

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, APRIL 4, 2012
TOWN COUNCIL CHAMBERS, 6:30 P.M.
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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.

Vice-Chair Cathe Sherman called the Public Hearing to order at 6:35 p.m. with the Pledge of Allegiance and then attendance was taken.

Roll Call Attendance

MEMBERS PRESENT: Cathe Sherman, Rich Delpier

MEMBERS ABSENT: Ray Mahoney, Pete Carmody, Chris Edquist

ALTERNATES PRESENT: Mike Bokon, Sean Cleary

ALTERNATES ABSENT: Virginia McHugh

PERMIT APPLICATIONS

1. #12-467 Chirag Patel – Special Use Permit for a Liquor Store at 701 Wolcott Rd.

Mr. Patel came forward and said he has owned a restaurant for two years and is currently looking to open a liquor store on Wolcott Rd. At this time Sean Cleary read into record a letter dated 4/4/12 from ZEO David Kalinowski, (see attached). Cathe Sherman said there seems to be some issues with parking and that she drove through the parking lot tonight at 6:15 p.m. and counted 23 cars parked there so it is reasonable to say that 20 to 30 (spaces) is a reasonable amount, averaged out to 25 with the maximum of 30 (for the existing business there). She said the new use would require 14 spaces so right now as it exists she has serious concerns about the parking. She said we would also need this parking area to be paved, as of right now it is millings and spray painted lines that have worn off. She also said there is an issue as far as how many liquor stores are allowed in town and currently we have 5 but as you can see (by letter from ZEO) there is another person that has permission to apply to the State. She also said we would need Inland Wetlands and the Fire Marshal to give their comments.

At this time Phil Calo, owner of the property, came forward and said there was 47 parking spaces on the plan and he also believes Mr. Kalinowski is mistaken as to which permit (they are filing for). He said (liquor store) would be 250 sq. ft. not the 165sq. ft. (per parking spaces) because it is special retail, (not retail), so it would lower the amount of parking spots required. He also said he would have to apply for a hardship as far as having the lot paved because he cannot possibly pave the parking lot if he cannot get a tenant in the building. He said he would need a 6 month hardship and then pave a little at a time but in the meantime he would repaint the lines. Cathe Sherman said she counted the parking spaces and there are only 37 not the 47 as Mr. Calo stated. She also said that it is not a special retail, it is just retail, and there is no special use for a liquor store. Mr. Calo

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said he would consider something that doesn't have a high volume turnover as special retail. Cathe Sherman said that for the last use there (Exershar) she had issues with the parking lot then. Mr. Calo said he did what he was told to do then which was to put process down and paint the lines. Mike Bokon said that he would like to know why it would be defined to be a special use (retail) so therefore this should be left open to get this information and Fire Marshal comments, etc. There was a brief discussion and it was stated that Mr. Calo needed to clarify the total square footage of the building when figuring the totals for the businesses which include storage areas, bathrooms, etc. Cathe Sherman then clarified that there is permission already given to someone for a liquor store who has until June 2012 to apply with the State.

There were no more comments or questions from the Commission or the public and the public hearing on this application was continued to 4/18/12 at 6:30 p.m. in the Council Chambers.

REGULAR MEETING

At 6:50 p.m. Vice-Chair Cathe Sherman called the Regular Meeting to order. (Attendance was the same as listed above under Public Hearing).

PUBLIC REQUESTS

At this time Carmine Papa came forward and asked if it was officially okay for the wind mill to be installed (108 Mad River Rd.) and Cathe Sherman said he met all the regulations. She said if he does not comply with the decibels or if it is too loud we can shut it down. His concern was if you allow one then you know what happens and Mike Bokon said other towns were on smaller parcels and Mr. Cleary has a lot of acreage.

At this time Mike Bokon and Sean Cleary were seated as regular members.

APPROVAL OF MINUTES

Upon **MOTION** by Mike Bokon, seconded by Sean Cleary, it was unanimously voted to **APPROVE** the minutes from the 3/21/12 Public Hearing and Regular Meeting.

APPROVAL OF BILLS

There were no bills at this time.

CORRESPONDENCES

There were no Correspondences at this time.

SUBCOMMITTEE REPORTS

Cathe Sherman said she went to the 2nd land use seminar and it was very helpful. It went through how to read site plans and a lot about meetings and what our responsibilities are and she

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encouraged other members to attend the final seminar if they are able to.

OLD BUSINESS

- 1. #12-467 Chirag Patel – Special Use Permit for a Liquor Store at 701 Wolcott Rd.**

Cathe Sherman said that the public hearing on this has been continued to April 18, 2012 at 6:30 p.m. in the Council Chambers.

NEW BUSINESS

There was no New Business at this time.

ZONING ENFORCEMENT OFFICER'S REPORT

ZEO was not in attendance therefore there was no ZEO report at this time.

EXECUTIVE SESSION

There was no Executive Session at this time.

At this time Mike Bokon asked about the ice cream shop opening up on Meriden Road and it was stated this was believed to be this discussed at a previous meeting. He said he thought there was someone from Middlebury that was going to open one on Wolcott Rd. and it was stated that this has been discussed but no application has been filed yet. Mike Bokon asked about no fence being around the pool on Tame Buck Rd. and recording secretary told him that the Building Inspector did talk to the homeowner and she would find what the outcome was for the next meeting. He then asked about the building permits for the last month and recording secretary stated they would be in their next packet.

ADJOURNMENT

Upon **MOTION** by Mike Bokon, seconded by Sean Cleary, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:00 p.m.

APPROVED:

Cathe Sherman, Vice-Chair
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission