

**WOLCOTT PLANNING & ZONING
REGULAR MEETING
WEDNESDAY, JUNE 1, 2011
TOWN COUNCIL CHAMBERS, 6:30 P.M.
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MINUTES

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 6:32 p.m. with the Pledge of Allegiance and attendance was taken.

Roll Call Attendance

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

MEMBERS S ABSENT: None

ALTERNATES PRESENT: Rich Delpier, Tim Sullivan

ALTERNATE ABSENT: Vanessa Malena

ALSO PRESENT: David Kalinowski, ZEO

PUBLIC REQUESTS

There were no Public Requests at this time.

APPROVAL OF MINUTES

Upon **MOTION** by Cathe Sherman, seconded by Chris Edquist, it was unanimously voted to **APPROVE** the minutes from the 5/18/11 Regular Meeting.

Pete Carmody and Ray Mahoney abstained due to absence.

APPROVAL OF BILLS

There were no Bills at this time.

CORRESPONDENCES

There were no Correspondences at this time.

SUBCOMMITTEE

There are no Subcommittee reports at this time.

OLD BUSINESS

- 1. #11-449 Tona Luarasi Special Use Permit for a Liquor Store at 690 Wolcott Rd.**

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Chairman Mahoney stated the applicant withdrew her application therefore the public hearing that was scheduled for 6/1/11 was no longer required.

2. #9007 Sharon Morrell – Zoning Permit for Personal Fitness Classes at 701 Wolcott Rd.

ZEO said the applicant, Sharon Morrell, was given a temporary permit until 6/1/11 with conditions that the apron be paved, parking spaces identified and construction debris (tires/trailers) would have to be removed. He said we did have around 2 weeks of rain on and off but it has been paved however the construction tires are still there and the parking spaces are not identified and he would recommend sending a letter to the owner to let him know the permits can be revoked at the next meeting if these items are not completed. ZEO said that the trailers are not a big deal but we do not know if they are parked within the required parking spots because they are not identified. He also said they may be registered but there is a permit process to store construction trailers are a site permanently. After a brief discussion the Commission asked for the ZEO to send Mr. Calo a letter stating he has until June 15, 2011 to meet the conditions stated to him previously and if not the permits for said address will be revoked.

NEW BUSINESS

1. Discussion on Forest Hills – Woodberry Court/Ledgebrook Drive

Chairman Mahoney said the owner of this property was just here and said everything is at Attorney Tynan's office now. ZEO said we gave him a deadline of June 1, 2011 to have this road approved but as earlier stated we did have two weeks of rain, however, the road has been paved, monuments and pins installed but we do need the letter from the Engineer (stating that). He also said the as-built was given to him tonight and has been given to the Attorney for review. ZEO said he spoke with Attorney Tynan, who had spoken to owner's Attorney, and asked if it would be unreasonable to say if in two weeks all the documentation was not in place for approval (we call the bond) and Atty. Tynan said not at all.

Upon **MOTION** by Cathe Sherman, seconded by Pete Carmody, it was unanimously voted to **APPROVE** an extension of the June 1, 2011 conditions set forth to June 15, 2011 for Forest Hills – Woodberry Court/Ledgebrook Drive.

2. #11-451 Jeff Pelletier – Special Use Permit for a Dance Studio for solo/duo or private lessons only at 761 Wolcott Rd.

ZEO said this applicant has a dance studio across the street (on Brookdale) and wants to put a solo/duo dance studio on Wolcott Rd. He said in his statement of use it states that only one or two people would be at the Wolcott Rd. location and it would probably be drop off and pick up

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only. He also said this requires a public hearing so a motion would be required to accept for review and schedule a public hearing.

A **MOTION** was offered by Cathe Sherman, seconded by Pete Carmody to accept for review application #11-451 and a brief discussion followed. Rich Delpier said where the dance studio on Brookdale St. is there seems to be a new business located in there. ZEO said they would discuss this under ZEO report later in the meeting. Bill Olmstead asked why a special use permit is required to open up a dance studio to go into a commercial building and ZEO said it is required according to Schedule A in the regulations.

Upon **MOTION** by Cathe Sherman, seconded by Pete Carmody, it was unanimously voted to **ACCEPT FOR REVIEW** #11-451 Jeff Pelletier, Special Use Permit for a Dance Studio for solo/duo or private lessons only at 761 Wolcott Rd.

Upon **MOTION** by Cathe Sherman, seconded by Pete Carmody, it was unanimously voted to **SCHEDULE** a Public Hearing for #11-451 Jeff Pelletier, Special Use Permit for a Dance Studio for solo/duo or private lessons only at 761 Wolcott Rd. for June 15, 2011 at 6:30 p.m. in the Council Chambers.

ZONING ENFORCEMENT OFFICER'S REPORT

ZEO stated to Bill Olmstead that under C14 of the regulations it will tell him exactly what is required for the Dance Studio. He also said that he did meet with Continental Scrap and they are going to put together a site plan to come in and take out a permit for the concrete structure that is there. ZEO said it has been maybe 2 weeks since he spoke with the owner of Continental Scrap and has not heard anything so he will call him again.

ZEO said he is not aware of a new business where the dance studio is on Brookdale but he will look into it. ZEO also said that people are not aware that they need to come in and take out permits when new businesses are going in even though they own the building. ZEO said a zoning permit is always needed for new businesses as things change from business to business, such as hours of operation, number of employees, etc. Rich Delpier asked about the building on Meriden Rd. where the fire was if they were re-doing it and ZEO said he knows that the Building Official has been talking to the Fire Marshal but there have been no permits taken out for it yet.

At this time Ray Mahoney excused himself at 6:55 p.m. and Vice-Chairperson Cathe Sherman took over. Bill Olmstead asked what the issue is with Continental Scrap and ZEO said that they were approved for a site plan application and part of the requirements were Inland Wetlands approval, Planning and Zoning approval, etc. ZEO said he received Inland Wetlands approval and some of the questions that Planning and Zoning asked were, is the outside storage going to be visible and he (owner) said no everything would be stored in containers inside the building. ZEO said when he went to visit the site everything was being

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piled or stored outside but he also put up a concrete structure that was not part of his (original) site plan. He told the owner that he did not follow his site plan and he needs to take out a permit and follow the regulations for recycling, which requires proper screening, etc. The owner said he would discuss this with his engineer and file the proper paperwork. Bill Olmstead said then he added the bins after the fact and is the screening there now approved screening. ZEO said he has a slotted fence around there because everything he had there was supposed to be stored inside so no screening was necessary but obviously that is not the case now. ZEO said he has to get a site plan and come before the Commission to get approval for what has to be done there.

Bill Olmstead asked if everyone has to get a zoning permit because that is for construction and there is another listing under that (in the regulations) which says (something about) a certificate of zoning compliance. ZEO said anything that is erected, constructed and the use has to be part of a zoning permit. Bill Olmstead said then after it is erected and you just want to change uses you should just have to get a certificate of zoning compliance. ZEO said a zoning permit and then you get a certificate of zoning compliance because it could be a different use and there are a lot of uses for commercial, industrial, residential, etc. ZEO said you have to make sure for each use there is enough parking spaces available. ZEO said any new use has to come in for a zoning permit and Bill Olmstead said if you have an auto repair shop and he moves out and another moves in and just changes the name he is not changing the use. ZEO said but his hours, his operations and everything may change therefore the use is changing. Bill Olmstead asked what the definition of use is and Pete Carmody said whatever you are going to use it (structure) for. Pete Carmody said (with a new use) he may want different hours and the neighbors may not be happy, for example, one guy may have been open 9 to 5 and the new guy may be open 6 a.m. to 8 p.m. and that may not be acceptable therefore that is why this Commission reviews everything. Pete Carmody again stressed it would be a new use, use of a piece of property and we have the right to have them come before us (for review).

EXECUTIVE SESSION

There was no Executive Session at this time.

ADJOURNMENT

Upon **MOTION** by Pete Carmody, seconded by Bill Olmstead, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:07 p.m.

APPROVED:

Ray Mahoney, Chairperson
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission

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