

**WOLCOTT PLANNING & ZONING
PUBLIC HEARING AND REGULAR MEETING
WEDNESDAY, APRIL 17, 2019
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 Mahoney called the Public Hearing to order at 6:33 p.m. with the Pledge of Allegiance and attendance was taken.

Roll Call Attendance

MEMBERS PRESENT: Chris Edquist, Rich Delpier, Angelo Mastrofrancesco, Ray Mahoney

MEMBERS ABSENT: Cathe Sherman

ALTERNATES PRESENT: None

ALTERNATES ABSENT: Tim Lagasse, Joe Membrino

ALSO PRESENT: Dave Kalinowski, CZEO

PERMIT APPLICATIONS

1. #19-570 – 1260 Woodtick Rd. LLC – Special Use Permit for a Kennel at 1260 Woodtick Rd.

CZEO, Dave Kalinowski, said the applicant and the property owner are related to him therefore he will not make any comments or opinions pertaining to the application. However, he will give the history and why this application is before us. He said the property is a 45 acre parcel bordering approximately 140 acres of property that is owned by Buck (Paul) Kalinowski and his family. He said Hillside Equestrian has been in business for 40 plus years as an equestrian, stables, and therapeutic riding stables. He said in the last 6 months Buck Kalinowski has had multiple people approach him in regards to therapeutic dogs, keeping dogs while people are on vacation and various things that would be kennel use. CZEO said even though (Bucky's) riding stables are a permitted use, it is the same permit that is required for a kennel and he is just trying to cross his t's and dot his i's because of his name.

Paul Kalinowski, Jr., came forward and said he boards horses, has horse rescues, gives lessons, and has birthday parties on the property. He said the cleanliness of the farm speaks for itself and in the 30 years there he has never had an abuse case against him. He said he has done research on the individuals who would like to do adoption of dogs on his property and he feels comfortable moving forward with the kennel. He also said he was already approved from the Health Department. He said he would have a walking trail for the dogs, and for individuals from a therapeutic aspect. Angelo Mastrofrancesco asked where the dogs would be coming from and Mr. Kalinowski said with this application he would have the authority and the license to house the dogs with any organization, he would just need to have permission to do so on his property. Mr. Kalinowski said he has not selected an organization to work with yet. Rich Delpier asked if the dogs would be veteran or military dogs to be trained to go out to the public and Mr. Kalinowski

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said they could be but he also would not accept breeds that are aggressive. Mr. Kalinowski said he would house no more than 20 dogs at this point but in the future he may expand as it is a spacious property.

Sharon Morrell came forward and said Mr. Kalinowski has done wonderful things for the town as far as animals go. She said he goes above and beyond but would like to request the Commission deny this one certain company, (Tails of Courage), (from leasing there), as she is concerned he will end up with a rescue that has a much less than stellar reputation.

Sheryle Gioia came forward and said her concern was with maintaining the quality of the aquifer and the drinking water. She said the applicant intends to use the existing septic systems on the property to handle kennel waste. She said a septic system receiving animal waste is considered a class B system and the EPA requires that an inventory form be completed and submitted to the appropriate agencies. She said there may also be more stringent state and local codes that will need to be followed. She said that the town is obligated to get updated information on the systems and be sure that all laws are being followed. CZEO said that we require any application, for a new home, shed, pool, farm, etc., get Chesprocott Health District approval and this application does have their approval.

Tiffany Cordosa came forward to say her business mission is to support local animal rescue /shelter groups all over Connecticut. She said she would hope that Mr. Kalinowski is completely aware of the (abuse/neglect) information (on Tails of Courage) and would hope he would choose a better tenant to make use of his property.

Melanie Perry came forward and said she did not know Mr. Kalinowski personally but does drive by his property all the time. She said the allegations against (Tails of Courage) is public record and they allegedly kept animals in deplorable conditions, adopted sick animals, had animal cruelty issues and ignored cease and desist orders. Chairman Mahoney said he finds it hard to believe that Mr. Kalinowski would do anything that would harm his own reputation.

Kristan Exner came forward and said she did not plan on attending tonight as she did not submit any applications to zoning or health in Wolcott nor did Tails of Courage. She said she is here because some issues were raised as to if they, (Tails of Courage), were coming to Wolcott. She stated Tails of Courage was founded on the premises of forgiveness and overcoming tragedy. She said statements made by individuals tonight she very much denies, on behalf of the organization. She said the Animal Control Officer from the State that lodged these allegations and created the photos certainly does not reflect the care of the animals and has been removed from her capacity following a formal complaint that her organization did file with the State. She said there is pending litigation with Danbury Zoning Office right now and they are working with them on that situation. Chairman Mahoney asked if (the company) had any convictions. Ms. Exner said the State's Attorney said after a full investigation they didn't find charges were warranted and animal cruelty charges were dropped. She said there was a breach of peace violation and reckless endangerment charges that they were convicted of. She said at this time they do not have a lease agreement or an application with Wolcott. She said she met with the Chief of Police and that he offered his support as did the owner of Wags and Tails.

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Lauren Baldwin came forward and stated that she worked closely with Roz, (Wolcott Animal Control Officer). She stated that once you go to court the records do not clear right away. She stated the operations manager (of Tails of Courage) cruelty to animal (charges) has not left the record. She also stated the notice of violation that was handed out by Nancy Jarvis, (State Animal Control Officer) was on 2 counts. She stated that Nancy Jarvis was still working for the Dept. of Agricultural as of this morning. She stated her concern with the cruelty to animals on a case in Bethlehem and the cost to the town to fight it. She doesn't want to see the taxpayers in town have to pay such costs if something (along the same line) should happen here.

Cindy Lee Vaporis came forward and said she is the head advocate of the Save Simon project in Guilford. She said there have been a lot of problems, sick animals, and cruelty to animals (with Tails of Courage) and did not want to see more sick animals come into our town.

Robin Carnamella came forward and said everything provided tonight is fact, documented and public information. There has been no defamation of character, anything that has happened has been alleged. She also agreed that she would hate to see another incident happen (like what did in Bethlehem) and for the town to lose money. Angelo Mastrofrancesco asked if there have been any convictions (on the alleged incidents) and Ms. Carnamella said there has not.

Paul (Bucky) Kalinowski came forward and stated that over the years people have rented stalls from him for horses, dogs, roosters, etc. He said he does not provide the care he provides the housing. He said on his daily walk if he sees something isn't right he alerts the authority (Roz, Animal Control Officer) and nothing would be any different if dogs were to be on the property. He said it is in those remote places where nobody checks on the animals that is the horror cases that costs the town money.

CZEO said that Bucky Kalinowski is the one responsible if anything should happen on his property and Chairman Mahoney said he doesn't think that Bucky would put his reputation on the line (for anyone) and thanked everyone for coming forward tonight.

There were no more comments from the Commission or the public on application #19-570 and the public hearing was closed at 7:35 p.m.

Upon **MOTION** by Chris Edquist, seconded by Rich Delpier, a 5 minute recess was taken.

REGULAR MEETING

At 7:43 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 Chris Edquist, seconded by Rich Delpier, it was unanimously voted to **APPROVE** the minutes from the April 3, 2019 regular meeting.

Angelo Mastrofrancesco 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. #19-570 – 1260 Woodtick Rd. LLC – Special Use Permit for a Kennel at 1260 Woodtick Rd.**

A **MOTION** was offered by Angelo Mastrofrancesco, seconded by Chris Edquist, to **APPROVE** #19-570 – 1260 Woodtick Rd. LLC – Special Use Permit for a Kennel at 1260 Woodtick Rd.

A brief discussion followed in which Angelo Mastrofrancesco said it does concern him with these allegations, (heard tonight), but this application is for Mr. Kalinowski and not for anyone he is associated with as there is no formal agreement. He said he doesn't believe Mr. Kalinowski would align himself with anyone who would not take care of their animals and if so he believes Mr. Kalinowski would take care of the issues.

A **voice call vote** was taken and the motion was unanimous to **approve** application #19-570.

NEW BUSINESS

There was no New Business at this time.

CERTIFIED ZONING ENFORCEMENT OFFICER'S REPORT

CZEO said he had nothing to report tonight but if anyone has something for him to let him know.

EXECUTIVE SESSION

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There was no Executive Session at this time.

ADJOURNMENT

Upon **MOTION** by Angelo Mastrofrancesco, seconded by Chris Edquist, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:50 p.m.

APPROVED:

Raymond Mahoney, Jr., Chairman
Planning & Zoning Commission

Edna Henderson, Recording Secretary
Planning & Zoning Commission