

**WOLCOTT PLANNING & ZONING  
ORGANIZATIONAL MEETING AND REGULAR MEETING  
WEDNESDAY, OCTOBER 7, 2020  
TOWN COUNCIL CHAMBERS, 6:15 P.M.  
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**MINUTES**

**ORGANIZATIONAL MEETING**

**MEMBERS PRESENT:** Angelo Mastrofrancesco, Rich Delpier, Ray Mahoney,  
Cathe Sherman via Zoom

**MEMBERS ABSENT:** Chris Edquist

**ALTERNATES PRESENT:** Tim McMurray via Zoom

**ALTERNATES ABSENT:** Chris Ficeto, Anthony Vitone

**ALSO PRESENT:** Mayor Thomas Dunn

**ELECTION OF CHAIRMAN**

Mayor Dunn asked for nominations for Chairman.

Ray Mahoney nominated Cathe Sherman as Chairperson.

Mayor Dunn asked three times if there were any other nominations and there were none.

Upon **MOTION** by Ray Mahoney, seconded by Rich Delpier, it was unanimously voted to **CLOSE** nominations for Chairperson.

By voice call vote it was unanimously voted to appoint Cathe Sherman as Chairperson.

**ELECTION OF VICE-CHAIRMAN**

Mayor Dunn asked for nominations for a Vice-Chair.

Ray Mahoney nominated Angelo Mastrofrancesco as Vice-Chair

Mayor Dunn asked three times if there were any other nominations and there were none.

Upon **MOTION** by Ray Mahoney, seconded by Rich Delpier, it was unanimously voted to **CLOSE** nominations for Vice-Chair.

By voice call vote it was unanimously voted to appoint Angelo Mastrofrancesco as Vice-Chair.

**ELECTION OF SECRETARY**

Chairperson Sherman asked for nominations for a Secretary.

Angelo Mastrofrancesco nominated Ray Mahoney as Secretary and Rich Delpier seconded the nomination.

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Chairperson Sherman asked three times if there were any other nominations and there were none.

By voice call vote it was unanimously voted to appoint Ray Mahoney as Secretary.

**TIME AND PLACE OF REGULAR MEETING**

At this time Chairperson Sherman stated that the meetings are at 6:30 p.m. in the Council Chambers the first and third Wednesday of the month.

**ADJOURNMENT**

Upon **MOTION** by Angelo Mastrofrancesco, seconded by Rich Delpier, it was unanimously voted to **ADJOURN** the Organizational Meeting at 6:23 p.m.

**PUBLIC HEARING (Starts at 6:30 p.m.)**

**Note: These are summary minutes. A tape recording of this meeting is on file in Wolcott Town Hall, Commission Secretary's Office.**

Chairperson Sherman called the Public Hearing to order at 6:30 p.m. with the Pledge of Allegiance and attendance was taken.

Roll Call Attendance

**MEMBERS PRESENT:** Angelo Mastrofrancesco, Rich Delpier, Ray Mahoney,  
Cathe Sherman via Zoom

**MEMBERS ABSENT:** Chris Edquist

**ALTERNATES PRESENT:** Tim McMurray via Zoom

**ALTERNATES ABSENT:** Chris Ficeto, Anthony Vitone

**ALSO PRESENT:** CZEO David Kalinowski

**PERMIT APPLICATIONS**

- 1. #20-584 Mayor Dunn – Text Amendment for Regulation #52.1 regarding appointment of Zoning Enforcement Officer.**

CZEO David Kalinowski gave a list of the correspondences we received regarding this application. (Copies are attached.)

Mayor Dunn came forward and said the change is adding with Town Council approval (to the current regulation #52.1). He said that what he put forward does not interfere with the Planning and Zoning Commission at all and if someone thinks it does, he would like to know what your reason would be. He also said if this is approved it is not retroactive.

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CZEO Dave Kalinowski went on to give a brief synopsis of what the correspondences put forth for this application stated (and as stated above copies are attached). Ray Mahoney asked the CZEO that the letter from Atty Byrne be read into record and Mayor Dunn stated that letter is correct in which it says you do not interfere with the government as it is written but he is only asking to add with Town Council approval.

Chairperson Sherman said that what she is getting out of these correspondences is that 75% of the Towns in Council of Governments do not have anyone other than the Commission appoint a ZEO and the letter from Town Attorney Tynan states a similar thing she believes. She said the two letters from our Consulting Attorney says it would be bordering on illegal to have the Town Council have a vote. She said they state the Commission should be in cooperation with the Town Council and the Mayor and (the Commission) would welcome this. She also stated that she wants to keep politics out of this and keep regulation as is with input from the Mayor and the Town Council. Rich Delpier agreed with what Chairperson Sherman stated and that with all that is going on we need to work together.

Chairperson Sherman closed the public hearing on application #20-584 at 6:47 p.m.

**2. #20-585 GAMA Dev. – Special Use Permit for A-13 Assisted and Non-Assisted Elderly Living Facility at 210 Munson Rd.**

CZEO David Kalinowski gave a list of the correspondences we received regarding this application. (Copies are attached.)

Ron Gambino, Gama Dev., came forward and said they read the letter from the Consulting Engineer and believe they responding to everything he addressed in the letter. CZEO said the Fire Marshal just came in with his letter today so to be fair we have to give them time to address his issues in their site plan. CZEO also said the Consulting Town Engineers' letter stated he could not sign off on the application yet until all changes were addressed. He also said he would recommend keeping the public hearing open on this application.

Ron Gambino said this will be a 55 and over complex. He said he and his partner Lou Mazzeo would be overseeing everything that would be done for the complex. He said they also had other projects they developed in town, such as a phase of Arrowhead, on Spindle Hill Rd.

There were numerous residents that came forward regarding this application and some of their concerns were as follows:

1. Traffic – Not safe – Excessive Speeding
2. Elderly – what is considered elderly
3. Blasting – Concerns for their wells and foundations
4. The number of units
5. Concern for people going to the walking trail

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6. Landscape plan – privacy issues for the neighbors
7. Responsibility of sidewalks if they have them
8. Concern that there is a bus stop across from where entrance to complex would be
9. Lack of information presented
10. House Values
11. Entrance and Exits
12. Sewer or Water Availability
13. Possibility that this could change over to Section 8 housing

The CZEO said that with blasting, if it is needed, there is an engineer that comes out and checks with neighboring houses for current cracks, etc. before blasting occurs. He also stated that this complex would enter from the Munson Road side and there would be an emergency entrance only off of Route 69. He said the reason for public hearings is for people to voice their concerns and then the developers and commission would address their concerns. One residents concern was if this could ever be turned into section 8 and CZEO said if this gets approved it would be as a 55 and over, and if any changes were requested it would have to come before the commission again. It was requested at this time that the applicants do a traffic study for this project.

Chairperson Sherman stated the public hearing on application #20-585 will remain open (to the Oct 21, 2020 meeting at 6:30 p.m.).

Upon **MOTION** by Ray Mahoney, seconded by Rich Delpier, it was unanimously voted to take a 5 minute recess at 7:30 p.m.

**REGULAR MEETING (To follow Public Hearings)**

Chairperson Sherman called the Regular Meeting to order at 7:37 p.m. with the Pledge of Allegiance and attendance was taken. (Attendance was the same as listed above under Organizational Meeting.

**PUBLIC REQUESTS**

Ms. Ouellette came forward to ask what the status is on the issues at 47 North St. as it is still very noisy there. Chairperson Sherman said this would be addressed under the CZEO's report. Ernest Ouellette came forward and said he still has a concern with the lighting issues there.

**APPROVAL OF MINUTES**

Upon **MOTION** by Rich Delpier, seconded by Cathe Sherman, it was unanimously voted to **APPROVE** the minutes from the September 16, 2020 Regular Meeting.

Ray Mahoney and Angelo Mastrofrancesco abstained due to absence.

**APPROVAL OF BILLS**

There were no bills at this time.

**CORRESPONDENCES**

Chairperson Sherman said the correspondences were addressed earlier under Public Hearings.

**SUBCOMMITTEE REPORTS**

**1. Update on review of applicants for ZEO or Deputy ZEO**

Rich Delpier said it is still a work in progress.

**OLD BUSINESS**

**1. #20-584 Mayor Dunn – Zoning Text Amendment for Regulation #52.1 regarding appointment of Zoning Enforcement Officer.**

Upon **MOTION** by Ray Mahoney, seconded by Rich Delpier, it was unanimously voted to **DENY** #20-584 Mayor Dunn – Zoning Text Amendment for Regulation #52.1 regarding appointment of Zoning Enforcement Officer as it does not meet the State Statutes.

**2. #20-585 GAMA Dev. – Special Use Permit for A-13 Assisted and Non-Assisted Elderly Living Facility at 210 Munson Rd.**

Chairperson Sherman stated that the Public Hearing on this application was continued to the October 21, 2020 meeting at 6:30 pm in the Council Chambers.

**3. #20-586 Pal's Real Estate Holding LLC – Site Plan Application for proposed Medical Building at 504 Wolcott Rd.**

CZEO said this is being proposed on the corner of Rte 69 and Kreger Drive and because it is on the Rte 69 corridor a public hearing should be scheduled.

Upon **MOTION** by Rich Delpier, seconded by Ray Mahoney, it was unanimously voted to **ACCEPT FOR REVIEW** and **SCHEDULED** a public hearing for 11-4-2020 at 6:30 p.m. in the Council Chambers on #20-586 Pal's Real Estate Holding LLC – Site Plan Application for proposed Medical Building at 504 Wolcott Rd.

**NEW BUSINESS**

**4. #20-588 Dana Spino – Site Plan Application for a Commercial Building for Warehousing and Storage at 1660 Wolcott Rd.**

Dave Kalinowski, CZEO, said the applicants are here but because it is on the Rte 69 Corridor the Commission should schedule a public hearing on this and have it forwarded to the Consulting Town Engineer, Fire Marshal, etc. for their review and comments.

Upon **MOTION** by Ray Mahoney, seconded by Rich Delpier, it was unanimously voted to **ACCEPT FOR REVIEW** and **SCHEDULED** a public hearing for 11/4/2020 at 6:30 p.m. in the Council Chambers on #20-588 Dana Spino – Site Plan Application for a Commercial Building for Warehousing and Storage at 1660 Wolcott Rd.

**CERTIFIED ZONING ENFORCEMENT OFFICER’S REPORT**

CZEO said that the owner at 47 North St. has come in with an application but we are waiting for the statement of use to go along with the application and at the next meeting we will schedule a public hearing on this. He said with what is currently happening there, we will be issuing a cease and desist order within the next few days. He said we could then impose a fine from that point on if they do not comply. He said it would have to be forwarded to the Town Attorney and the Mayor’s office for further compliance. He said when the public hearing is scheduled the applicant can state his case, etc. CZEO asked about the light issue and the neighbor said it is reflecting onto his property and the CZEO said the owner would have to move the light. Angelo Mastrofrancesco asked the CZEO to put some teeth into the cease and desist so we can move forward with the issues at 47 North St.

**EXECUTIVE SESSION**

There was no Executive Session at this time.

**ADJOURNMENT**

Upon **MOTION** by Ray Mahoney, seconded by Angelo Mastrofrancesco, it was unanimously voted to **ADJOURN** the Regular Meeting at 7:57 p.m.

APPROVED:

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Ray Mahoney, Chairman  
Planning & Zoning Commission

\_\_\_\_\_  
Edna Henderson, Recording Secretary  
Planning & Zoning Commission