

**Planning & Zoning Commission**  
**Unapproved Minutes**  
**December 5, 2018**

Acting Chair, Jack Crumb called the meeting to order at 7:00 p.m.

**Members Present:** J. Crumb, K. Kemp and S. Duffany

**Alternates Present:** Mike Dreher, Bob Albert

**Absent:** G. Ploski, G. Graveline and A. Havican

**Others Present:** Land Use Inspector, Mary Barton

Acting Chair J. Crumb seated M. Dreher and B. Albert for G. Graveline and A. Havican.

**Correspondence:**

Letter from Jennifer Sills Yoxall, Esq. Re: Toll CT Limited Partnership, Regency at Prospect, Letter of Credit #30004435, Phase 5; dated 11/20/18

Letter from Jennifer Sills Yoxall Esq. Re: Toll CT Limited Partnership Regency at Prospect, Letter of Credit #30004435, Phase 5; dated 11/21/18

Letter from Jennifer Sills Yoxall, Esq. Re: Toll Bros. Phase 5, Letter of Credit #30004435, 6<sup>th</sup> Amendment

Letter from Capital One to Town of Prospect: Re: Amendment terms and conditions – Toll Bros. - Expiration date amended to: January 9, 2020; letter dated 11/29/18.

**Motion** made by S. Duffany, seconded by K. Kemp to accept and place on file the extension of the Letter of Credit and Bond for Toll CT Limited Partnership, Regency at Prospect to January 29, 2020. **Unanimous.**

**Motion** made by S. Duffany, seconded by K. Kemp to place correspondence on file. **Unanimous.**

**Approval of Minutes:**

**Motion** made by B. Albert, seconded by S. Duffany to approve the minutes of 11/7/18. **Unanimous.**

**Public Participation: None**

**New Business: None**

**Old Business:**

Prospect Gun Club: *Jerry Williams, President of the Prospect Gun Club* came before the PZC to follow up from last month's discussion with the PZC and the area neighbors on hours and weapons used. *J. Williams* advised that based on the conversation, the Gun Club suggested rolling back the hours, Tuesday through Saturday, from 7 p.m. to 6 p.m. and on Tuesday and Wednesday using only 22's, which are a smaller caliber weapon and create less noise. *J. Williams* advised that a comment was made to use only 22's on Sundays as well. *J. Williams* advised that the Gun Club met and voted on the rollback of hours to 6 p.m. not 7 p.m. on Tuesdays through Saturdays; on Tuesday and Wednesdays, using only 22's; Sunday 9-3 in the winter months (Nov-Mar) and in the summer months, the Sunday hours will be 9-12; the holiday hours are 9:00 a.m. - 12 noon, for Memorial Day and Labor Day. *J. Williams* stated the Gun Club are set on these days and times. *Don Reilly, 35A Tress Road* stated that after speaking with *J. Williams*, he felt that the Gun Club was going to meet again on December 10, 2018 in executive session and discuss the following: as the neighbor to the Gun Club, the extended hours on Sunday, 9-3 are causing a problem with all the neighbors and suggested the hours of 10 to 1 p.m. on Sundays with the availability to use various caliber weapons. *J. Williams* commented that the Gun Club met in executive session and voted on the rollback of hours and the use of the 22's on Tuesday and Wednesdays and keeping the 9 to 3 hours on Sundays. *J. Williams* stated that their decision was final. *D. Reilly* questioned if certain Gun Club members spoke at this meeting, to which *J. Williams* advised that they did. *D. Reilly* also commented on the Zoning Regulations and hours for running crushers, stating that the hours for the Gun Club should be just as clear. *D. Reilly* felt that since the decision was final with the Gun Club, then the neighbors' suggestions would be mute. *M. Barton* stated that this meeting was for hours and the PZC does not regulate noise. *Robert Chatfield (Mayor), 25 Cornwall Ave*, commented that over the last 40 years', several Gun Club members and PZC members have

come and gone, but the neighbors are still there. *Mayor Chatfield* continued that no one consulted with him on the expansion of hours and questioned the hours on Sunday's: summer hours (June, July and August) are 9 a.m. to 12 noon; winter hours were extended to 9 a.m.- 3 p.m., which is from Nov. to March. *Mayor Chatfield* continued that over the years, the Gun Club had been very co-operative with the town and if the neighbors agreed, then the use of 22's would be ok. *Mrs. Alice Magnarella*, 36 Tress Rd, read into the record her letter dated 12-5-18 and voiced her concerns and advising that she was very disappointed that the Gun Club would not be more accommodating. *Mrs. Magnarella* commented that the only way for a resolution would be for the PZC to rescind the hours approved as of July 18, 2018. *Mayor Chatfield* suggested to form a subcommittee of the PZC of 2 PZC members (*M. Dreher & S. Duffany*), 2 Gun Club members (*J. Williams & D. Semeraro*) and 2 neighbors (*B. Evans & S. Valente*). *James Borbus*, Beach Dr. advised that he was in favor of extending the hours, had concerns with limiting the calibers used. *Susan Tolman*, Tress Rd commented that many people still open their windows, walk their dogs in the area, participated in activities (snow shoeing) and did not appreciate the expansion of hours. *M. Dreher* commented on noise levels in the critical areas of the neighbors back yards, sound mitigation; rescinding hours until there is a resolution. *J. Crumb* questioned noise or repetition and impact. *M. Dreher* commented on establishing parameters, engineered designed systems and constructing berms or walls. *M. Barton* commented that the site is too small for berms. *S. Valenti*, 31 Tress Rd commented on limiting the membership to residents only; that the shooting has progressively increased since his residency of 1993; loss of property values; using high powered ammo which is startling. *Elizabeth Highland*, Tress Rd stated that as a resident of Cheshire, she could still hear the noise. A date of December 7<sup>th</sup>, 2018 @ 5:00 p.m. was set to meet with the subcommittee of (2) PZC members, *S. Duffany*, *M. Dreher*, (2) neighbors, *B Evans*, *S. Valenti* and (2) Prospect Gun Club members, *J. Williams*, *D. Semeraro*. **Motion** made by *J. Crumb*, seconded by *K. Kemp* to form a subcommittee of the PZC and to set a date of December 7<sup>th</sup>, 2018 @ 5:00 p.m. with 2 members of the PZC, 2 members of the neighbors and 2 members of the Prospect Gun Club. **Unanimous.** Questions were raised as to ownership and maintenance of the site that the Gun Club uses to which *Mayor Chatfield* advised that the P.W.D. maintains grounds; the Gun Club commented that they mow, maintain, take care of sheds, 'blow horns for safety when firing' carry a one-million-dollar insurance police. *Mayor Chatfield* advised that the Gun Club has performed charitable donations to the food bank, road cleanup and purchasing defibrillators for the Town. *J. Williams* advised that after speaking with the *J. Fattore* of VibraScience, regarding building a wall, he felt that the neighbors would still hear the noise from the firings and the Gun Club decided not to build the wall. *J. Williams* continued that the Gun Club felt by giving back some hours and only using 22's on Tuesday and Wednesday evenings, they were giving back to the Town but would not put up the wall. *J. Crumb* stated that the negotiations would be tough, but asked to please respect each other.

### **Public Hearings:**

#### **7:10 p.m. Text Amendments:**

*Mayor Chatfield* sent a letter dated 12/5/18 supporting all sections of the Texts Amendments, in particular Erosion and Sedimentation control and Storm Water Management planning.

*M. Barton* gave the PZC and Fire Chief, *Bill Lauber* a copy of the amendments to Article 6 Off Street Parking and Loading Regulations (Schedule A) removing footage as to 15' emergency accessway. Acting Chairman, *J. Crumb* asked for comments. *Bill Lauber*, 33 Salem Rd commented that he was in favor of what was proposed for Section 6.11 Access Drives – Sections 6.11.1.4 and Section 6.11.1.4 a. General discussion took place regarding fire hydrants, accessing building from all sides, type and height of building. *J. Crumb* commented that it has been his experience that the Fire Marshall would look at all the plans.

General discussion also took place on Stormwater management and compliance. The public hearing for Text Amendments was continued until the 19<sup>th</sup> of December 2018 meeting.

### **Land Use Inspector's Report:**

- Amend Flood Plan regulations
- Adopt regulations for data connections to utility poles in right of ways – looking at model regulations from the N.V.C.O.G. – FCC ruling to take effect 1/14/19
- Structures under 200 sq ft to be reviewed – reduced for cost savings – no monetary exchanges – must meet setbacks
- Structures: Playscapes– must meet setbacks

-Rte 69 Auto Sales – Review probably not back until January

**Motion** made by *S. Duffany*, seconded by *B. Albert* to place the Zoning Inspector’s report on file. **Unanimous.**

**Public Participation:**

*Jim Borbus*, Beach Drive commented on his disagreement of removing the 15’ emergency accessway, leaving decision to Fire Marshall, type of use the company, change in Fire codes and older buildings.

**Adjournment:** **Motion** made by *S. Duffany*, seconded by *K. Kemp* to adjourn the meeting. **Unanimous.** The meeting adjourned @ 8:23 p.m.

*Jack Crumb*  
*Acting Chairman*