrong and that the parking area should be extended west.

James Pendergast, property owner of 6 Quiet Cove Lane stated that the drawing is not as accurate to what is actually on the property and the house is currently under construction and the driveway is gravel and crushed stone. C. Kinnie asked him to explain the plan to him. J. Pendergast explained the plan to C. Kinnie that the garage is 24 feet wide and an accurate swing and is 20 ft to 22 feet deep. He stated that the salon will be owner operated by only one operator by appointment only; there will be no other employees. There was discussion of this matter including that the seating in the waiting area are usually for women who bring their children and that there are never more than two customers at once.

J. Pendergast stated that there is an access on to Osga Lane at the back of his property. C. Kinnie asked about the access to Osga Lane from his property. J. Pendergast stated he could park at the Osga Lane access and can stay out the business parking. M. Tristany stated that he has received two calls about people using Osga Lane by property owners from Quiet Cove. He explained that Osga Lane is a private road and that the property owners would have to agree to allow for a curb cut driveway to Osga Lane. I have not ascertained if it is legal or not legal. J. Pendergast stated that that was from Lot 9 on Quiet Cove. He stated that it is not approved; then he would not use it.

M. Tristany stated that the size of the proposed salon triggered the number of four 10 ft. by 18 ft. parking spaces needed for this proposed salon that do not impact the existing house. J. Pendergast stated that he can alter the area to make it more suitable. C. Kinnie asked if the driveway was completed. J. Pendergast stated that it is not paved and that he did not have a CO. C. Kinnie stated that he could demonstrate on the plan that there was room for cars backing out and swing around; and to demonstrate four 10 ft. x 18 ft. parking spaces. M. Tristany stated that the parking area for the salon should be at least 22 feet from the face of the garage so that the parking area needs to be moved down towards the road. P. Zvingilas stated that he can make up another detailed sketch of the changes to the parking that he could submit to the planner before he receives his CO. M. Tristany stated that you can make that a condition of approval. J. Pendergast stated that he was satisfied with that proposal. C. Kinnie asked for any questions.

MOTION: J. Kreuger moved to approve ZP 02-14 for a home occupation for a beauty salon with the condition that the parking area shall be adequate to accommodate four 10 ft. x 18 ft. spaces and a detailed sketch shall be provided for review prior to issuance of a CO. C. Geer seconded the motion. All were in favor. The motion was carried

7. Additional Business

There was no addition business.

8. Old Business

A. Discussion of the draft of the Commercial Farm Store Regulations.

M. Tristany stated that we can discuss the draft of the commercial farm store regulations. C. Kinnie stated that he has look at this text amendment and asked if it was ready to go to public hearing. M. Tristany stated yes and that there can be amendments made. He stated that as a special exception with requirements as well as a definition. He stated that a special exception would require a public hearing. There was discussion of this matter including that a farm store because of the farm acreage would not have as big an impact on the abutting property owners. M. Tristany stated that the site plan requirements of Section 13 would apply and that the Commission

may approve waivers to requirements on a case by case basis. He explained that for special uses such as festivals, corn mazes, etcetera that the proper temporary public health and safety measures be followed. M. Tristany suggested that this could be table to the next month's meeting. C. Geer asked if D. Button had looked at this text amendment. M. Tristany stated that the public can raise issues at a public hearing. C. Geer sated that we don't want to make it too restrictive to affect the farms that have special events. There was discussion of this matter including making it less restrictive it would be a zoning permit but that there is no public input for zoning permit.

C. Kinnie stated that this can be tabled to the next meeting to receive more input from members before sending this to public hearing.

C. Kinnie asked if there was any other old business. There was no other old business.

9. New Business

A. **SE 01-14 SITA RAM, 190 NORTH MAIN STREET, JEWETT CITY, CT.** Request approval of a Special Exception for general repair service and used car sales. The property is zoned B-RC.

C. Kinnie stated that this requires a public hearing and is this application ready to go to public hearing. M. Tristany stated that he has not looked at this application with P. Zvingilas. P. Zvingilas stated that the existing site is already a auto repair facility. He stated that he could not find any documentation that this facility had used car sales in the past so that he will need approval from the commission. C. Kinnie asked for a motion to set a public hearing.

MOTION: C. Geer moved to set a public hearing for SE 01-14 Sita Ram, 190 North Main Street, for January 13, 2014 at 6:30 p.m. in the Town Hall meeting room. J. Kreuger seconded the motion. All were in favor. The motion was carried.

There was no other new business.

10. Reports from the Enforcement Officer

P. Zvingilas stated that he had a problem. He was reviewing an application for Michael and Sandra Odgers on Shetucket Tpke. He explained that there were three residential properties that were mistakenly put into Highway Commercial Zone. He stated that the original Highway Commercial Zone based on the approved 2000 Zoning Map was just the Marina and did not go all the way to Burdick Lane. He showed the commission the lots on the map. C. Kinnie stated that on the current Zoning Map dated August 2009 shows the whole area in highway commercial to Burdick Lane. P. Zvingilas stated that it was an error of the person who drew the map. He stated that the lots are individually owned lots and are referred to as seasonal housing by the health district; and that you cannot drive in and rent a space for a camper. He is asking for a correction on the map. C. Kinnie stated that this should go to public hearing. M. Tristany stated that this was a Scribner's error. D. Szall stated that a motion was made to correct a similar error on the Borough map in 2009. C. Kinnie asked if any of those three lots were ever used as Highway Commercial when the 2009 map was adopted. P. Zvingilas stated no. M. Tristany concurred that none of those properties should be commercial. There was discussion of this matter. C. Kinnie asked for a motion to restore the three lots to residential on Route 165.

MOTION: C. Geer moved to correct the Scribner's error to the August 2009 Zoning Map to have three lots: lots 137, lot 138.11 and lot 138.2 to be corrected to the R-60 zone as depicted on the September 2000 zoning map. J. Kreuger seconded the motion. All were in favor. The motion was carried.

C. Kinnie asked for any other reports. He asked for any other business. He stated that there is another gentleman here. Stewart B. Oakes stated that he was a new alternate. C. Kinnie stated that Mr. Oakes should have joined the meeting. C. Kinnie asked for a motion to adjourn.

MOTION: C. Geer moved to adjourn. J. Kreuger seconded the motion. All were in favor. The meeting adjourned at 8:09 pm.

Respectfully Submitted,

Donna M. Szall
Recording Secretary