

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, AUGUST 21, 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 6:31 p.m. with the Pledge of Allegiance and then attendance was taken.

Roll Call Attendance

MEMBERS PRESENT: Chris Edquist, Rich Delpier, Mike Bokon, Ray Mahoney

MEMBERS ABSENT: Cathe Sherman

ALTERNATES PRESENT: Angelo Mastrofrancesco

ALTERNATES ABSENT: Virginia McHugh

ALSO PRESENT: Dave Kalinowski, CZEO

PERMIT APPLICATIONS

1. **#13-488 Cambridge Wolcott LLC – Re-Subdivision for Todd Farms Section II (Across from Woodward Rd. – Assessor's Map #116 – Lot 35c).**

Dave Kalinowski, CZEO, said there have been correspondences from the Town Engineer to the applicant's Engineer and he read letter from Mark Possidento, dated August 16, 2013, that stated Mark reviewed the latest revisions to Lot 3 Todd Farms – Section II and it addressed all of his concerns and is therefore approved. CZEO said it meets all the regulations so when the applicant comes in for the building permit, bonds will be set in place, etc. Mr. Mahler said the letter from Mr. Possidento was self-explanatory so he had no comment. Mike Bokon asked the CZEO if he was satisfied with how they showed the driveway and CZEO said that was one of the issues addressed along with the slopes (in Mark's letter). He said a guide rail will be put in place and the slopes are now 3 to 1 as required.

At this time there were no more comments from the public or the Commission and Chairman Mahoney closed the public hearing on application #13-488.

REGULAR MEETING

At 6:40 p.m. Chairman Ray Mahoney called the Regular Meeting to order. (Attendance was taken and it was the same as listed above under Public Hearing).

At this time Angelo Mastrofrancesco was seated as a regular member.

PUBLIC REQUESTS

There were no Public Requests at this time.

APPROVAL OF MINUTES

Upon **MOTION** by Mike Bokon, seconded by Chris Edquist, it was unanimously voted to **APPROVE** the minutes from the 8/7/2013 Public Hearing and Regular Meeting.

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

- 2. Beachwood Estates (#03-245) - Eva's Terrace Bond Release**

Chairman Mahoney read the letter from Mark Possidento dated August 19, 2013 that stated Mark inspected the subdivision on Eva's Terrace and determined that erosion and sedimentation controls for Lot 10 have been satisfactorily installed therefore he recommended the Maintenance Bond and the bond for Lot 10 be released at this time. It also stated that a new bond will be put in place when Lot 10 is developed. CZEO said there was an issue with the slopes (on lot 10) coming down into the snow shelf area (town right-a-way) and the applicant took a day to clean up the lot and they put up a construction fence on the lot until it is developed. CZEO said he and the town engineer were satisfied with what was done.

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Upon **MOTION** by Mike Bokon, seconded by Rich Delpier, it was unanimously voted to **APPROVE** the release of the bonds (in the amount of \$61,000.00 and \$15,000.00) for Eva's Terrace #03-245 Beachwood Estates.

3. David Fitzpatrick – Extension to conditions stated for application #12-481 for 1078 Wolcott Rd.

Dave Kalinowski, CZEO, said he was in contact with Mr. Fitzpatrick and said he also received a letter from the neighbor (Dorothy Smith) who is looking for a response in regards to the gym and landscape business that is at 1078 Wolcott Rd. He said he looked at the permits that were taken out for the gym and (permitted) uses under Schedule A and didn't see one for the landscaping business. He said he spoke to Mr. Fitzpatrick who thought (the landscaping) was covered under his special use permit because we did discuss that and agreed that he could put a landscaping business there with the stockpiles, etc. He said the application was picked up for said business but has not been returned yet. He said he had discussion with Chairman Mahoney about the fence that was put on hold because of a discrepancy in property lines. He said Dorothy Smith thought the property line was different so she went to court. CZEO said he doesn't believe anything has happened with that so he instructed Mr. Fitzpatrick to put the fence up as per our conditions (set forth previously). CZEO also said another approval condition was to pave the parking lot by June 1, 2013 which was also put on hold because of the legality of the lawsuit. CZEO said he doesn't know when (the lawsuit) will be straightened out but as far as the paving and identifying the parking lot that needs to be done. Chairman Mahoney said the fence is on order and said Mr. Fitzpatrick has been in contact with two paving companies. Chairman Mahoney said in his opinion we should give him to the end of September to get the parking lot completed. He also said he can't see Mr. Fitzpatrick's issue with the permit for the landscaping business if he is not in compliance with the first part (conditions of approval). Mike Bokon said he swears there was something about the landscaping (on original application #12-481) because Mr. Fitzpatrick was talking about where he wanted to stockpile material and our discussion was about putting it behind the building. CZEO said the issue he has with Mr. Fitzpatrick is the side of the property between him and Dorothy Smith. He said it is a non-conforming building and the building setbacks are where they are but you cannot expand a non-conformity. He said Mr. Fitzpatrick wanted to drive behind the building and was told he could not because there was never an access driveway there before. CZEO said he would send a letter to Dorothy Smith letting her know what the Commission has decided (regarding the fence and parking lot). CZEO asked the Commission about issuing a permit (for landscaping business) and they said a temporary permit would be fine.

Upon **MOTION** by Mike Bokon, seconded by Rich Delpier, it was unanimously voted to **APPROVE** that the original conditions (set forth on #12-481) in which the driveway be paved and fence be installed be extended to September 30, 2013.

**4. #13-488 Cambridge Wolcott LLC – Re-Subdivision for Todd Farms Section II
(Across from Woodward Road – Assessor’s Map #116 – Lot 35c).**

Upon **MOTION** by Mike Bokon, seconded by Chris Edquist, it was unanimously voted to **APPROVE** #13-488 Cambridge Wolcott LLC – Re-Subdivision for Todd Farms Section II (Across from Woodward Rd. – Assessor’s Map #116 – Lot 35c) as it meets the Professional Engineer and Zoning Officer’s approval.

NEW BUSINESS

**1. #13-491 Gary Snow – Special Use Permit for a 28’ x 30’ Detached Garage at 1797
Wolcott Rd.**

Upon **MOTION** by Mike Bokon, seconded by Rich Delpier, it was unanimously voted to **ACCEPT FOR REVIEW** #13-491 Gary Snow – Special use Permit for a 28’ x 30’ Detached Garage at 1797 Wolcott Rd. and **SCHEDULE** a Public Hearing for September 4, 2013 at 6:30 p.m. in the Town Hall Council Chambers.

ZONING ENFORCEMENT OFFICER’S REPORT

Mike Bokon asked the CZEO that the dump truck with mattresses in it at the new rehab center on Wolcott Rd. was supposed to be removed prior to building being open. CZEO said it was removed when it was paved but it must have been brought back so he will call the owner. Mike Bokon said he saw a sign for a spa business at the building on Wolcott Rd. (#608) but did not see any permit in place for it. CZEO said nothing has been done there yet. Mike Bokon also said he had issues with 144, 145 and 148 Long Meadow Drive. He said that at 145 Long Meadow there are appliances in the front yard, #148 he said the weeds are higher than his fence and you cannot see pulling out of Chicory Drive. CZEO said a sight line issue the Public Works can look into and the others would need to be addressed through the blight ordinance.

EXECUTIVE SESSION

Upon **MOTION** by Mike Bokon, seconded by Rich Delpier, it was unanimously voted to enter into **EXECUTIVE SESSION** to discuss pending claims and litigation matters at 6:55 p.m. inviting Attorney Brian Tynan and CZEO Dave Kalinowski.

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Chairman Mahoney called the Regular Meeting back to order at 7:40 p.m.

ADJOURNMENT

Upon **MOTION** by Mike Bokon, seconded by Rich Delpier, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:41 p.m.

APPROVED:

Ray Mahoney, Chairman
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission