

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, DECEMBER 21, 2011
TOWN COUNCIL CHAMBERS, 6:30 P.M.
PAGE 1 of 5**

MINUTES

PUBLIC HEARING

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 Public Hearing to order at 6:30 p.m. with the Pledge of Allegiance and then attendance was taken.

Roll Call Attendance

MEMBERS PRESENT: Pete Carmody, Cathe Sherman, Chris Edquist, Ray Mahoney

MEMBERS ABSENT: Bill Olmstead

ALTERNATES PRESENT: Rich Delpier

ALTERNATES ABSENT: None

ALSO PRESENT: Dave Kalinowski, ZEO

PERMIT APPLICATIONS

- 1. #11-460 Warren Corson – Special Use Permit for (A3 & B3 under Schedule A) an Office and a Non-Profit Tree and Garden Farm, (Nature Preserves)) at 1089 Woodtick Rd.**

Dave Kalinowski said applicant came in for a permit for a home office, which is a permitted use and B3 under nature preserves which is a special use permit and requires this public hearing. He said the plans are to keep the tree farm the way it is, adding gardens and plans on having people there for therapeutic purposes. Pete Carmody read the approval letter from Inland Wetlands Chairmn dated 12/15/11. Chairman Mahoney asked the applicant if his 501 has been established and Warren Corson said it has been since 2005 and has been seeing clients since 2006. Mr. Corson said currently he is the only employee and they have some volunteers or independent contractors. He said the therapy is mental health, talk therapy for someone who has anxiety, depression, etc. and they help them work through the issues. He said they do not do any work with dangerous populations it is more for loss of love ones, work issues, ADHD, etc. He said they do not dispense or hold any medications on property.

Rich Delpier said if you wanted to draw in more people (for volunteering) maybe with the veterans coming back or the seniors and suggested they contact the office for Veteran's Affairs is in the Rowland Building in downtown Waterbury. Mr. Corson said they like to do community gardens and there are established trails there since 1860 and they want to clean them up to make it a vibrant space for everyone to use. Mr. Corson said it will not be a group home and if anything they would eventually would like to live on one of the 4 properties

**WOLCOTT PLANNING & ZONING
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WEDNESDAY, DECEMBER 21, 2011
TOWN COUNCIL CHAMBERS, 6:30 P.M.
PAGE 2 of 5**

involved if the Board of Directors allow it. Cathe Sherman asked what modifications were planned and Mr. Corson said from the outside point of view will be replenishing of Christmas trees, no buildings are proposed at this time and the barn that was built in 1993 the next stage would be to look at it and see how they could possibly make into offices. He also said if he is successful with his plans that in 10 years from now when you drive by it would look the same only maintained better. Cathe Sherman asked if there would be any changes to the Catering Road side and Mr. Corson said no that is already protected land and can only be used for farming. He also said as of this week there is 41 acres of land that is protected there.

Mr. Atwood came forward and said in 1999 he put a conservation easement on 20 acres of the wood lot portion of the property which would be the north end. He said he has subsequently bought out the open farm portion of the property and as of this past week he signed the papers to put a conservation easement on another 21 acres. He said the existing barn is excluded in the conservation easement because the easement is held by Conn. Forest and Park Association and they did not want the existing buildings in the easement. He also said that 41 acres are permanently protected and no buildings are allowed except for temporary shelters incidental to farming uses. Rich Delpier asked if they qualify for help or aid through the state and Mr. Corson said they do not actively solicit money from the government but as a 501c non-profit any donation received is written up on taxes. Mr. Atwood said the property taxes are very minimal as it is being assessed as open space and the property is divided into 4 different deeds, due to the historical ownership, 2 house lots and 2 large acreage lots (which have the easements on them). Mr. Atwood also said his brother is in full agreement with the first property that the easement was put on and his father is delighted to see that the property now has the additional easement (conservation easement of 21 acres) on it.

Joan Kane come forward and said the Atwood's have been her neighbors for 57 years and it has been a good relationship. Her concern was keeping it as farm land, etc. and who the owner is. Warren Corson said the Atwood family owns the entire farm and he is slated to buy parts of the farm in chucks. He said Doc Warren is an organization and he himself will not own the farm, the non-profit (organization) will. Mr. Corson said that even when Community Counseling owns the land as long as the Atwood family wants to have a stake in it they could. He also said an Atwood family member would always have a spot on the Board. Ms. Kane said she was also concerned with information that was on line about Community Counseling as to being non-profit but stated on line his charges for his services. She also was concerned about the number of employees stated (on the statement of use) and Mr. Corson said he had to give a maximum number of employees that would be on the property but as of now there is no plan to have any employees. Mr. Corson said as far as the rates for his services that as a doctor he can command a lot of money. He also said he tells people not to hire him but if they want him (to go to court, etc.) then you will pay the fees. He also said they do have provisions for those that cannot afford the fees and they may be waived or reduced.

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, DECEMBER 21, 2011
TOWN COUNCIL CHAMBERS, 6:30 P.M.
PAGE 3 of 5**

Joan Kane asked Mr. Atwood which property will be the new conservation easement. Mr. Atwood said the first easement was across from Joan Kane's property on Catering Road.

There were no more comments or questions from the Commission or the public and the public hearing on this application was closed at 6:42 p.m.

REGULAR MEETING

At 7:00 p.m. Chairman Ray Mahoney called the Regular Meeting to order. (Attendance was taken again and as listed above with the exception that Bill Olmstead was excused when public hearing was complete at 6:59 p.m.)

At this time Rich Delpier was seated as a regular member.

PUBLIC REQUESTS

There were no Public Requests at this time.

APPROVAL OF MINUTES

Upon **MOTION** by Chris Edquist, seconded by Rich Delpier, it was unanimously voted to **APPROVE** the minutes from the 9/17/11 Regular Meeting.

APPROVAL OF BILLS

There were no bills at this time.

CORRESPONDENCES

There were no Correspondences at this time.

SUBCOMMITTEE REPORTS

There were no Subcommittee Reports at this time.

OLD BUSINESS

1. Updated Plan of Development

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, DECEMBER 21, 2011
TOWN COUNCIL CHAMBERS, 6:30 P.M.
PAGE 4 of 5**

At this time Chairman Mahoney said the public hearing was closed on this with the exception of making changes to the plan as suggested in letter received from Cathe Sherman. ZEO said we still have time to make the changes and submit to the Town Council.

NEW BUSINESS

1. #11-455 Peter and Jennifer Graziano – Special Use Permit for a Daycare and Learning Center at 421 Wolcott Rd.

ZEO said there was a special use permit that was obtained in 2008 (for this location) at 421 Wolcott Rd. where there was a daycare center that closed approximately 6 months ago. This application is for someone new to start another daycare center and ZEO said because a special permit was already obtained the regulations under 31.9 allows the ZEO to approve minor changes but because it is on the Rte. 69 corridor he wanted to bring it before the Commission. ZEO said the playground area is in the back of the building and not near the parking lot but the State has to deal with this also. He said the Fire Marshal also has to get involved with this application. Steve Bosco said the driveway is paved all the way around and that the applicants are looking to move just 200 feet down the road for a larger space. Steve Bosco said there currently are only two other tenants in this building and they are offices. He also said that there is about 40 paved spaces marked out with some grassy/gravel area for an additional 8 spaces. ZEO said if the Commission sees no problem with this then the Commission can accept for review and allow him to sign off on the application (because only minor changes). Chairman Mahoney said his only concern was the parking lot, handicap ramps and painting lines to make the building look better as right now it looks like it is abandoned. Steve Bosco said he would make that a condition (with the lease) that the parking lot is newly lined, handicap spaces are marked accordingly, etc. It was clarified that it was okay with letting the ZEO signing off on this application due to only minor changes and a prior special use permit being obtained for this address.

ZONING ENFORCEMENT OFFICER'S REPORT

ZEO said another person came in today looking to lease space also at 421 Wolcott Rd. He said it was to open up an internet business to employ 2 people and to possibly expand. He said since they found out that there might be a daycare taking up some of the space they weren't sure about leasing it now but they didn't want this held up. ZEO said it is a permitted use already (so just wanted to clear it through the Commission). ZEO said the cars for sale on Center St. have been moved and he also looked on Woodtick and Todd and at the time there were no cars there. Chairman Mahoney asked if anything was done about the camper (with deck on it on Central Ave.) and ZEO said no if you want to you need to write up a complaint and send to blight (commission). Chairman Mahoney said absolutely he would and also would send one for cars on (upper) Woodtick and Todd Rd. ZEO said no cars where there when he

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, DECEMBER 21, 2011
TOWN COUNCIL CHAMBERS, 6:30 P.M.
PAGE 5 of 5**

checked so if you can take pictures or call as soon as you see them he will go out and check again.

ZEO said after the approval of nine million dollars for paving town roads most companies you call are busy now. He said he did meet with Tilcon to discuss paving Lyman Rd. from the Waterbury Line to before the Firehouse which is 1.6 miles of road. He said right now we are entertaining bids for storm drainage repairs in town to do before paving of roads. He said there are other side roads he is hoping to get paved (Norton, Valley, Thomas) hopefully this year but with rain in the forecast (it may make it tough). He said he is hoping that the project on (upper) Wolcott Rd. will be finished soon.

He also said there is one new house being started on Margaret Terrace and they should finish the cul-de-sac at the end of this road. It was asked if anything could be done with (Warner's property) and it was said nothing but maybe when we look into revamping the regulations maybe this is something that could be changed (procedures for bonds if there are liens on properties).

Rich Delpier said he went by the plaza on Meriden Rd. (#1585) where the fire was and the new bar was open and there were no lights in the whole plaza. It was stated that there have been no lights since the fire occurred but now that there is a business open it should be checked into.

EXECUTIVE SESSION

There was no Executive Session at this time.

ADJOURNMENT

Upon **MOTION** by Chris Edquist, seconded by Rich Delpier, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:25 p.m.

APPROVED:

Ray Mahoney, Chairman
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission