

Planning & Zoning Commission
Unapproved Minutes
August 17, 2016

Vice-Chairman Havican called the meeting to order at 7:00 p.m. The meeting was recorded.

Members Present: A. Havican, J. Crumb, D. Santoro and K. Kemp

Alternates Present: Greg Ploski and Richard Blanc

Absent: G. Graveline

Others Present: Tammy DeLoia, Land Use Inspector

Vice-Chairman A. Havican sat Richard Blanc for Gil Graveline.

Approval of Minutes:

Motion made by K. Kemp, seconded by D. Santoro to approve the minutes of August 3, 2016 as submitted. **Unanimous.**

Correspondence: None

Public Participation: Vice-Chairman Havican asked the public for comments if the subject was other than those on the Agenda. There were no comments from the public.

New Business: None

Land Use Inspector's Report: Land Use Inspector T. DeLoia referenced the Prospect Gun Club's Resolution of Approval Modification of Special Permit, dated October 21, 2015. T. DeLoia stated that the condition of the modification was for the Prospect Gun Club to have a sound mitigation plan, designed by an acoustical engineer and accepted by the Planning & Zoning Commission. T. DeLoia continued that she had received a call from Jerry Williams, the president of the Prospect Gun Club, advising that a berm was installed to the left side of the shooting range and asked if the Gun Club could go forward with the extension of the Thursday hours of operation, 4:00 p.m. to 6:00 p.m., as approved. T. DeLoia asked the Commission if an additional Public Hearing was warranted. The consensus of the Commission was that an additional Public Hearing would not be required as the additional requested Thursday hours have been previously approved and could be started after the Commission accepts a sound mitigation plan designed by an acoustical engineer.

A general discussion took place regarding the property at 26 Union City Road and its approved use.

T. DeLoia commented that the lot was approved by the Inland Wetlands Commission for a commercial building, but as of yet nothing has come before Zoning.

Public Hearing:

a. **7:10 p.m. Prospect Limousine Service LLC, 123 Union City Road, Unit #6, Application for Special Permit for Limousine Service.** Vice-Chairman A. Havican read into the record the "Notice of Public Hearings" for this public hearing as it appeared in the Republican-American on August 5 & 12, 2016. Roger Hamelin, 31 Waterbury Road, representing Prospect Limousine Service LLC, presented before the Commission advising that he would be moving from one industrial location to another while downsizing his business and keeping the same activities to vehicles and office space. T. DeLoia advised that as an allowed use in this location, she felt it was a good fit. Vice-Chairman Havican asked the Commission and public for comments. There were no further comments. Vice-Chairman Havican asked for a motion to close the public hearing. **Motion** made by D. Santoro, seconded by K. Kemp to close the public hearing. **Unanimous.** After discussion, **Motion** made by D. Santoro, seconded by K. Kemp to approve Prospect Limousine Service LLC, 123 Union City Road, Unit #6, Application for Special Permit for Limousine Service.

Unanimous. Vice-Chairman A. Havican stated that in the Commission’s Judgment, the application complies with the criteria set forth under Section 12.10 Special Findings of the Prospect Zoning Regulations.

Land Use Inspector’s Report: (Continued)

A general discussion took place on the status of Mobilitie, an Atlanta based company proposing 120’ data poles to be placed in the ‘right of ways’ at Pond Place and Ion Bank to help cover the data ‘gaps’ in the Prospect area. T. DeLoia stated that the company went ahead of themselves, without following procedure and misinterpreted a change from the FCC. T. DeLoia stated that the Siting Council is currently reviewing and has jurisdiction for this project.

b. 7:20 p.m. Skrip’s Old Soul Restoration, 94 Union City Road, Unit B, Application for Special Permit for Vehicle Restoration and Sales. Vice-Chairman A. Havican read into the record the “Notice of Public Hearings” for this public hearing as it appeared in the Republican-American on August 5 & 12, 2016. Bob Skrip, 106 Union City Road representing Skrip’s Old Soul Restoration presented before the Commission stating that he was asking approval for a restoration shop with limited sales as required by the DMV and continued that the location is a licensed dealership site. Vice-Chairman Havican asked the Commission and public for comments. *Karen Chicoine, 5 Dorothy Ave.* raised questions concerning the number of hours of operation, noise, spray painting and if additional buildings would be constructed on premise. B. Skrip commented that the hours of operation would be from 8 a.m. to 5 p.m.; there would be no spray painting on premise, but offsite. B. Skrip continued that he did not plan on constructing other buildings on this location and addressed that the noise level would be related to the current noise level as he would be restoring antique cars. The business would not be a speed shop. B. Skrip also stated that if Ms. Chicoine had additional questions she could contact him. *Bob Albert, 9 Wilkins Lane,* stated that he felt this location was a good fit for this type of operation. Vice-Chairman Havican asked for additional comments. No other comments were made. **Motion** made by K. Kemp, seconded by D. Santoro to close the Public Hearing. **Unanimous.** After discussion, **Motion** made by R. Blanc, seconded by K. Kemp to approve Skrip’s Old Soul Restoration, 94 Union City Road, Unit B, Application for Special Permit for Vehicle Restoration and Sales. **Unanimous.** Vice-Chairman A. Havican stated that in the Commission’s Judgment, the application complies with the criteria set forth under Section 12.10 Special Findings of the Prospect Zoning Regulations.

Old Business: None

Land Use Inspector’s Report: (Continued)

Up-date on 70 Salem Road – Land Use Inspector T. DeLoia gave the Commission an update on the status on the Zoning violations at 70 Salem Road. The homeowner allowed herself and Gene McCarthy, Asst. Public Works Director, a site visit on 7/27/16 at which time they determined that the amount of materials excavated, deposited and regraded was likely over 1,200 cubic yards and would require a Zoning permit issued by the Planning and Zoning Commission. She also provided the Commission with copies of the enforcement letters issued to date which included an application for an Earth Excavation, Deposition and Regrading permit and a copy of Section 4.11 Earth Excavation and Regrading Activities. T. DeLoia continued that she has been in contact with the Town’s Attorney Jennifer Yoxall regarding this matter. T. DeLoia advised that it is approaching the 30 day mark of when the Cease and Desist was sent on 7/21/16 and she would like the Commission’s consensus to move forward with the Attorney’s recommendation, to issue a municipal citation that carries a fine of \$150.00 per day. The municipal citation could be sent as of August 22, 2016. G. Ploski commented that there wouldn’t have been a problem, if the homeowner had presented to the PZC prior to the work. G. Ploski also commented on the removal of the material from the bank for a 2 to 1 ratio and stated that he believed a reinforcing wall

would be necessary. G. Ploski added that he wanted the property to be safe and stable as this was an important pond that feeds the Aquifer. The consensus of the Commission was to proceed forward with the municipal citation.

J. Crumb advised the Commission that he did not feel a change should be made to the Sub-Division Regulations regarding Granite curbing to cul-de-sacs and intersecting radii; but asked that the Commission become more diligent in enforcing this regulation. J. Crumb also commented that it made the appearance more attractive and helped during plowing as the plows could not break the curbing so easily. *Bob Albert, 9 Wilkens* commented that in the Town of Rocky Hill, it was noted that the plows break the granite curbing during storms. T. DeLoia advised that she would ask Assist. Public Works Director, Gene McCarthy what his thoughts were on granite curbing.

G. Ploski commented that he would like to have further discussion on the Zoning Regulations including Section 4.8.1.4 Re: (B) Zone used for a commercial garage or automobile service or repair station shall not be located within five hundred (500) feet of any other lot used for a commercial garage or automobile service or repair station or for which a permit for such use has been issued except as otherwise specified in Section 4.8.1.5. G. Ploski stated that he would like to review these Zoning regulations soon as several new buildings will be constructed on Rte 68 and they will need to be rented. **Motion** made by K. Kemp, seconded by R. Blanc to place the Land Use Inspector’s verbal report on file. **Unanimous.**

Public Participation:

Vice- Chairman Havican asked the public for comments. There were no comments from the public.

Adjournment: **Motion** made by D. Santoro, seconded by J. Crumb to adjourn the meeting. **Unanimous.** The meeting adjourned @ 7:40 p.m.

Al Havican

Al Havican
Vice-Chairman