

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, JUNE 20, 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 6:32 p.m. with the Pledge of Allegiance and then attendance was taken.

Roll Call Attendance

MEMBERS PRESENT: Cathe Sherman, Chris Edquist, Rich Delpier,

MEMBERS ABSENT: Ray Mahoney, Pete Carmody

ALTERNATES PRESENT: Mike Bokon, Virginia McHugh

ALTERNATES ABSENT: Sean Cleary

ALSO PRESENT: David Kalinowski

PERMIT APPLICATIONS

- 1. #12-470 Frank Carnemolla, Jr. – Amendment to Zoning Regulation #32.2.12 regarding Motor Vehicle Repair Garages on Interior Lots in an Industrial Zone at 784 Bound Line Rd.**

Attorney Pilicy handed in the certified mail notifications that were sent by applicant to neighboring properties. He said the subdivision lot that Mr. Carnemolla owns was approved by the Planning and Zoning Commission in July 1988, map #477 on town records. He said there was one additional map from 2003 when a small addition was put on building. He said it is an interior lot that was established in 1988 and since then zoning regulations have been changed and there is no longer an interior lot provision in the regulations (for motor vehicle repair garages). He said immediately upon the lot being established the prior owner of the lot began using the lot for his construction business, including repairing of his vehicles and it has been an ongoing use. He said Mr. Carnemolla bought the property in 1999 and since that date they have used it for his own business which includes the repair of motor vehicles. He said they are here because Mr. Carnemolla is seeking a license to allow him to repair other vehicles besides his own. He said in order for the ZEO to sign the (license) application it would require the regulation to be amended, and he then read the proposed amendment. He said from all appearances there will be no change, there is no additional building proposed, and the only difference is that the applicant will be able to repair vehicles that are owned by other companies. Mr. Carnemolla said that he has always repaired his own trucks and would like to get some outside work. He said he has recently parked a couple of his own trucks and is using owner/operated trucks and periodically he would like to inspect these trucks but technically he

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cannot do so unless he is licensed. ZEO said once the amendment is approved he believes the applicant would need to come in and file a special use permit, etc. Chris Edquist read the letter from C.O.G. which stated that the staff there does not foresee any land use conflicts. Chris Edquist also read the letter from the Town Attorney which stated he would recommend including the date of January 1, 1990 to the proposed text.

There were no more comments or questions from the Commission or the public and the public hearing on this application was closed at 6:49 p.m.

REGULAR MEETING

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

At this time Mike Bokon and Virginia McHugh were seated as regular member.

PUBLIC REQUESTS

There were no Public Requests at this time.

APPROVAL OF MINUTES

Upon **MOTION** by Chris Edquist, seconded by Virginia McHugh, it was unanimously voted to **APPROVE** the minutes from the 6/6/12 Regular Meeting.

APPROVAL OF BILLS

At this time ZEO stated that there was a bill received from the Consulting Town Planner, Tony Panico from a year ago. He said most of it will be paid from the account for legal fees.

CORRESPONDENCES

There were no Correspondences at this time.

SUBCOMMITTEE REPORTS

There were no Subcommittee Reports at this time.

OLD BUSINESS

- 1. #12-470 Frank Carnemolla, Jr. – Amendment to Zoning Regulation #32.2.12 regarding Motor Vehicle Repair Garages on Interior Lots in an Industrial Zone at 784 Bound Line Rd.**

At this time Cathe Sherman said the public hearing was closed on this tonight and we have approvals from C.O.G. and the Town Attorney.

Upon **MOTION** by Michael Bokon, seconded by Virginia McHugh, it was unanimously voted to **APPROVE** #12-470 Frank Carnemolla, Jr., 784 Bound Line Rd. – Amendment to Zoning Regulation #32.2.12 to include: (f) Interior Industrial Lots, for motor vehicle repair garages only, provided said lot has been used as a repair garage prior to January 1, 1990, as shown on a subdivision map approved by the Planning and Zoning Commission and recorded on Wolcott Land Records on or prior to January 1, 1990, that has a minimum of 80,000 square feet, including the access area.

- 2. #12-471 Liberty Wolcott LLC – Amendment to Zoning Regulation #32.2.18 Multi-Family Residential Developments**

Upon **MOTION** by Michael Bokon, seconded by Chris Edquist, it was unanimously voted to **SCHEDULE** a public hearing for July 18, 2012 at 6:30 p.m. in the Council Chambers on application #12-471 Liberty Wolcott LLC – Amendment to Zoning Regulation #32.2.18 regarding Multi-Family Residential Developments in a Restricted Commercial District, (Rte. 69 Development known as Watercreek) and to send all the necessary paperwork to the Town Attorney and the (Consulting) Town Engineer, for their review and comments.

NEW BUSINESS

There was no New Business at this time.

ZONING ENFORCEMENT OFFICER'S REPORT

ZEO said there are really no new home permits and but there we still are receiving those for additions, pools, etc. He said there have been complaints coming in and he is looking into them now, i.e. loose horses, fence issues and so on.

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EXECUTIVE SESSION

Upon **MOTION** by Michael Bokon, seconded by Virginia McHugh, it was unanimously voted to **ENTER** into Executive Session at 7:00 p.m. with Commission Members, ZEO David Kalinowski and Secretary Edna Henderson to discuss contractual matters.

(Regular Meeting went back in session at 7:20 p.m.)

Upon **MOTION** by Michael Bokon, seconded by Chris Edquist, it was unanimously voted to **APPROVE** that the Mayor and Town Attorney (go forward to) execute a 5 year contract for the Zoning Enforcement Officer.

ADJOURNMENT

Upon **MOTION** by Michael Bokon, seconded by Virginia McHugh, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:22 p.m.

APPROVED:

Cathe Sherman, Vice-Chair
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission