



# Town of Griswold



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Phone (860) 376-7060, Fax (860) 376-7070

## GRISWOLD PLANNING & ZONING COMMISSION

### PUBLIC HEARING & REGULAR MEETING MINUTES

APRIL 9, 2012

GRISWOLD TOWN HALL

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

##### 1. Call to Order

M. McKinney called this public hearing to order at 6:30 p.m.

##### 2. Roll Call

**Present:** Martin McKinney, Daniel DeGuire, Erik Kudlis, Alternates Charlotte Geer, Benjamin E. Hull, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas Recording Secretary Donna Szall

**Absent:** Courtland Kinnie, Lawrence Laidley

##### 3. Determination of Quorum

M. McKinney appointed C. Geer to sit for L. Laidley and B. Hull to sit for C. Kinnie. There was a quorum for this public hearing.

##### 4. Matters Presented for Public Comment

- A. SE 05-12 Wood, John H. III, 257 Stone Hill Road, Griswold, CT 06351. Property Location: 39 Wedgwood Drive, Griswold.** Request approval of a Special Exception for a proposed liquor store retail sales in accordance with Section 8.1.9 of the Borough of Jewett City Zoning Regulations. The facility will be located in a prior retail sale in Unit B of the Slater Mill Mall. Property is zoned B-Industrial.

M. McKinney asked if there was someone to represent the applicant. John Faulise, Boundaries was present to represent John H. Wood, who was also present. J. Faulise explained that there was a lengthy discussion last meeting and we were waiting for input from the Town Attorney. He stated that he would answer any questions from the commission.

M. McKinney asked for any questions from the commission. E. Kudlis stated that the issue was the distance was closer to the school property than the regulations require. M. McKinney stated that there was also the question of the church being near the church and that had not come before zoning for a permit and if a permit was required. J. Faulise stated that the church requires a special exception that was never granted. He stated that the 500 foot separation was external to the property boundary and the regulation does not discuss separations within the same parcel. He stated that the area within 500 feet of the school property is flowed by the Quinebaug River.

J. Kreuger stated that he walked the property and that it was accessible from the school. J. Faulise asked if it went on to the sewer plant property; and that the Mall property itself goes under the water of the river. There as discussion of this matter.

D. DeGuire asked if this public hearing was to be continued. M. McKinney stated that he would like to get input from the public first.

C. Fontneau stated that a fax went to the new town attorney Michael Carey of Suisman and Shapiro; and that it was attached to his report. He stated that the issues were sent to the attorney the 500 foot separation distance, about the church and package store in the same building, the church's lack of a permit making it not zoning compliant.

B. Hull stated that he thought that if the use was established and after three years it is the non-conforming use and would be allowable even if it is there. C. Fontneau stated that in 8.13.a that it applies to an accessory structure. M. McKinney asked that it be checked out. There was discussion of this matter.

M. McKinney asked for public comment.

Paula Grillo stated that there should be the same consideration given to this application for the building inspector and the fire marshal check out the whole building so that everything was up to code since that what was done to their building when they applied for their liquor store permit.

J. Faulise stated that the applicant would like this public hearing to remain open until when hear from the town attorney. J. Faulise stated that he will submit a letter to that affect.

M. McKinney asked for a motion.

**MOTION:** D. DeGuire made a motion to continue the public hearing to the next regular meeting and to accept the applicant's signed waiver. C. Geer seconded the motion. All were in favor. The motion was carried.

M. McKinney asked if J. Faulise was waiting for the applicant. J. Faulise stated that he was not waiting for the applicant.

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

### 1. Call to Order

M. McKinney called this public hearing to order at 6:40 p.m.

### 2. Roll Call

**Present:** Martin McKinney, Daniel DeGuire, Erik Kudlis, Alternates Charlotte Geer, Benjamin E. Hull, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas Recording Secretary Donna Szall

**Absent:** Courtland Kinnie, Lawrence Laidley

### 3. Determination of Quorum

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

### 4. Matters Presented for Public Comment

- A. SE 04-12 Camputaro, Pasquale, Jr. 630 Plainfield Road, Griswold, CT 06351. Property Location: 522 & 630 Plainfield Road, Griswold.** Request approval of a Special Exception of a proposed addition to existing automotive repair facility with new parking lot and associated site plane improvements with a lot line modification to transfer 10,110 sq. ft. from 630 Plainfield Road to 522 Plainfield Road. Property is zoned C-1 and C-2

M. McKinney asked if there was someone to represent the applicant. John Faulise, Boundaries, LLC was present to represent the applicant. J. Faulise explained that this was gone through in detail and there is a favorable report from the town engineer and his recommendations were added to the plan.

L. Laidley arrived at 6:45 p.m.

J. Faulise stated that the health department approved the septic system. He stated that at the last meeting there was an issue raised regarding the setback requirements to the rear and to the front of the property that the building was in compliance. He explained that this was raised by the zoning enforcement officer for the addition for the setbacks. He submitted a copy of the variance obtained in 1995 for the setback for the existing parcel known as the garage lot and it established a rear boundary of 7.05 foot setback terminated at the boundary of the residence and the garage lot. He stated that the proposed addition is in excess of the 7.05 foot setback. He explained that land was added to this lot for the part of the addition meets the set back at 31 feet to the new property line. He stated that a variance was obtained for the front yard setback on Wednesday, April 4, 2012. He stated that there is a copy of the variance in the file.

M. McKinney asked how the slop was being held back. J. Faulise explained that where there is a slope of 2:1, erosion matting will be used and where the slope is less than 2:1, rip rap will be used. He stated that all the grading and stabilization was reviewed and approved by CLA the town engineer. There was discussion of this matter.

M. McKinney asked what the pitch was for the parking area. J. Faulise explained that it is fairly flat and it goes through a gross particle separator before it reaches the discharge which goes into an infiltration trench and the overflow goes over a rip rap level spreader that goes down-gradient to the State's right of way. He stated that there is a letter with State approval in the file. L. Laidley asked what lighting will be used in the parking area. J. Faulise stated that there will be security lighting on the building itself.

M. McKinney asked for public comment; hearing none, he asked for a motion to close the public hearing.

**MOTION:** D. DeGuire made a motion to close the public hearing. C. Geer seconded the motion. All were in favor. The motion was carried.

### III. 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, Daniel DeGuire, Lawrence Laidley, Erik Kudlis, Alternates Charlotte Geer, Benjamin E. Hull, James Krueger, Town Planner Carl Fontneau, ZEO Peter Zvingilas Recording Secretary Donna Szall

**Absent:** Courtland Kinnie

#### 3. Determination of Quorum

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

#### 4. Approval of Minutes

A. Approval of Minutes of the Regular Meeting of March 12, 2012

M. McKinney asked for motion on the minutes.

**MOTION:** E. Kudlis made a motion to approve the minutes of March 12, 2012. C. Geer seconded the motion. All were in favor. The motion was carried.

#### 5. Correspondence and Attachments

A. Letter dated March 2, 2012 from John Faulise to Carl Fontneau regarding a request for renewal of a special exception SE 04-00 and Review of Closure Plan for Cyr Construction, Inc. and St. Mary Roman Catholic Church Corp. at Lily Pond Road.

C. Fontneau explained that there is a letter that is an agenda item under additional business and there is another letter to be addressed under new business for a representative for the Capital Improvement Committee.

#### 6. Matters Presented for Consideration

A. **SE 04-12 Computaro, Pasquale, Jr. 630 Plainfield Road, Griswold, CT 06351. Property Location: 522 & 6340 Plainfield Road, Griswold.** Request approval of a Special Exception of a proposed addition to existing automotive repair facility with new parking lot and associated site plane improvements with a lot line modification to transfer 10,110 sq. ft. from 630 Plainfield Road to 522 Plainfield Road. Property is zoned C-1 and C-2.

M. McKinney asked the commission for their comments or concerns. E. Kudlis stated that the clarifications and modifications have made in come into conformity and an variance was obtained so there is no question. M. McKinney asked for a motion.

**MOTION:** L. Laidley made a motion to approve SE 04-12 with the site plans revised to March 20, 2012 for a three-bay garage addition and new paved parking lot and stormwater treatment and a boundary adjustment of 10,110 square feet from 630 Plainfield Road added to 522 Plainfield Road the following conditions before filing of the Special Exception Document: Map: 18 & 9, Block: 48, Lot: 65 & 66, Volume: 265 & 61, Page: 683 & 450. 1) Payment of engineering consultant review fees of \$787.50 directly to CLA Engineers; 2) Variance ZBA 07-12 to be filed on the land records before the Special Exception document is filed. D. DeGuire seconded the motion. All were in favor. The motion was carried.

B. **SE 05-12 Wood, John H. III, 257 Stone Hill Road, Griswold, CT 06351. Property Location: 39 Wedgwood Drive, Griswold.** Request approval of a Special Exception for a proposed liquor store retail sales in accordance with Section 8.1.9 of the Borough of Jewett City Zoning Regulations. The facility will be located in a prior retail sale in Unit B of the Slater Mill Mall. Property is zoned B-Industrial.

M. McKinney asked for a motion to table this application.

**MOTION:** L. Laidley made a motion to table SE 05-12 to the next regular meeting on May 14, 2012. D. DeGuire seconded the motion. All were in favor. The motion was carried.

#### 7. Additional Business

- A. SE 04-00 Cyr Construction, Inc. & St. Mary Roman Catholic Church Corp., 9 Wilderness Acres Dr. Preston, CT. Property Location: 50 Lily Pond Road, Griswold.** Request approval of a renewal of a Special Exception application and review of the proposed closure plan of a gravel excavation. Property is zoned R-60.

M. McKinney asked if there was someone to represent the applicant. John Faulise, Boundaries, LLC was representing Cyr Construction and St. Mary Church. He submitted copies of the site map of the project. He stated that they have represented this applicant since 2000 when the first approval for the gravel excavation. He showed the originally approved site map for the gravel excavation. He stated that most of the site has been excavated and restored. And shows here it has been restored loamed and seeded. He stated that the new map shows the closing of the project since Lily Pond will be re-graded by public works. He stated that there are minor grade adjustments for the drainage that was originally graded to the S.W. and now the drainage will be to the N.W. via sheet flow in the wetland areas. He stated that it was approved by the inland wetlands commission in February. He explained how the grading was extended in the northern corner of the site where a hill will be graded to the north to create a 3:1 on that face.

J. Faulise stated that they are asking for a renewal of the permit for the existing permit which is in place until May, 2012. He stated that this excavation is slated to be closed. He stated the bonds are in place for the project and there is a 10,000 cash bon for potential damages to lily pond road. M. McKinney asked if it will be opened again. J. Faulise stated no, it will be closed and reverted back the St. Mary Church cemetery association as a cemetery this year. J. Faulise stated that they are looking for a two-year renewal but the site is slated to be closed this year. There was discussion of this matter.

M. McKinney asked for questions from the commission. He asked for a motion.

**MOTION:** D. DeGuire made a motion to extend SE 04-00 Cyr Construction for two more years. L. Laidley seconded the motion. All were in favor. The motion was carried.

## **8. Old Business**

- A.** Continue consideration of approaches to accelerate time frame for minor updating to sections of the 2007 Plan of Conservation and Development.

C. Fontneau stated that he has been updating sections to the PoCD and explained that revised maps or new maps for the PoCD are in progress. He stated that he was working on Section 5. He stated that the Open Space Land Acquisition committee was formed and is starting some mapping and resource inventory that will help to improve the open space priority mapping and implementation in the PoCD.

- B.** Discussion of changes to the Zoning Regulations and Zoning Map and Subdivision Regulations as necessary.

C. Fontneau stated that there are two pages attached to the read along regarding changes to new uses to the Industrial zone in the town. He explained that we received the demolition funding for the town owned triangle property and has received a letter of intent for a 82 unit assisted living facility on the lot when it is clean. He stated that we need to add that use in the Industrial zone so this individual can apply for a special exception for this facility. He stated that there are changes to the liquor store uses in the C-1 zone where there are typos in 6.3.20. He stated that retail businesses and 6.3.22 for warehousing and wholesale distribution in C-1 to be added; and 6.3.23 for a recycling use on 10 acres or more. He stated that there are some groups looking to provide a daycare center of 25 or more children to be used in the C-1 zone. M. McKinney asked if he was changing zoning every time someone calls about a project. C. Fontneau stated no, that these are new uses to be in every C-1 zone. M. McKinney asked about the wording for the use in the Industrial Zone. C. Fontneau stated in 9.4.4 which is the same wording that we have in C-1 and C-2. He stated that there are only four industrially zone parcels in the town. M. McKinney was concerned that it would be a mixed use. C. Fontneau stated no it would be for convalescent and nursing homes only. He stated that the details are outlined in Section 12 for the uses. L. Laidley stated that an over 55 community is not in the Industrial zone. C. Fontneau stated that no, it will not be in the industrial zone. There was discussion of this matter.

M. McKinney stated that we are trying to generate more commercial use. C. Fontneau stated that this is not really residential; it is warehousing elderly who are in need of services. E. Kudlis stated that it is an assisted living can have their own kitchenette facility but have centralized nursing care and congregate meals. He stated that an age restricted residential development is different and he asked if it is listed in the residential zones. C. Fontneau stated that it has its own zoning regulation. C. Fontneau explained that to get the grant, there was a concept plan for a 88 unit assisted living facility that includes 19 Alzheimer's units too. He stated that it is adding this use to the industrial zone so there will be no other residential uses in the industrial zone and is exempt for the affordable housing statute 8-30g because it was historically an industrial zone. M. McKinney asked if it would impact the aquifer zone. C. Fontneau stated no it is not in the acquirer zone. There was discussion of this matter including that there should be very specific definitions spelled out.

E. Kudlis asked about the 10 acres for Section 12.23 and that there was lengthy discussion to make if 5 acres. C. Fontneau stated that the 5 acres was for the borough and that the 10 acres was for the town. M. McKinney asked what parcel would

this affect in the town. C. Fontneau stated any 10 acre parcel in the C-1 zone. There was discussion of this matter including limiting the type of materials a recycling facility must be considered such as outdoor composting facilities and to exclude food waste.

J. Kreuger asked about the demolition of the Summit Nursing Home. P. Zvingilas stated that it is completed. M. McKinney asked how much land was on that parcel. L. Laidley stated that there was 7.5 acres for the nursing home area and 18 acres in the back with about 6.30 acres of the 18 acres. M. McKinney asked the zone. P. Zvingilas stated that it is of limited value because there is no frontage. C. Fontneau stated that it was C-1. There was discussion of this matter including that it can be added to the school property with frontage on the river.

C. Fontneau stated that he will work on the zoning for the next meeting.

## **9. New Business**

M. McKinney stated that there is a letter from the BOS asking for a person for the Capital Improvement Committee; and that J. Kreuger sent a letter to the BOS to serve on that committee. M. McKinney asked for a motion to appoint J. Kreuger to sit on that committee.

**MOTION:** D. DeGuire so moved. L. Laidley seconded the motion. All were in favor. The motion was carried.

C. Fontneau stated that the Open Space Land Acquisition Committee requested from the BOS regarding ordinance 60, the unused planning and zoning funds at the end of the year with their approval and planning and zoning approval to direct those funds to the Open Space Dedicated Fund or go back to the general fund. L. Laidley stated that this could be used to sustain the Open Space Dedicated Fund. M. McKinney suggested that we should wait until the economy is better. There was discussion of this matter including that the open space fund is eligible for matching State grant funds. M. McKinney stated that half to go to general fund and half to go to the Open Space Dedicated Fund. C. Fontneau stated that this can be added to the May agenda.

C. Fontneau stated that the town received a \$250,000 Brownfields grant for demolition and building materials testing for 226 East Main Street Triangle town-owned parcel for the assisted living facility or something else.

## **10. Reports from the Enforcement Officer**

P. Zvingilas stated that there has been no activity regarding 67 Talcott Avenue for the last three weeks. He asked about someone keeping chickens in a cage and if there was something against that. D. DeGuire stated that aren't chickens farm animals. M. McKinney stated that he felt that chickens are farm animals. C. Fontneau stated that the town has permissive zoning that those permitted are on the list and if it is not on the list then it is not permitted. There was discussion of this matter including that 4-H and other groups raise specialized chickens. M. McKinney stated that someone can submit an applicant to change the zoning regulations. P. Zvingilas asked for a consensus from the commission regarding the chickens. M. McKinney stated that there as a consensus that chickens are not allowed in the Borough.

P. Zvingilas stated that there is an individual in the Borough on East Main Street who is raising snakes commercially on the internet; and raising rats to feed them. He stated that he may come in for a home occupation. He stated that he inspected the house where he has new stairs, but he did not go in the basement where the snakes are being raised.

P. Zvingilas stated that we are still awaiting demolition on the parcel that is boarded up across from the high school entrance. The courts decided that this should be demolished by the Town because the owner will not do it. He stated that the town will not appropriate money to tear it down. There was discussion of this matter.

P. Zvingilas stated that there was a complaint of a dilapidated house at the corner of Mathewson and mechanic Street. C. Geer stated that it would be good to eliminate all these eyesores. J. Kreuger stated that there was a house torn down on Green Avenue and North main. C. Geer stated that the former A-1 Appliance was town down long ago.

## **11. Adjournment**

M. McKinney asked for a motion to adjourn.

**MOTION:** E. Kudlis made a motion to adjourn. L. Laidley seconded the motion. All were in favor. The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Donna Szall  
Recording Secretary