

**WOLCOTT PLANNING & ZONING
REGULAR MEETING - WEDNESDAY, MAY 15, 2013
TOWN COUNCIL CHAMBERS, 6:30 P.M.
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MINUTES

REGULAR MEETING

Note: These are summary minutes. A tape recording of this meeting is on file in Wolcott Town Hall, Commission Secretary's Office.

Chairman Ray Mahoney called the Regular Meeting to order at 6:30 p.m. with the Pledge of Allegiance and then attendance was taken.

Roll Call Attendance

MEMBERS PRESENT: Cathe Sherman, Chris Edquist, Rich Delpier, Mike Bokon, Ray Mahoney

MEMBERS ABSENT: None

ALTERNATES PRESENT: Virginia McHugh

ALTERNATES ABSENT: None

ALSO PRESENT: David Kalinowski, ZEO

PUBLIC REQUESTS

Mr. and Mrs. Auburn came forward to say they were the first habitants of the development (Watercreek) and when they bought there all the rules were laid out, it was an over 55 age-restricted community and that is what they signed up for. He said since then they had talks with Mr. Mahler who tried to sway them to go over to his way of thinking and at the time they thought it didn't sound that bad to have an under 55 only because they wanted it finished. He said after Mr. Mahler's request was refused and in talking to him after that he (Mr. Auburn) thought (Mr. Mahler) was kind of snotty. Mr. Auburn asked him what was going to happen to them and Mr. Mahler said he didn't care and said he would just go with affordable housing. Mrs. Auburn said she did agree to the under 55 reluctantly because they wanted it finished but as far as affordable housing they all are absolutely against it. She said they put all their money into these houses to live in a peaceful, quiet community. She said we have had nothing but aggravation since moving (into this development). Mr. Auburn said if he (Mr. Mahler) was denied his first request and the grounds were that it would be too much of an impact to the school then if you put affordable housing there it will completely blow up the situation. Mr. Auburn said the rules were there, the plan was laid out and (Mr. Mahler) buys into it and then wants to change the world. Mr. Auburn said he doesn't care if (Mr. Mahler) loses money then that's just a bad investment.

APPROVAL OF MINUTES

Upon **MOTION** by Cathe Sherman, seconded by Chris Edquist, it was unanimously voted to **APPROVE** the minutes from the 5/1/2013 Public Hearing and Regular Meeting.

APPROVAL OF BILLS

There were no bills at this time.

CORRESPONDENCES

Ray Mahoney said we received a resignation letter from Alternate Commissioner Pete Carmody due to changes in his work schedule.

SUBCOMMITTEE REPORTS

There were no Subcommittee Reports at this time.

OLD BUSINESS

- 1. #12-478 Christine Nelson – Special Use Permit for B-3 a Non-Profit Donation Center at 36 Town Line Rd.**

Ray Mahoney said that we are still waiting for Inland Wetlands on this so no action will be taken at this time.

- 2. #13-482 Liberty Wolcott LLC – Amendment to Zoning Regulations to permit Section 8-30g Affordable Housing Developments in the RC District.**

ZEO said that tonight we had public request and at the time we heard information pertaining to this application. ZEO said because the public hearing was closed whatever decision this Commission should make it is irrelevant what was said tonight, you have to base your decision on what was discussed at the public hearing.

A **MOTION** was offered by Cathe Sherman, seconded by Mike Bokon, to **DENY** #13-482 Liberty Wolcott LLC – Amendment to Zoning Regulations to permit Section 8-30g Affordable Housing Developments in the RC District for the reason that is stated in the Council of Governments letter dated 4/5/2013 that Liberty Wolcott LLC already has the right to propose an affordable housing development in the existing RC district under the 8-30g appeals process and as such a text amendment is not needed.

A brief discussion followed and the ZEO said to clarify something this is a right from the State Statutes and what Cathe Sherman is stating is that an application can come in at any time as we only have 7% of our requirements (for affordable housing) met in town. He said this has nothing to do with the project it is a text amendment change and that is what the motion is on. Mike Bokon said that in (prior) discussion, not just what the people said tonight, but the reason why he seconded it is that the developer bought the project knowing what the stipulations were and to come forward now and try to change it is why he is against it. Chris Edquist said all the things that he has heard and read over the past few months he is not comfortable making a decision to approve a text amendment change when it is something that is already a right to be able to do.

After the brief discussion, Chairman Mahoney asked if anyone else (had any comments). Seeing none he said we will move the Motion and all those in favor of Cathe's motion signify by saying aye. He asked if anyone opposed (hearing no one). At this time he said the motion carries (and the text amendment was denied by voice vote (5 yes / 0 no).

NEW BUSINESS

1. Zoning Permit #9293 – Triple Threat Dance Co. to operate a dance studio at 1261 Meriden Rd.

ZEO said this applicant is the same person that went into E-Z Pickens Plaza and want to move into this facility (1261 Meriden Rd.) ZEO said there is a site plan that shows all the parking and who is currently in there now. ZEO said he does not see a problem with the parking or the parking requirements as they have plenty of area to expand if need be. Ray Mahoney said the parking lot is paved but is not the greatest and didn't know if the landlord can clean it up. Cathe Sherman said you can put a stipulation in as such. ZEO said if you wanted a condition then specify exactly what you want done, like fill in potholes, mark clearly, etc. Ray Mahoney said it is paved but there are pretty big potholes in there and he didn't see any markings there. ZEO said he would say the parking lot as submitted in the plot plan be properly identified and in acceptable condition to the Site Inspector. ZEO said you need to clarify if the parking lot issues are for just this use or the whole facility. After a brief discussion the ZEO said then you want the parking lot marked and identified for the use and the Commission agreed.

Upon **MOTION** by Cathe Sherman, seconded by Chris Edquist, it was unanimously voted to **APPROVE** Zoning Permit #9293 Triple Threat Dance Company to operate a dance studio at 1261 Meriden Rd. with the conditions that the parking spots for the facility are identified and subject to a site inspection by the ZEO.

2. #13-485 Michael Solla – Special Use Permit for C-14 a Fitness Training Facility at 18 Tosun Rd.

ZEO said this requires a special use permit and the building is where M&M Roofing is and a public hearing is required.

Upon **MOTION** by Cathe Sherman, seconded by Chris Edquist, it was unanimously voted to **ACCEPT FOR REVIEW** #13-485 Michael Solla – Special Use Permit for C-14 a Fitness Training Facility at 18 Tosun Road and **SCHEDULED** a Public Hearing for June 5, 2013 at 6:30 p.m. in the Council Chambers.

ZONING ENFORCEMENT OFFICER'S REPORT

Mike Bokon asked about where Carl's 4 x 4 on Meriden Road is in Wolcott because there is a tire shop that opened in there. He also said that the roll your own tobacco shop from down the street moved into the apt. building in front. ZEO said he would have to check this out.

EXECUTIVE SESSION

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to go into Executive Session (at 6:56 p.m.) to discuss pending litigation matter, along with ZEO Dave Kalinowski and Attorney William Tynan.

(Regular Meeting reconvened at 8:03 p.m.)

ADJOURNMENT

Upon **MOTION** by Mike Bokon, seconded by Cathe Sherman, it was unanimously voted to **ADJOURN** the Regular Meeting at 8:04 p.m.

APPROVED:

Ray Mahoney, Chairman
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission