

Planning & Zoning Commission
Unapproved Minutes
June 20, 2018

J. Crumb called the meeting to order at 7:00 p.m.

Members Present: J. Crumb, S. Duffany

Alternates Present: Bob Albert

Absent: G. Graveline, A. Havican, Mike Dreher, G. Ploski and K. Kemp

Others Present: Land Use Inspector, Mary Barton

J. Crumb sat Bob Albert for Al Havican.

Approval of Minutes:

Motion made by S. Duffany, seconded by B. Albert to approve the minutes of June 6, 2018. **Unanimous.**

Correspondence:

a. Bond for Ridgewood Club Sub-division: Land Use Inspector, Mary Barton advised that a Letter of Credit (LOC) was required as of June 30th or a hearing would be necessary. At this time, a (LOC) was received today and approved by the Town's Attorney, Jennifer Yoxall; the LOC was extended for one year. M. Barton stated that she had spoken with the developer Bob Sweeney and was informed that he has not completed the work.

b. Bond for Phase 4 of Regency at Prospect – Toll Bros.: A (LOC) was required before June 30th or a hearing would be necessary. At this time, the Letter of Credit (LOC) was received today and approved by the Town's Attorney, Jennifer Yoxall; the LOC was extended for one year.

Motion made by S. Duffany, seconded by B. Albert to place correspondence on file. **Unanimous.**

Public Participation:

Cathy Bochicchio, 86 Waterbury Rd appeared before the Commission to request a Zone Change for this property from a RA-1 to Business; this property is within the Northern Gateway district, with residential property zoned to each side and behind, there are business zoned properties across the street. C. Bochicchio explained that she has been trying to sell her home for over a year. C. Bochicchio advised that she did not know how to procedure forward. J. Crumb advised that C. Bochicchio would need to present an application to the Commission for a Zone Change. C. Bochicchio was unsure if she wanted to move forward if the Commission did not approve the Zone Change. M. Barton commented that a pre-determination could not be made by the Commission and a complete application including fees would need to be in place before a public hearing could be made. M. Barton suggested to the Commission to add to the Agenda an application for a Zone Change from RA-1 to Business for 86 Waterbury Rd. **Motion** made by S. Duffany, seconded by B. Albert to add to the Agenda an application by Cathy Bochicchio, 86 Waterbury Rd for a Zone Change from RA-1 to Business. **Unanimous.** After discussion, **Motion** made by S. Duffany, seconded by B. Albert to accept the application made by Cathy Bochicchio, 86 Waterbury Rd for a Zone Change from RA-1 to Business and to set a public hearing date of August 1, 2018 @ 7:30 p.m. **Unanimous.**

Robert Duncan, 46 Williams Dr appeared before the Commission and referenced his complaint of his neighbor on 52 Williams Dr. M. Barton commented that she was referred from the Anti-Blight Commission on an Inland Wetlands claim for 52 Williams Dr. M. Barton stated that she had a meeting with the neighbors in this area and was advised of their complaint of the homeowner on 52 Williams Dr regarding debris, fencing and placing items in the watercourse. M. Barton stated that she will be presenting this information to the Wetlands Commission on Monday evening. R. Duncan advised that the homeowner has two "fences" on his property, one 8' and one 6'; which R. Duncan would like to have removed or brought into compliance. M. Barton stated that she will be meeting with the homeowner on Wednesday of next week to look at what is in violation; she will be working with the homeowner to help bring him into compliance. M. Barton advised R. Duncan that all residents deserve respect; this procedure takes time and does not happen over night.

New Business: None

Public Hearings:

7:15 p.m. - Industrial Storage LLC, ETAL, 99 Union City Road – Roland Desrosiers, L.S. and Land Use Planner appeared on behalf of the property owner John Gallagher. R. Desrosiers advised that he is still working on responding to comments from M. Barton. R. Desrosiers stated that he has a difference of opinion with M. Barton as to the landscape; as to the lighting, there will be no parking lot lighting or all night lighting. R. Desrosiers stated that he will give a full presentation at the next PZC meeting. M. Barton advised that she had received a copy of the report from Mr. Spear, J. Gallagher's traffic consultant; M. Barton had sent the report on to R. Desrosiers, J. Gallagher and Attorney Calkins. M. Barton also advised that she had

received copies of 'a Motion for Temporary Injunction in Aid of a Pending Civil Action and Civil Summons' that was received from Attorney Caine after the June 6th meeting. M. Barton had spoken with the Town's Attorney, Jennifer Yoxall. Attorney Yoxall advised that the Commission would need to acknowledge receipt of the documents. The documents do not have any affect on how the Commission reacts to the application, unless the Commission receives a Court order on how to proceed. **Motion** made by S. Duffany, seconded by B. Albert to place the 'Motion for Temporary Injunction in Aid of a Pending Civil Action and Civil Summons' documents on file. **Unanimous.** J. Crumb asked for comments from the public. Fred Bonyai, 18 Woodcrest Dr commented that he felt some residents are treated differently than others and spoke in support of the applicant stating that this applicant received information from the STCTDOT Traffic Engineer that a conditional permit will be given upon receipt of the Town's PZC approval. F. Bonyai continued that the first meetings he attended were for Wind Turbines that were held without a hearing. The PZC approved a temporary 150' structure for wind testing when their regulations allow a structure to be at max 35' in height. F. Bonyai also commented that the PZC should not have allowed this structure because it was under jurisdiction of the CT Siting Council and not the PZC. J. Crumb stated that the structure was approved because it was temporary. F. Bonyai continued that the PZC now is questioning the amount of parking spaces for the proposed storage unit on 99 Union City Road when the property has 29 acres. F. Bonyai stated that he felt the Commission is still giving this applicant a hard time but yet approved the Zone Change of Clark Hill Rd because it is one of their favorite people. J. Crumb asked for further comments. Attorney Lenny Caine representing Greg Ploski and G & G Trust advised that he will be reserving comment until the next public hearing. Attorney Caine had left the meeting. Kaitlyn Kelly, 95 Union City Rd questioned if any other changes will be made to the buffer from the previous site plan of 2017. R. Desrosiers stated that there have been no further changes. B. Albert asked to close the public hearing. M. Barton advised that the applicant had request at the meeting of 6/6/18 and was granted an extension until the July 18th meeting; if closed at this point, this could be considered pre-determination. J. Crumb extended the public hearing until 7/18/18 @ 7:15 p.m.

Old Business:

Text Amendments will be discussed at the July 18, 2018 PZC meeting including Storm-water Management and the Zone Change Statute

Inspector's Report:

M. Barton reported on the following:

- Rte 69 Auto Sales – Land Use Inspector, M. Barton advised that she had received correspondence from the State of Connecticut's Traffic Engineer; they had finished the review and will be placing 'No Parking' signs in front of Dr. Deluca's Office, Rte 69 Auto Sales and Hartford Healthcare Physicians on 73 Waterbury Rd. M. Barton continued that a packet containing information as to the steps that would need to be adhered to including a site plan amendment was sent to Attorney Rimer, M. Luisi and property owner Jim Juliani. At the last meeting, Attorney Rimer advised that he will be coming to the meeting within 60 days; whether August 1st or August 15th, was not known at this time. M. Barton continued that cars can not be off-loaded onto Orchard Dr, and cars to be transported to other locations on Rte 69 should have a dealer plate. M. Barton advised that she had reviewed the file of Duracore, 150 Waterbury Rd; a PZC approval was given to allow 15 cars on this property. To date, 30 cars were parked on the property, M. Luisi was contacted and the vehicles have since been removed. M. Barton stated that the site is too small @ Rte 69 Auto Sales and the original permit was for 35 cars for a car dealership; at this time there is well over 163 cars. M. Barton commented that the owner should have 12 parking spaces including one for deliveries. M. Barton advised that the owner would need a site plan that complies with the regulations.
- 52 Williams Dr – M. Barton is starting the process. M. Barton advised that everyone should be treated in the same and her goal is to bring the owner into compliance; the Anti-Blight Commission has moved forward with fines.
- 16 Old Logtown Rd – M. Barton will be meeting with the owner next week.

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

Public Participation: None

Adjournment: **Motion** made by B. Albert, seconded by S. Duffany to adjourn the meeting. **Unanimous.** The meeting adjourned @ 7:45 p.m.

Jack Crumb
Acting Chairman