

Planning & Zoning Commission
Unapproved Minutes
August 15, 2018

Chairman Graveline called the meeting to order at 7:00 p.m.

Members Present: G. Graveline, J. Crumb, A. Havican and S. Duffany

Alternates Present: Mike Dreher, G. Ploski

Absent: B. Albert

Others Present: Land Use Inspector, Mary Barton

Approval of Minutes:

Motion made by A. Havican, seconded by S. Duffany to approve the minutes of 8/1/18 as amended. **Unanimous.** Amendment to the motion for the request by Ted Merchant, P.E. Land Developer Director, for Toll Bros. Regency at Prospect –for a bond reduction for Phase 6 (Letter of Credit #30099464), from the reduced amount of \$201,011.00, to the amount of \$44,244.00. After review by the Town’s consulting engineer, it was determined to approve the new amount of \$56,094.00 for Phase 6. After discussion, **Motion** made by A. Havican, seconded by S. Duffany, to approve the reduction of the bond amount for Phase 6 Regency at Prospect to the amount of \$56,094.00 (\$201,011 - \$144,917 = \$56,094). **Unanimous.**

Correspondence: None

Public Participation: *None*

Mayor Chatfield advised that B. Albert was convalescing as he had fractured his ankle and will be out for the next several weeks.

New Business:

-Town of Prospect – Application for Senior Center – expansion of parking lot in an upland review area at 6 Center Street- received: An approval dated 8/13/18 from IWC and a letter of comments dated 8/10/18 from Ronald Walters, Senior Environmental Analyst of South Central Connecticut Regional Water Authority. Mayor Robert J. Chatfield presented to the PZC an application to expand the parking lot behind the Prospect Senior Center at 6 Center Street. The Project will take 2 to 3 years to complete. Clean fill from the Town of Prospect construction projects and other projects will be used. This project should take 2,500 to 3,000 yards of fill. G. Ploski questioned the number of parking spaces that this improvement would allow to which R. Chatfield replied 30 to 40 parking spaces. The parking lot will be paved after the milling sets. After discussion, **Motion** made by J. Crumb, seconded by K. Kemp to accept and approve the Application for an amendment to the existing site plan from the Town of Prospect for the Senior Center at 6 Center Street to expand the parking lot behind the Senior Center. Term date August 2023. **Unanimous.**

-Ken Faroni, Director of Planning & Permits for O & G Industries, 25 Spring Rd – 2018 Permit Term: Request to Waive Work Requirement for 2018: Ken Faroni appeared before the Commission to request a non-work approval for 2018 for the O & G quarry at 25 Spring Rd. K. Faroni continued that O & G Industries will be using other sources to acquire stone for this year’s usage. K. Faroni also stated that all other permits and insurance are in place. K. Faroni stated that he will be coming before the

Commission in October to renew O & G Industries 2-year permit. Chairman Graveline asked for further comments. No other comments were made. After discussion, **Motion** made by A. Havican, seconded by S. Duffany to approve the request to waive work requirement for 2018 of O & G Industries at the Quarry on 25 Spring Road in Prospect. **Unanimous.**

Public Hearings:

7:20 p.m. – Zone Change application for Cathy M. Bochicchio, for a Zone Change of 86 Waterbury Road, from a Residential (RA-1) to Business (B) Zone – C. Bochicchio presented the ‘Certificate of Mailing’ labels to the Commission which were received via mail to the Land Use office on 8/2/18. M. Barton advised that she had spoken with Mayor Chatfield after the 8/1/18 meeting and had given the Mayor, M. Milutis’ pictures of the flooding outside his 7 Pinecrest Dr residence. The Mayor had advised M. Barton that a permit order was in place for this problem to be rectified and the Mayor’s office would be mailing M. Milutis this information. Chairman Graveline asked for further comments. C. Bochicchio advised she would like the Zone Change as she would like to sell her house that has been for sale for over a year. G. Ploski questioned if the requirement for a Zone Change had been met; to which M. Barton replied that they were. No other comments were made. **Motion** made by A. Havican, seconded by K. Kemp to close the public hearing of Zone Change application for Cathy M. Bochicchio, for a Zone Change of 86 Waterbury Road, from a Residential (RA-1) to Business (B) Zone. **Unanimous.**

A resident of Pinecrest Dr had appeared before the Commission stating that he would like to speak before them on behalf of the Zone Change at 86 Waterbury Rd. When the Chairman Graveline and M. Barton advised that the public hearing had been closed and the closure had followed State Statute; Chairman Graveline advised the resident that he was welcome to give M. Barton any correspondence for M. Barton to review. After the resident continued with derogatory comments toward the Commission, the resident was escorted out of the meeting.

G. Ploski recused himself from the meeting.

7:30 p.m. – Michael Begin, 28 Cheshire Road, Special Permit application for a 30’x28’ -2 story addition to an existing Commercial building with a 6’ extension to the generator shed. M. Barton advised that M. Begin nor his contractor would be in attendance this evening. M. Barton continued that the public hearing was still open and gave the Commission the following for discussion: Section 11.3.11 Application Submissions Requirement Waivers (Schedule A). After review, Chairman Graveline asked for further comments. M. Dreher questioned the placement of the addition. M. Barton advised that the building would be symmetrical. M. Barton also advised that the 2 unfinished parking spaces will now be finished. No other comments were made. **Motion** made by A. Havican, seconded by J. Crumb to approve the waivers for Michael Begin, 28 Cheshire Road, Special Permit application for a 30’x28’ -2 story addition to an existing Commercial building with an extension of 6’ to the existing generator shed. **Unanimous.** Chairman Graveline asked for further comments to keep the public hearing open. No other comments were made. **Motion** made by S. Duffany, seconded by K. Kemp to close the public hearing for Michael Begin, 28 Cheshire Road, Special Permit application for a 30’x28’ -2 story addition to an existing Commercial building with an extension of 6’ to the existing generator shed. **Unanimous.** M. Barton gave the Commission the draft of the Special Permit Resolution of Approval: **RESOLVED TO APPROVE** request for a Special Permit under Article 12 of the Zoning Regulations for a two-story addition to an existing office building located at 28 Cheshire Road in the Business District (B) Zone (Schedule B). After review of the Special Permit Resolution of Approval, **Motion** made by S. Duffany, seconded by K. Kemp to approve

as presented in the Special Permit Resolution of Approval for Michael Begin, 28 Cheshire Road, Special Permit application for a 30'x28' -2 story addition to an existing Commercial building with an extension of 6' to the existing generator shed. **Unanimous.**

Old Business:

-Industrial Storage LLC, 99 Union City Road –Application for Earth Excavation, Deposition and Regrading Activities: Roland Desrosiers, Land Use Surveyor and Planner appeared before the Commission. M. Barton stated that Gene McCarthy, the Town’s consultant for engineering, was working on the bond amount. Chairman Graveline commented that he would like to hear from the Town’s consultant first. J. Crumb commented the 170,793 cu yds. R. Desrosiers stated that the total amount of material to be disturbed is 170,793 cu yds with 112,000 cu yds to be taken offsite and that he had shown the breakdown with sheets 3,4 & 5 of the site plan. Chairman Graveline requested to wait until the Town’s consultant bond amount information is received at the 9/5/18 PZC meeting.

-99 Union City Road, Special Permit Application for a 40, sq. ft. Industrial Building and Property Improvements. M. Barton gave the Commission the Waiver requests for 99 Union City Road’s Special Permit Application: Section 11.3.11 Application submissions requirement Waivers and Section 11.6.14 Waivers of requirements of Article 11 Site Plan (1 through 7) (Schedule C). After review, **Motion** made by A. Havican, seconded by J. Crumb to approve the waivers of *Industrial Storage LLC, ETAL, 99 Union City Road – Special Permit Application for a 40,000 sq. ft Industrial Building and Accompanying Site Improvements as presented. Unanimous.* The Rough Draft of the Special Permit Resolution of Approval for 99 Union City Road (Schedule D) was given to the Commission for consideration. Chairman Graveline advised the Commission to review and get information back to M. Barton for any changes. Chairman Graveline also advised that M. Barton would put together a Resolution for the excavation of 99 Union City Road.

G. Ploski was reseated to the meeting.

- Text Amendments: M. Barton recommended several text amendments including the Acquirer regulations and the driveway lengths.

Land Use Inspector’s Report:

-Dollar General is in the process of being sold; a temporary CO had been given in January 2018; at this time, an As-Built needs to be filed. The fencing improvements had been completed. M. Barton questioned if the Commission continued to want additional landscaping to the back side of the fence. G. Ploski commented that this would be a site plan modification that would show on the As-Built. Chairman Graveline asked M. Barton to send a letter to the neighbor asking if there would be a problem if no additional landscaping was to be done.

-25 Royal Crest Dr. – Outside investors have an interest in making the current convalescent home into a Detox facility. M. Barton advised that the Attorney for the investors has been advised that the septic system is still in need of replacement.

-151 Waterbury Rd – Notice of Intent from AT&T to modify an existing telecommunications facility at 151 Waterbury Rd

-Aria, 45 Murphy Road – M. Barton and G. McCarthy will be inspecting the completed sloping area of Aria next week. A previous request was made to reduce the Aria bond; the bond had been reduced to \$10,000 as G. McCarthy has requested to wait one more winter.

- Request for a Home Occupation for Religious Education at 58 Plank Rd- Ernie Nandori and Michelle Batista of 58 Plank Rd appeared before the Commission. M. Barton advised that M. Batista needed a Trade Name Certificate in order to cash checks for a business; as previously established in the Town of Prospect, a home occupation or store front is necessary in order to obtain a Trade Name Certificate. M. Barton advised that M. Batista would like to establish a Montessori type religious educational study class with ages of children 3,4 and 5-year-olds, twice a week for two hours each day. The ratio of children to instructors will be 5 to 1, with the potential of another instructor. E. Nandori advised that if the classes grew, another venue would be looked into. M. Barton stated that the program is not affiliated with any church, but would be an established business. Commission members commented on a home occupation as being invisible to the neighbors; the concerns were raised as to drop-offs for a 2-hour class period twice a week would amount to traffic; Chairman Graveline commented that the Commission would need to look at what is left which would be a business. **Motion** made by K. Kemp, seconded by A. Havican to place the Land Inspector's verbal report on file. **Unanimous.**

Public Participation: None

Adjournment:

Motion made by A. Havican, seconded by S. Duffany to adjourn the meeting. **Unanimous.** The meeting adjourned @ 8:20 p.m.

E. Gil Graveline

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Chairman