

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, MAY 4, 2016
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 6:32 p.m. with the Pledge of Allegiance and attendance was taken.

Roll Call Attendance

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

MEMBERS ABSENT: None

ALTERNATES PRESENT: None

ALTERNATES ABSENT: Rich Delpier

ALSO PRESENT: David Kalinowski, CZEO

PERMIT APPLICATIONS

1. #16-535 Changes to the definition of a Community Residence (#3.9) and to the Zoning Requirements for Special Use standards under Regulation #32.2.6d

Chairman Mahoney read the public hearing script at this time. CZEO said this is something that the Commission has put forth to make an amendment change to our regulations. He said it was submitted to C.O.G., to surrounding Town Clerk's offices and to the Town Attorney. He said we are taking a statute that is in our community residence that does not exist anymore and changing the community residence (definition) from having 7-15 residents to 4-7 only. At this time Mike Bokon read into record the report dated 4/12/2016 from C.O.G. and letter dated 5/4/2016 from Attorney Brian Tynan, (see attached). At this time Chairman Mahoney asked if there was anyone from the public that wanted to speak on this amendment change and no one came forward. Chairman Mahoney said that C.O.G. and the Town Attorney were okay with it so he did not see a problem with it. Cathe Sherman said she believes the change would be better for a community environment and Angela Mastrofrancesco said it seems that the numbers (of residents) fit better in the zones that it is allowed.

At this time there were no more comments from the Public or the Commission and Chairman Mahoney closed the public hearing on application #16-535 at 6:45 p.m.

REGULAR MEETING

At 6:46 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 Angelo Mastrofrancesco, it was unanimously voted to **APPROVE** the minutes from the 4/20/2016 Public Hearing and Regular Meeting.

APPROVAL OF BILLS

There were no bills at this time.

CORRESPONDENCES

Correspondences were read under Public Hearing Meeting.

SUBCOMMITTEE REPORTS

There were no Subcommittee Reports at this time.

OLD BUSINESS

- 1. #16-535 Changes to the definition of a Community Residence (#3.9) and to the Zoning Requirements for Spec. Use standards under Regulation #32.2.6d.**

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to **APPROVE** #16-535 Changes to the definition of a Community Residence #3.9 and to the Zoning Requirements for Special Use standards under Regulation #32.2.6d to read as follows:

(A dwelling or part of a dwelling occupied by individuals who have a mental, physical or emotional disability, which contains no fewer than four (4) but in no case more than seven (7) residents, in any one dwelling who do not receive any special medical care or supervision, but are supervised by at least one staff person. Also, a community residence shall be licensed under the provision of Sec. 17a-145 of the Conn. General Statutes). **(The effective date of these changes would be May 11, 2016).**

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2. #16-532 L&R Realty – Special Use Permit for a Community Residence at 159 Old Bound Line Rd.

Upon **MOTION** by Cathe Sherman, seconded by Chris Edquist, it was unanimously voted to **SCHEDULE** a Public Hearing for #16-532 L&R Realty – Special Use Permit for a Community Residence at 159 Old Bound Line Rd. for **May 18, 2016 at 6:30 p.m.** in the Council Chambers.

NEW BUSINESS

1. #16-534 David Fitzpatrick – Site Plan Modification to original application #12-481 to change hours of operation for businesses at 1078 Wolcott Rd.

Upon **MOTION** by Mike Bokon, seconded by Cathe Sherman, it was unanimously voted to **ACCEPT FOR REVIEW** #16-534 David Fitzpatrick – Site Plan Modification to original application #12-481 to change hours of operation for businesses at 1078 Wolcott Rd.

Chairman Mahoney then read the original statement of use for the gym, (dated 12/4/12), and for the landscape business, (dated 8/19/13), that was previously approved. CZEO said when the original site plan was approved it did not approve the sand and salt bins (that was stated on the 12/4/12 statement of use).

David Fitzpatrick said they needed to open on Sunday's (to be competitive), and the new hours would be Monday thru Sunday from 5:00 a.m. to 10:00 p.m. CZEO asked if they were looking to change the gym hours only or also the landscaping hours. David Fitzpatrick said the businesses are in conjunction with each other but the landscape hours they are pretty much gone during the day and come back (at night) to park trucks. David Fitzpatrick said they are not selling out of or bringing the general public in to the landscape business. CZEO said there is an ordinance in town that you cannot run equipment at 5:00 in the morning next to a residential zone. Tom Fitzpatrick came forward and said the landscape business usually works Monday thru Saturday from 7:00 a.m. to 6:00 p.m. Cathe Sherman asked about the parking spaces being lined and David Fitzpatrick said they've had a few setbacks with the driveway. He said they need to re-open the driveway for rewiring and he plans on getting the lines done soon. Mike Bokon then stated he wanted to clarify for the record that **only the gym** would be open 5:00 a.m. to 10:00 p.m. Monday thru Sunday. Cathe Sherman asked about the fence along the back side of building and if it should go all the way to the back of the property. David Fitzpatrick said the reason for the fence was to keep the headlights from shining onto the neighboring property and he sees no reason for this fence to go all the way to the back of the property (swamp land). Chairman Mahoney said because they are driving thru the back of the building he would like to have a gate put up from back of building to the fence. CZEO said on the original plans (that area) did not show as a pass thru so it is not allowed to be used as such.

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David Fitzpatrick asked if they could park anything in that area and CZEO said they could not permanently park anything there.

Upon **MOTION** by Cathe Sherman, seconded by Angelo Mastrofrancesco, it was unanimously voted to **APPROVE** #16-534 David Fitzpatrick – Site Plan Modification to original application #12-481 to change hours of operation for business at 1078 Wolcott Rd. **for the gym only** to be Monday thru Sunday, 5:00 a.m. to 10:00 p.m., with the condition that they put a gate up on south side of property to prevent people from driving thru (back area of building) and identify parking spaces.

**2. #16-533 Gra Mar LLC – Site Plan for additional parking at 1810 Meriden Rd.
(Uses will be for retail space and professional offices).**

Upon **MOTION** by Cathe Sherman, seconded by Chris Edquist, it was unanimously voted to **ACCEPT FOR REVIEW** #16-533 Gra Mar LLC – Site Plan for additional parking at 1810 Meriden Rd. (with uses for retail space and professional offices).

CZEO, Dave Kalinowski, said Mr. McCarthy is here representing the owners of the property and he has talked to Mr. McCarthy the last few months on this. Mr. McCarthy also talked to Sewer and Water and submitted his plans to the State. CZEO said we are here to approve the site plan and the two uses proposed with this. CZEO said if (Commission) decides to approve this to approve with the condition that the proper bonds set by the CZEO be in place. CZEO said he had no issues with the proposal or drainage calculations. He also said that Sewer and Water will have the applicant post a separate bond and pay fees to them.

John McCarthy said the site plan submitted will be modified a little pertaining to the storm drainage and to what is in the state right of way. CZEO said you are not changing the drainage calculations and Mr. McCarthy said they are just changing where they are putting a couple manholes and direction of some piping. Mr. McCarthy said the owners are looking to put in two units, in which one would be an insurance agent that would take up 2/3 of the space and the balance would be for rental, in which they would try to bring in another professional office or retail. CZEO said if the Commission were to approve (site plan and uses) then any new business would still have to come into the office for a zoning permit for Fire Marshal approval, etc. Mr. McCarthy said they are paving the front and back parking areas, siding the building, new roof, reverse gable on the front, new front entrances, etc. He was asked if the building would be up to the standards of the A.D.A. and Mr. McCarthy said they were not doing that. There was a brief discussion regarding architectural for this and the CZEO said they are not required, it is an existing building, and they would be handed in with the building permit at the time they applied for it.

Upon **MOTION** by Cathe Sherman, seconded by Angelo Mastrofrancesco, it was unanimously voted to **APPROVE** #16-533 Gra Mar LLC – Site Plan for additional parking at 1810 Meriden Rd. (Uses will be for retail space and professional offices), with the condition that bond, set by the CZEO, be in place and the state permit be in place prior to work commencing.

CERTIFIED ZONING ENFORCEMENT OFFICER'S REPORT

CZEO said he drove around with the Blight Officer last week to verify those who are selling motor vehicles (illegally), or parking them within the setback areas. He said they will be sent letters along with a couple of blighted properties. He said they would be put on notice and if they do not come into compliance then they will be issued citations in accordance with the blight ordinance. Angelo Mastrofrancesco said there was a sign on Beach Rd. (that should be checked into). Mike Bokon said there was a dump truck behind plaza on Meriden Rd. that was full of garbage, etc. and he was told to go thru the blight.

EXECUTIVE SESSION

There was no Executive Session at this time.

ADJOURNMENT

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:30 p.m.

APPROVED:

Raymond Mahoney, Jr., Chairman
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission