

**WOLCOTT PLANNING & ZONING  
PUBLIC HEARING AND REGULAR MEETING  
WEDNESDAY, APRIL 6, 2016  
TOWN COUNCIL CHAMBERS, 6:30 P.M.  
PAGE 1 of 7**

**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 attendance was taken.

Roll Call Attendance

**MEMBERS PRESENT:** Cathe Sherman, Chris Edquist, Mike Bokon, Ray Mahoney

**MEMBERS ABSENT:** Angelo Mastrofrancesco

**ALTERNATES PRESENT:** Rich Delpier

**ALTERNATES ABSENT:** None

**ALSO PRESENT:** David Kalinowski, CZEO

**PERMIT APPLICATIONS**

1. **#16-527 Athinas Liquor LLC – Special Use Permit for a Convenience Store / Gas Station at 1520 & 1530 Wolcott Rd.**

Dave Kalinowski, CZEO, said we received the preliminary plans for this a couple months ago and there are correspondences that will be read into record in regards to comments from the Town Engineer. He said we did receive approval from Inland Wetlands, Fire Marshal and Chesprocott.

At this time Mike Bokon read into record letters from Mark Possidento, dated 3/18/16 and 4/4/16, from Harry E. Cole, dated 3/30/16, and from Chesprocott, dated 4/4/16, (see attached).

Steve Giudice, from Harry E. Cole & Son, came forward to state the proposal was for improvements to the convenience store and 5 gas pumps. He said the property is zoned General Commercial and consists of two parcels. He said one property has the existing convenience store and the parcel to the north has two residential structures on it, the total is 1.67 acres. Mr. Giudice said the existing convenience store has been in business for quite some time and Mr. Skarbardonis, (owner), is looking to improve the property and expand the use. Mr. Giudice said there is a small pocket of wetlands that was surveyed and flagged by a soil scientist. He said their proposal tonight is to remove the two structures, (at 1530 Wolcott Rd.), add two additions to the existing convenience store and add 5 gas pumps to site. He said there will be 4 tanks in the rear of the building that will be 10,000 gallons or less, per regulations. He said they are proposing a storm water management system. He said currently

**WOLCOTT PLANNING & ZONING  
PUBLIC HEARING AND REGULAR MEETING  
WEDNESDAY, APRIL 6, 2016  
TOWN COUNCIL CHAMBERS, 6:30 P.M.  
PAGE 2 of 7**

there are a few catch basins in front of the convenience store but there is no formal drainage on the site. He said they are proposing to maintain the existing drainage patterns at the convenience store and to the north of the store they will collect storm water thru a series of catch basins and the basins would discharge to an environmental chamber that would be used to clean the storm water before it goes into the underground system located under the parking lot. He said the flow of the system will keep the flow at lower levels than previous conditions.

He said that system then discharges into the state system and would have to be approved by them prior to any construction. He also said they are proposing to maintain the existing septic tank and pump chamber, and proposing to add a grease trap location. He said the proposal has 3 curb cuts to allow good circulation on the site and truck flow in a circular motion. Mr. Giudice said he did receive approval from Inland Wetlands to fill in .0028 acres of wetlands. He said they proposed landscaping, and ornamental trees around the site. They are also proposing a new sign location, a fenced dumpster pad, an ice chest and a propane facility. He said the site slopes from east to west and will continue to maintain the current drainage pattern.

Mr. Giudice said they did receive comments from the Town Engineer and some verbal comments from Dave Kalinowski and they did make revisions to the plans accordingly. He said he just received the letters from Chesprocott and Mr. Possidento's final comments. At this time he showed renderings of the building from the front, side, and rear views.

Cathe Sherman said that on Mark Possidento's letter dated 4/4/16 it addresses 31.11.5 but she could not find any information on the location, size, design, etc. for outside lighting. Mr. Giudice said they do not have a definite plan on the sign yet and would come back to the Commission if need be once finalized. Kal Omar came forward to give some details regarding the lights. Mr. Omar said that the canopy lights will be LED lights and they do not travel, they light a specific area. CZEO said that the sign permit would have to go before the Commission as it is on the Rte. 69 corridor. CZEO also asked about the new curb cut they are proposing and Mr. Giudice said there is currently 2 curb cuts for the convenience store and one will be closed off and relocated, and there are curb cuts for the existing homes but is not a very well defined curb cut and they are replacing that with another (better) curb cut. Mr. Giudice said they will be required to submit the curb cuts to D.O.T. and they will check the turning radiuses and the distances between the curb cuts. He said the D.O.T. will also be reviewing the storm water management system. CZEO asked about where the tankers would come in to drop off and where they would exit and he asked if there were any scheduled delivery times for the tankers. Mr. Omar explained the traffic pattern the trucks would take and Mr. Giudice said the spacing around the back would leave enough area for the trucks to come in and drop off without congestion on site. Mr. Giudice said there is adequate space for turning movements and as far as the time of deliveries he does not know at this time. Mr. Skarbardonis said the hours of operation would be 5 a.m. to 11:00 or 12:00 at night. There was concern about the borders of the property as far as fencing and shrubbery. Mr. Giudice said right now they just show existing shrubbery and what natural vegetation is there where residential area is and another area is a parking lot.

**WOLCOTT PLANNING & ZONING  
PUBLIC HEARING AND REGULAR MEETING  
WEDNESDAY, APRIL 6, 2016  
TOWN COUNCIL CHAMBERS, 6:30 P.M.  
PAGE 3 of 7**

Glenn Morrone came forward to express his concerns. He owns the property to the north of the proposed site. Mr. Morrone said his gas station next door has been out of operation for a couple years due to fire. He said the comments he will be making tonight are based on the site plan dated 2/16/2016 as he just received the new plans submitted and has not had time to review them. He put in a request for the board to keep the public hearing open to give him time to review new plans. He questioned the new curb cut as he feels there may be an Inland Wetlands issue but said he has not had a response from them yet. He said he also looked on the website and found nothing on the agendas or in the minutes for Inland Wetlands. CZEO said there has been correspondence with Inland Wetlands and they did sign off on the application. CZEO said not all applications have to go to a meeting, it depends on the impact to the wetlands and how much wetlands there is. Mr. Morrone said the new curb cut blends in with his existing curb cut and he considers that a danger. Mr. Bokon said that still has to be approved by the State. Mr. Morrone said that his property on the 2/16/16 plans shows as Athina's Apartments, which is incorrect. He also said he doesn't think that 5 gas pumps is something that fits here in town, (more like something for the Berlin Trnpk). He said the furthest island is about 250 feet from the entrance of the convenience store and he feels that is a hazard for customers to be crossing to get into the store. Mr. Clark came forward and said he was concerned about making sure they have the correct property lines and if there is a certified A-2 survey.

Mike Vitale came forward and said he was in favor of the proposed gas station. He said he cannot think of a more needed business in that part of town. He said he frequents businesses in that part of town and if he needs gas he has to either go to Bristol or the bottom of the hill in Wolcott. He feels it is a perfect business for that location.

Mike Scacco came forward and said he used to be on the Economic Development Commission in town and it is very difficult to bring in new business and this is a good opportunity for employment and beautification for the property.

Gary Morrone came forward and said he is one of the property owners to the adjacent property. He said they had a massive fire and he wanted to let the town know that they are reopening. He said when people say there is no gas in that location he wants them to know they will be rebuilding.

Steve Giudice came forward again and said the northerly curb cut has been changed from the original plans, moving it 35ft. to the south because D.O.T. will not allow the radius of the curb cut to encroach over the extension of a property line and, also there was a catch basin that was in the middle of their original curb cut, which the D.O.T. frowns on. He said there was a very small pocket of Wetlands (front north end of property) and he said there is storm drainage that comes from Seery Rd. and possibly the abutting property that discharges into this wetland area. He said there is a flared end that collects that water and discharges it into the D.O.T. system. Mr. Giudice said the original map did show the wrong owner of the property to the north but it

**WOLCOTT PLANNING & ZONING  
PUBLIC HEARING AND REGULAR MEETING  
WEDNESDAY, APRIL 6, 2016  
TOWN COUNCIL CHAMBERS, 6:30 P.M.  
PAGE 4 of 7**

was not caught prior to tonight's meeting but he will make sure to correct that to read as Morrone's property. He feels the way they laid out the islands (gas pumps) works well with this property and it has good circulation around the building. He said they did move the islands a little closer together on the new plans submitted, therefore they are farther away from the Morrone property line. Mr. Giudice said an A-2 survey was not prepared by his office but there was one prepared by Gary Pranger, (months ago), and their maps were based on that. Mr. Giudice said he did have his surveyor prepare a topographic survey so they did have an accurate topo of the site. He also said because Morrone's want to reopen their gas station, it should not prohibit them from moving forward with this application. He said the country is built on competition and it keeps everyone honest. Mr. Giudice said he feels this application is a good one and they still have a few steps to make with the D.O.T. and it will be an improvement to the site. At this time Cathe Sherman said the new plans submitted did have the correct property owners listed on them. Mr. Giudice said they would come back to the Commission with the sign package when ready.

At this time there were no more comments from the Public or the Commission and Chairman Mahoney closed the public hearing on application #16-527 at 7:40 p.m.

Upon **MOTION** by Mike Bokon, seconded by Cathe Sherman, it was unanimously voted to **TAKE** a 5 minute recess (at 7:41 p.m.).

**REGULAR MEETING**

At 7:50 p.m. Chairman Mahoney called the Regular Meeting to order. (Attendance was taken and it was the same as listed above under Public Hearing).

Rich Delpier were 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 Cathe Sherman, it was unanimously voted to **APPROVE** the minutes from the 3/16/2016 Organizational and Regular Meeting.

(Ray Mahoney abstained from the Organizational Meeting and Chris Edquist abstained from the Organizational and Regular Meeting 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. #16-527 Athinas Liquor LLC (H. Skarbardonis) – Special Use Permit for a Convenience Store / Gas Station at 1520 & 1530 Wolcott Rd.**

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to **TABLE** #16-527 Athinas Liquor LLC, (H. Skarbardonis), – Special Use Permit for a Convenience Store / Gas Station at 1520 & 1530 Wolcott Rd. to the 4/20/2016 Meeting. (Chairman Mahoney stated again the public hearing was closed on this application).

- 2. Changes to the definition of a Community Residence (#3.9) and to the Zoning Requirements for Spec. Use standards under Regulation #32.2.6d.**

Chairman Mahoney said the public hearing has been set for 5/4/2016 for this and correspondences have been sent to all surrounding towns and to the Town Attorney.

**NEW BUSINESS**

- 1. #16-529 Robert Rinaldi – Special Use Permit for a 32' x 32' detached garage at 1190 Woodtick Rd.**

Upon **MOTION** by Mike Bokon, seconded by Cathe Sherman, it was unanimously voted to **ACCEPT FOR REVIEW** #16-529 Robert Rinaldi – Special Use Permit for a 32' x 32' Detached Garage at 1190 Woodtick Rd. and **SCHEDULED** a Public Hearing for 4/20/2016 at 6:30 p.m. in the Council Chambers.

**WOLCOTT PLANNING & ZONING  
PUBLIC HEARING AND REGULAR MEETING  
WEDNESDAY, APRIL 6, 2016  
TOWN COUNCIL CHAMBERS, 6:30 P.M.  
PAGE 6 of 7**

**2. #16-530 Matthew Kinney – Special Use Permit for a 30’ x 40’ detached garage at 38 Lorenz Dr.**

Upon **MOTION** by Mike Bokon, seconded by Cathe Sherman, it was unanimously voted to **ACCEPT FOR REVIEW #16-530 Matthew Kinney – Special Use Permit for a 30’ x 40’ Detached Garage at 38 Lorenz Dr. and SCHEDULED** a Public Hearing for 4/20/2016 at 6:30 p.m. in the Council Chambers.

**3. #16-531 Bestway Mortgage Corp. – Site Plan Application for Offices at 12 Center St.**

CZEO said this is an application to change the use from a dance studio to offices for the mortgage company and if anyone has an issue to bring it to his attention.

Upon **MOTION** by Mike Bokon, seconded by Cathe Sherman, it was unanimously voted to **ACCEPT FOR REVIEW #16-531 Bestway Mortgage Corp. – Site Plan Application for Offices at 12 Center St.**

CZEO said they did do a nice job on the property and the parking spaces are marked accordingly, Commission members agreed.

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to **APPROVE #16-531 Bestway Mortgage Corp. – Site Plan Application for Offices at 12 Center St.**

**4. #16-532 L&R Realty – Special Use Permit for a Community Residence at 159 Old Bound Line Rd.**

Chairman Mahoney said on this application we need a motion to accept for review and to forward this application to the Town Attorney. He said he also wants to schedule a public hearing (at a later date). CZEO said this application would pertain to whatever regulations are in place currently for a community residence, it does not pertain to whatever changes may be made under changes to the regulations (listed above under Old Business). There was discussion regarding the date of the public hearing and the CZEO stated there should be no discussion until the public hearing is held. (See New Business below).

**CERTIFIED ZONING ENFORCEMENT OFFICER’S REPORT**

There was no C.Z.E.O. report at this time.

At this time Chairman Mahoney stated we needed to reopen New Business and make the motion for application #16-532 above.

**WOLCOTT PLANNING & ZONING  
PUBLIC HEARING AND REGULAR MEETING  
WEDNESDAY, APRIL 6, 2016  
TOWN COUNCIL CHAMBERS, 6:30 P.M.  
PAGE 7 of 7**

**NEW BUSINESS**

Upon **MOTION** by Mike Bokon, seconded by Chris Edquist, it was unanimously voted to **ACCEPT FOR REVIEW** #16-532 L&R Realty – Special Use Permit for a Community Residence at 159 Old Bound Line Rd. and forward application to the Town Attorney, and schedule a public hearing at a later date.

**EXECUTIVE SESSION**

There was no Executive Session at this time.

**ADJOURNMENT**

Upon **MOTION** by Mike Bokon, seconded by Chris Edquist, it was unanimously voted to **ADJOURN** the Regular Meeting at 8:02 p.m.

APPROVED:

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Raymond Mahoney, Jr., Chairman  
Planning & Zoning Commission

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Edna Henderson, Recording Secretary  
Planning & Zoning Commission