

**Planning & Zoning Commission
Unapproved Minutes
May 16, 2018**

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

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

Alternates Present: Bob Albert and G. Ploski

Absent: Mike Dreher

Others Present: Land Use Inspector, Mary Barton

Approval of Minutes:

Motion made by A. Havican, seconded by S. Duffany to approve the minutes of May 2, 2018. **Unanimous.**

Correspondence: None

Public Participation: None

New Business:

a. Mark Nolan, of NP Rentals, Affordable Housing Administrator for Toll Bros appeared and presented to the Commission a 'red-lined' amendment to Exhibit G – Public Offering Statement Regency at Prospect –Affordability Plan and Application (see attached Schedule A), showing the amendments to the original Affordability Plan for Toll CT Limited Partnership, as approved by the Town's Attorney, Jennifer Yoxall. After discussion, it was the consensus of the Commission to approve the amendments. **Motion** made by J. Crumb, seconded by K. Kemp to approve the amendments to Exhibit G - Public Offering Statement, Regency at Prospect, Amended and Restated Affordability Plan. **Unanimous.**

b. Rte 69 Auto Sales – Land Use Inspector, M. Barton advised the Commission that she had reviewed the previous minutes and Site Plan of Rte 69 Auto Sales and has found the owner to be in violation of his permit. M. Barton stated that she has been in contact with the State of Connecticut DOT and District 4. M. Barton had found that the owner did not have a permit to park vehicles in the State highway's right of way. M. Barton has requested the STCT DOT to post no parking signs in this area. M. Barton has sent a letter to the owner requesting his attendance at this evening's meeting as his lot is too small and he is parking more than the allowed 30-35 vehicles on this property. As of Tuesday, the owner's Attorney, Alex Rimer, contacted M. Barton, stating that the owner is a good neighbor with no complaints, at this time M. Barton has received several including for the Prospect Funeral home where the delivery trucks are off-loading vehicles. A. Rimer advised that he will not be attending this meeting, but he will be attending the June 6th PZC meeting.

Public Hearings:

Note: the effective dates on all decisions had been changed from June 1, 2018 to June 4, 2018 to be in compliance with the Connecticut General Statutes for notice to be published within 15 days of decision

7:15 p.m. Proposed text amendments to the Prospect Zoning Regulations, Cont'd:

M. Barton asked that the Commission consider the proposed text amendments including chickens and to allow 2 chickens on less than .50 acres. M. Barton stated that a permit with requirements will be available for those residents that want chickens. M. Barton stated that if there are complaints, then the regulation to allow chickens on less than .50 acres could be amended. Chairman Graveline asked for further comments. No other comments were made. **Motion** made by A. Havican, seconded by K. Kemp to close the public hearing for Text Amendments. **Unanimous.**

Motion made by A. Havican, seconded by S. Duffany to adopt the Text Amendments for Article 4 Supplementary Regulations- Section 4.7 Agricultural Uses: Added New Sections: 4.7.6; 4.7.6.1 – A to O - **Chickens**
-Section 4.19 Gateway Overlay District- Section 4.19.4 Gateway Overlay District Site Development Standards: **Deletion-Facade**-Article 12 Special Permits – Section 12.7.4 Notice: **Delete Certified Mailing - Add Certificate of Mailing**.-Article 14 Zone Changes and Amendments – Section 14.3 Notice: **Delete Certified Mailing - Add Certificate of Mailing**-**Article 15 Zoning Board of Appeals** – Section 15.1.2.3: **Delete Certified Mailing; Add Certificate of Mailing; Delete Commission - Add Board; Effective date: June 4, 2018. Unanimous.**

Old Business:

a. ***Capozzi Properties, LLC, 158 Waterbury Road, Special Permit for Existing Building & Parking Improvements and to add a new 2,480 sq ft Storage/Warehouse Facility, Cont'd:*** The Commission reviewed the Resolution of Approval. M. Barton commented on the 49 parking spaces in total with the proposal and stated that in Phase 2, the 2,480 sq ft storage

garage would leave 12 parking spaces short. M. Barton continued that the developer could apply to ZBA for a variance for the additional parking spaces. Chairman Graveline stated that there was no problem with Phase 1. The Commission questioned Phase 1's impact on the Wetlands, and M. Barton advised there was not an impact. M. Barton stated that the Commission could approve just Phase 1 and the developer could come back to the Commission for an amendment to the Special Permit with a site plan. Chairman Graveline asked for further comments. No other comments were made. **Motion** made by K. Kemp, seconded by A. Havican to approve the Special Permit Resolution of Approval of Phase 1 - Capozzi Properties, LLC, 158 Waterbury Road, Special Permit Application for Existing Building & Parking Improvements; Effective date: June 4, 2018. Phase 2 - 2,480 sq ft storage garage was denied. **Unanimous.**

G. Ploski recused himself from the meeting.

b. Application for Zone Change - Linda Marie Ploski, Trustee - G & G Trust, for a Change of Zone Designation from Residential (RA-1) to Business District (B) for 114 Clark Hill Rd, Cont'd: Linda Ploski, Trustee of G & G Trust. Two Resolutions were presented to the Commission; one Pro and one Con. Chairman Graveline asked the Commission to review both resolutions. M. Barton stated that based on the concerns of safety and traffic, the application could be denied due to safety and congestion of public streets. Chairman Graveline stated that the application was in compliance with the Plan of Conservation and Development for commercial growth within the western Gateway of Rte 68 from Naugatuck to the center of Town and the northern Gateway from the center of Town down Rte 69 towards Waterbury. Chairman Graveline commented on the commercial property across the street from the property at 114 Clark Hill Rd which has not been built upon as of yet and the new commercial building built on the Naugatuck/Prospect border. Chairman Graveline stated that the commercial properties are creeping up toward Prospect; traffic generators contribute to hot spots; he does not feel that 114 Clark Hill Rd is too intrusive as it is a small piece of property. Chairman Graveline also continued that the Gateway overlay zone provides for a guide for a better look on how and what could be built within the Zone. Chairman Graveline asked for comments. No further comments were made. **Motion** made by J. Crumb, seconded by S. Duffany to approve the Resolution of Approval for the Application for Zone Change - Linda Marie Ploski, Trustee - G & G Trust, for a Change of Zone Designation from Residential (RA-1) to Business District (B) for 114 Clark Hill Rd. Chairman Graveline asked for a role call vote. **3 Approved: Chairman Graveline, J. Crumb, S. Duffany/ 2 Denied: A. Havican, K. Kemp. Motion carries; Effective date: June 4, 2018.**

G. Ploski was reseated to the meeting.

Inspector's Report:

M. Barton reported on the following:

- A Letter was received from Melanie A. Bachman, Acting Executive Director, Connecticut Siting Council, RE: Notice of Exempt Modification / Site Number CTNH302A (ATC: 282660) 151 Waterbury Rd, dated 5/8/18 - T. Mobile Northeast LLC currently maintains 9 antennas at the 137-foot level of the existing 150-foot monopole tower at 151 Waterbury Road, Prospect, CT and now intends to install 1 new microwave backhaul channel (5.0 GHz) with its existing antenna array. T-Mobile will also install 2 new CATs and 1 new fiber cable in order to connect the microwave dish.
 - Senor Panchos, Andy Adams would like to add an outside patio bar; per the Zoning Regulations an outside bar is not a permitted use. M. Barton explained that the owner would like to take advantage of the Saturday and Sunday crowds. Currently, the establishment has outside seating with waiters serving drinks to the guests. Chairman Graveline stated that he would like to know exactly what the owner would like to do and asked to have Mr. Adams attend a PZC meeting.
 - Rooster behind Dunkin Donuts- has been removed.
 - Sandwich signs are up and notices will go out to have the signs removed.
- Motion** made by A. Havican, seconded by S. Duffany to place the Land Use Inspector's Report on file. **Unanimous.**

Public Participation: None

Adjournment: **Motion** made by A. Havican, seconded by J. Crumb to adjourn the meeting. **Unanimous.** The meeting adjourned @ 8:10 p.m.

E. Gil Graveline
Chairman