

Planning & Zoning Commission
Unapproved Minutes
May 2, 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: Mike Dreher, Bob Albert and G. Ploski

Absent: None

Others Present: Land Use Inspector, Mary Barton

Approval of Minutes:

Motion made by A. Havican, seconded by K. Kemp to approve the minutes of April 18, 2018 as amended. **Unanimous.**

Correspondence: None

Public Participation: None

New Business:

a. David Santoro, 5 Porter Hill Rd., Application for an Accessory Living Unit – Land Use Inspector – D. Santoro appeared and presented an application for an Accessory Living Unit. M. Barton advised that she had reviewed the plan for the Accessory Living Unit and had found it to meet all the requirements. The copy of the (6) page plan was given to the Commission for review. Chairman Graveline asked for further comments. Hearing no further comments, **Motion** made by A. Havican, seconded by S. Duffany to accept the application of David Santoro, 5 Porter Hill Rd., for the Accessory Living Unit. **Unanimous.** After Discussion, **Motion** made by S. Duffany, seconded by A. Havican to approve the application of David Santoro, 5 Porter Hill Rd., for an Accessory Living Unit. **Unanimous.**

b. Industrial Storage, LLC, 99 Union City Road, Application for a Special Permit for a Office/Storage 40,000 sq ft (200'x200') and Accompanying Site Improvements *Roland Desrosiers, Land Use Planner and Land Surveyor of R. J. Desrosiers and Assc.* and John Gallagher, owner of Industrial Storage LLC, appeared and presented before the Commission with a Special Permit for a 40,000 sq ft Industrial Building and Accompanying Site Improvements; Site Plan (7 sheets) dated 3/23/17; revised as of Jan. 24, 2018, pages titled Site Plan (pg 1); Detail Sheet Typical Erosion Control Measures (pg 2); Detail Sheet Typical Storm Water Measures (pg 3); Site Plan (pg 4); Site Plan (pg 5); Proposed Driveway (pg 6); Proposed Driveway (pg 7); Prepared for Industrial Storage, LLC by R. J. Desrosiers and Assc. Land Use Planners, Surveyors and Engineers; Special Permit Application dated 4/30/18; Inland Wetlands Notice of Granting Permit, Application #08-2017; Letter from Mary Craeser, R.S. from Chesprocott Health District, dated 6/6/17; Site Plan Resolution of Approval dated 4/22/09 and STCTDOT Letter to J. Gallagher, from A. Steeves dated 4/20/18. R. Desrosiers stated that the storage warehouse facility will sit at an elevation of 810'; the storage warehouse is for a crane company that will store high energy roof top air conditioners; the deliveries will be minimal unlike those of UPS or Fedex. R. Desrosiers continued that an 8" water line will be installed into the property from Rte 68 with a hydrant set at the corner. R. Desrosiers commented that a letter dated 4/20/18, was received from Aron Steeves, Special Services Manager of the STCTDOT, advising that the permit had been accepted: "An encroachment permit will be issued upon receipt of the following: 1. Documentation of City/Town Approval; 2. A completed encroachment permit application (state form PMT-1 Rev 5/91); 3. A bond, (state form CLA-5 Rev. 80/00), in the amount of \$10,000.00 in the contractor's name; 4. A Certificate of Insurance requiring Bodily Injury Liability and property Damage Liability of \$1,000,000 and aggregate of \$2,000,000. R. Desrosiers stated that originally the driveway encroachment was moved 13', upon recent review by the STCTDOT, the driveway encroachment was moved back 10' to improve on site distance in a westerly direction. R. Desrosiers noted an additional change from the previous application of the anticipated date of construction to be 2019. M. Barton questioned a storm water report to which R. Desrosiers replied that past Public Works Asst. Director, G. McCarthy had reviewed. M. Barton questioned amount of material to be excavated. J. Crumb questioned the amount of material to be moved off site, to which R. Desrosiers stated 112,608 cubic yards. M. Barton asked R. Desrosiers to supply the Commission with a Storm Water report as she did not have a copy of the past report. M. Barton stated that she will be giving G. McCarthy the plans to review. M. Barton also requested elevation drawings for the building and two (2) sets of plans for R. Desrosiers to give to the Fire Marshal and Fire Chief. Chairman Graveline asked for further comments. No other comments were made. **Motion** made by A. Havican, seconded by K. Kemp to accept the application of Industrial Storage LLC, 99 Union City Rd, for a 40,000 sq ft (200'x200') storage/office building and accompanying site improvements and to set a public hearing for 6/6/18 @ 7:15 p.m. **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: M. Barton gave the rough draft of the Special Permit Resolution of Approval for review. M. Barton commented that no further encroachment into the wetlands should be made; a soil erosion and sediment control bond should be set. M. Barton continued that after completion of Phase 1, the developer could come back to the Commission to ask for a reduction to the bond. Commission members questioned parking spaces meeting regulations. M. Barton advised that there should be 61 spaces; the plans show 42.4. Chairman Graveline questioned the

purpose of adding the new storage building. M. Barton stated that she was advised it would be to pay for the improvements to the building and properties. Chairman Graveline commented that without the new storage building, the parking requirements would be met. M. Barton commented that the Commission could approve Phase 1 and deny Phase 2. J. Crumb commented that everything, the buffer, landscaping, and parking lot should all be completed in Phase 1 and the storage building in Phase 2. The Commission requested that M. Barton re-work the Resolution of Approval for Phase 1 to include everything; paving, storm water, buffers landscaping and lights, and leave the storage building for Phase 2. Chairman Graveline advised that once Phase 1 is complete, D. Carson could come back to the Commission for Phase 2. The meeting was continued until 5/16/18.

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: M. Barton gave the Commission a draft of the Resolution of Approval and Chairman Graveline advised that only seated members could discuss. M. Barton advised that the Zone Change was in the western Gateway of the overlay zone and meets the Plan of Conservation and Development and the zoning regulations. Chairman Graveline opened the discussion to the Commission. K. Kemp commented that due to the safety issue of the location, he felt this area was not good for business. K. Kemp stated that he was not in favor of the change. A. Havican advised that he was not in favor of the change and stated that it opens up a Pandora's box for the neighbors and the Town. J. Crumb commented that people may not like the looks of the business, but it is within the regulations of the Town and did not think that the Commission could deny it. Chairman Graveline commented on balancing everything out. A. Havican gave his opinion that it was too late, and the change would not fit within the Town. J. Crumb commented that it was his opinion that the door was open for this zone change with the regulations. A. Havican stated that he felt the Commission had leverage to deny and didn't agree. K. Kemp commented that the Commission always had a concern with safety as with the industrial storage facility. K. Kemp advised that the neighbors voiced their concerns for safety. A. Havican stated that as a Commission, it was their responsibility to do what is best for the Town. M. Barton commented that the Commission had a right to look out for the best interest of the Community. S. Duffany commented that he was 50/50 as he could see both J. Crumb's side and A. Havican's side. Chairman Graveline asked for further comments, hearing none Chairman Graveline continued the meeting until 5/16/18.

Public Hearings:

7:45 p.m. Proposed text amendments to the Prospect Zoning Regulations, Cont'd: M. Barton commented that after a discussion with P. Dahlman, 7 Terry Lane; he had informed her that he would like to have his chickens back. M. Barton advised that his property is less than .50 acres and suggested to the Commission to allow 2 chickens on less than ½ acre. Chairman Graveline continued the public hearing for Proposed text amendments to the Prospect Zoning Regulations until 5/16/18 @ 7:45 p.m.

Inspector's Report:

- 70 Salem Road – The Affidavit has been signed and sent out; this will allow the Town's Attorney to file for Attorney fees.
- M. Barton will continue to check guidelines for chickens
- Dollar General – Silt fence has been up; due to weather comes down, will be put up again.
- 26 Union City Road – Contractors are continuing working; no prospective client as of yet
- 40 Union City Road – Waiting on Chesprocott; need As Built – M. Gustaferrri – still needs to address pack lighting
- Rte 69 Auto Sales – M. Barton to send out letter to owner to attend PZC meeting of 5/16/18
- Side Walk Meeting – On hold until Mayor receives design study from Milone and MacBroom

Motion made by A. Havican, seconded by S. Duffany to place the Land Use Inspector's Report on file. **Unanimous.**

Public Participation:

Michael Accousti, 176 Union City Road, suggested to the Commission to change Zoning Regulations to adhere to 500 ft abutters as within 'filing a protest'. M. Accousti stated that he felt it was very important to consider.

Adjournment:

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

E. Gil Graveline
Chairman