

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, APRIL 17, 2013
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.

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: Cathe Sherman, Rich Delpier, Mike Bokon, Ray Mahoney

MEMBERS ABSENT: Chris Edquist

ALTERNATES PRESENT: None

ALTERNATES ABSENT: Pete Carmody, Virginia McHugh

ALSO PRESENT: David Kalinowski, ZEO

PERMIT APPLICATIONS

- 1. #13-482 Liberty Wolcott LLC – Amendment to Zoning Regulations to permit Section 8-30g Affordable Housing Developments in the RC District.**

ZEO said we received a letter from Council of Governments that should be read into record. At this time Mike Bokon read that letter into record (copy attached).

Attorney Lew Wise, here on behalf of Liberty Wolcott, came forward and said he just received a copy of the C.O.G. report and he and the town have yet to receive anything from the Planner so he would prefer to defer their presentation until the other report (from the Planner) is received and they have an opportunity to review the C.O.G. report. He also said he discussed the timing (with this application) with the Town Attorney (Atty. William Tynan), who is here tonight and the next meeting is May 1st and not sure if the 35 day period has expired by then but they will consent to an extension of the time for another 35 day period within which to conduct this public hearing.

Robert Lanosa came forward and said to change that whole zoning thing is not good for Wolcott and he is sure when (the applicant) bought the land he knew full well that he would make a profit with the elderly. Mr. Lanosa said this is just bad for the town and you cannot just go making changes to zoning and it is bad for the taxpayers who are just trying to get by already. He also said it is a big lose for Wolcott if this is approved.

Tony Gugliotti came forward and said he would like to restate what he said at last meeting. He said years ago the Planning and Zoning approved the zoning change to allow a 55 and over development for the property in question. He said this was based on a proposal that this development would have the least amount of impact on the Town and the taxpayers' resources. He said a new

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developer came in knowing full well the current zoning regulation on this property and wants (the Commission) to change this development into one that would have the most impact on the taxpayers in the Town of Wolcott. He also said there would be requirements for school use, road use, road maintenance and an awful lot of infrastructure that the town will be responsible for that they would not be responsible for on a 55 and over development. He said because a new developer comes in, it doesn't seem to be a valid reason to change an existing 55 and over development. He said if that is allowed than every 55 and over development that has been approved in town can be changed. He said the purpose was to not have those developments to have children in those areas impacting the school system, the town, taxpayer's dollars and everything else. He said if this goes through this would impact the Town of Wolcott forever. He said we would have more taxes on our property and decreased property values and those in that development already stand to lose a lot of money. He also said he doesn't see how someone can come in and say I am going to change what's been approved before, which was a change to its previous zoning regulations already. He said whatever you need to do that Planning and Zoning thinks of the taxpayers and fights the fight.

Ray Rinaldi came forward and said it wasn't too long ago that he sat in these chambers and remembers Mr. Mahler saying that he purchased this land and wanted to change it because of the market conditions and he knew exactly what those market conditions where. Mr. Rinaldi said he has something that says real estate marketing conditions, whether favorable or unfavorable, should not be the particular concern to the Commission when acting on zoning regulation amendments, rather the standard is what is in the best interest of the Town of Wolcott. He also said 3 to 4 people have already purchased homes there at a high dollar (amount). He said when (Mr. Mahler) makes a statement that his investors are worried, lets worry about the people in this town. He said he doesn't think it is fair for (Mr. Mahler) to come into this town and want to change the amendments and regulations. He said (the Commission) has already set the criteria over there and that is the way it should stay.

At this time there were no more comments from the public or the Commission and the public hearing on application #13-482 was continued to May 1, 2013 at 6:30 in the Town Hall Council Chambers.

REGULAR MEETING

At approximately 6:45 p.m. Chairman Mahoney called the Regular Meeting to order. (Attendance was taken and it was the same as listed above under Public Hearing).

PUBLIC REQUESTS

There were no Public Requests at this time.

APPROVAL OF MINUTES

Upon **MOTION** by Cathe Sherman, seconded by Rich Delpier, it was unanimously voted to **APPROVE** the minutes from the 4/3/13 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

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.**

Chairman Ray Mahoney said we are still waiting for Inland Wetlands approval on this application.

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

The public hearing on this application was continued to May 1, 2013 meeting at 6:30 p.m. in the Council Chambers.

- 3. #13-483 John Gentile – Site Plan Application for a Rehabilitation Center at 650 Wolcott Rd.**

ZEO said at the last meeting the applicant had some issues to be addressed by the Town Engineer and the Town Engineer did review the new site plan. ZEO said Mr. Gentile did address the concerns about the plantings and he then read the letter from the Town Engineer (copy attached). Mr. Gentile said by Friday the paving should all be completed. He said once the paving is done they will do the plantings as shown on the plan. ZEO said to get the C/O for the building he would have to make sure all paving and landscaping is completed to the plan or a bond would have to be in place to cover such. Mr. Gentile said in the back the walkway has 42 inch posts there (due to the bank).

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to **APPROVE** #13-483 John Gentile – Site Plan Application for a Rehabilitation Center at 650 Wolcott Rd. with the condition that all requirements per the Town Engineer's letter dated 4/16/2013 are met.

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NEW BUSINESS

Upon **MOTION** by Cathe Sherman, seconded by Rich Delpier, it was unanimously voted to **ADD** to the agenda #13-484 Christopher Funk – Special Use Permit for a 30’ x 28’ detached garage at 26 Woodtick Rd.

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to **ACCEPT FOR REVIEW** #13-484 Christopher Funk – Special Use Permit for a 30’ x 28’ detached garage at 26 Woodtick Rd. and **SCHEDULED** a Public Hearing for May 1, 2013 at 6:30 p.m. in the Council Chambers.

ZONING ENFORCEMENT OFFICER’S REPORT

There was no Zoning Enforcement Officer’s report at this time.

EXECUTIVE SESSION

Upon **MOTION** by Cathe Sherman, seconded by Rich Delpier, it was unanimously voted to go into Executive Session (at 6:57 p.m.) to discuss pending litigation matters, along with ZEO Dave Kalinowski and Attorney William Tynan.

(Regular Meeting reconvened at 7:46 p.m.)

ADJOURNMENT

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:47 p.m.

APPROVED:

Ray Mahoney, Chairman
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission