

**WOLCOTT PLANNING & ZONING  
PUBLIC HEARING AND REGULAR MEETING  
WEDNESDAY, SEPTEMBER 7, 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. #16-539 James Pawlak – Special Use Permit for a Motor Vehicle Repair Shop and Used Car Sales at 18 Tosun Rd.**

At this time Mike Bokon read into record a letter from Dave Kalinowski, CZEO, dated 9/1/16, regarding comments for this application, (see attached). Marty McKenna, (Mr. Pawlak's father-in-law), came forward and read a letter from Mr. Pawlak in which he stated the regulations require the lot be paved and he feels millings are a type of pavement and that would be less expensive for him to do. He also asked about putting up a privacy fence just in the front of the building. Cathe Sherman asked if he was unwilling to pave the parking lot and Mr. McKenna said no but it is a big burden and Mr. Pawlak was asking (in his letter) for a possible exemption of sorts. Ray Mahoney said it was mentioned that other automobile repair garages in town do not look so good and he said that is what we are trying to avoid. Ray Mahoney said we cannot change the past. Mr. McKenna said he does not understand about the selling of 4 cars only and Ray Mahoney said we did not make the regulations we are just following them. Mr. McKenna said they cannot be competitive with other businesses if they can only sell 4 cars and it was stated that was the regulation as it pertains to an accessory use to the repair shop. Ray Mahoney stated that a zoning permit cannot be issued for this until all the other businesses are out of the building. Mike Bokon asked if they would be putting up the 220 ft. of fencing per plan and Ray Mahoney said that's what the applicant was asking about, if he could just put in fencing across the front of the property. CZEO said the regulations are very specific as to what has to be done. Angelo Mastrofrancesco stated regulation #32.2.14(e) says the Commission may allow a used car dealer's license but not more than 4 vehicles shall be parked or stored on property. Angelo Mastrofrancesco stated that paving is paving so the lot has to be paved (per the regulation).

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Dave Valletta came forward and stated that he would like to see Mr. Pawlak purchase this property and put in his repair facility. He said he also plans on hiring a couple of people which is always good for the economy. Mr. Valletta said he doesn't believe Mr. Pawlak can afford to do all of the things needed right away but believes he would work with the Commission.

CZEO said he would recommend, if the Commission decides to approve this application, to give a date as to when they want the paving completed. He said if Mr. Pawlak wanted to operate there before the (completion) date (of conditions) then a bond would have to be in place. Mr. Valletta asked if having more than one tenant in there was a zoning law and CZEO said the regulations state there has to be 40,000 sq. feet specifically allocated to said use (auto repair garage).

At this time there were no more comments from the Public or the Commission and Chairman Mahoney closed the public hearing on application #16-539 at 6:55 p.m.

**2. #16-540 Lou Robinson – Special Use Permit for a Church at 1457 Meriden Rd.**

CZEO said this was brought to his attention by the Fire Marshal who said the applicant was already located in the building at 1457 Meriden Rd. He said we then notified the applicant that they needed to take out the proper permits, which is a special use permit. CZEO said he has visited the site and other (Commission) members have been there too, and there are issues with the site.

Lou Robinson came forward and said he is looking to have religious services on Wednesday and Friday night (8:00-9:00 p.m.) and Sunday morning (10:00 a.m. to 1:30 p.m.). He said there was confusion on his part as he thought this building was in Waterbury. He said they currently have 13 to 14 members. CZEO said now that the application is before us it would be the same procedure as the one just previously approved. He said we will address our concerns here and continue the public hearing. It was stated that the (public hearing) sign should be posted on the property prior to the hearing tonight and it was not. CZEO said the sign is not mandatory, the only time a sign is supposed to be posted on a property is for a zone change. He said we did post it in the paper twice as required, but we recommend people post the sign as a courtesy to the neighbors. CZEO said the site plan we have with this property shows multiple parking spaces but if you go to the site nothing is identified. He also said there are numerous areas that need to be cleaned up. He said it is up to the owner of the property to clean it up and identify the parking spaces, which would be required. CZEO said that we work with everyone but when it involves an assembly of people we have to protect ourselves and recommends the facility not be occupied until the Fire Marshal addresses this application along with the owner addressing the issues the Commission has with the property. CZEO said the applicant should contact the landlord to let him know what the issues are so the owner can take care of them. CZEO said it is the landlord responsibility to insure that the tenants that go into the building take out the proper permits.

At this time Chairman Mahoney continued the public hearing on application #16-540 to Sept. 21, 2016 at 6:30 p.m. in the Council Chambers.

**REGULAR MEETING**

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At 7:14 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 Mike Bokon, it was unanimously voted to **APPROVE** the minutes from the 8/17/2016 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. #16-539 James Pawlak – Special Use Permit for a Motor Vehicle Repair Shop and Used Car Sales at 18 Tosun Rd.**

A **MOTION** was offered by Cathe Sherman, seconded by Angelo Mastrofrancesco, to **APPROVE** #16-539 James Pawlak – Special Use Permit for a Motor Vehicle Repair Shop and Used Car Sales at 18 Tosun Rd. with the condition that it meets all the conditions in the memorandum dated 9/1/2016 from Dave Kalinowski with the addition that the paving be completed by June 30, 2017. A brief discussion followed regarding the fence and it was stated they wanted it to be approved by the CZEO. Ray Mahoney said he would like to see the fence put up prior to them opening business. The CZEO said it certainly can be a condition of approval. There was discussion as to putting a date on the completion of conditions when the applicant hasn't bought the building yet and it was stated they could always ask for an extension. CZEO said the applicant can also buy the building and keep the people in there now, however when he comes in for the permit for the repair business the plan would have to be modified and a different date (of completion) given. Angelo Mastrofrancesco said we could put a time limit on the applicant after he gets the permit or after he buys the building except he thinks the fence should go in prior to any automobile use going in there. There was also discussion on the lighting on the property and CZEO said there are regulations for that.

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After a brief discussion Cathe Sherman and Angelo Mastrofrancesco both **withdrew** their motion.

Upon **MOTION** by Cathe Sherman, seconded by Mike Bokon, it was unanimously voted to **TAKE** a 5 minute recess at 7:25 p.m.

Chairman Mahoney called the meeting back to order at 7:29 p.m.

Upon **MOTION** by Cathe Sherman, seconded by Angelo Mastrofrancesco, it was unanimously voted to **APPROVE** #16-539 James Pawlak – Special Use Permit for a Motor Vehicle Repair Shop and Used Car Sales at 18 Tosun Rd. with the condition that it meets all the conditions in the memorandum dated 9/1/2016 from Dave Kalinowski with the addition that the paving be completed 6 months after the issuance of a (zoning) permit and the type of fence be inspected and approved by the CZEO.

**#16-540 Lou Robinson – Special Use Permit for a Church at 1457 Meriden Rd.**

Chairman Mahoney said the public hearing on this application was continued to Sept. 21, 2016 at 6:30 p.m. in the Council Chambers.

**NEW BUSINESS**

There was no New Business at this time.

**CERTIFIED ZONING ENFORCEMENT OFFICER'S REPORT**

CZEO had nothing to report at this time. Ray Mahoney asked about the new hair salon on Wolcott Rd. (524 Wolcott Rd.) and it was stated that it was a hair salon prior so it is the same use and the permit is currently in process.

**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 7:34 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