

Board Members Present: Curtis Ruckey, Howard Aspinwall, Peter Lambert,  
Douglas Glazier and Alternate Daniel Merrigan

Town Staff Present: Jennifer Rodriguez,  
Planning Coordinator and Assistant Zoning and Wetlands Officer

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Curtis Ruckey called the meeting to order at 7:00 pm.

Board roll call was taken.

#### **MINUTES:**

**Mr. Ruckey referred to the January 3, 2012 meeting minutes and noted that on page 4 under the public comment portion of the public hearing “Tom Genety” was spelled incorrectly and should be changed to read “Tom Ginnetti”. He then asked the Board members and staff for any other comments or corrections. There were none. Mr. Ruckey asked for a motion. Mr. Lambert moved to accept the January 3, 2012 meeting minutes, with the noted correction. Mr. Glazier seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

#### **BILLS & CORRESPONDENCE:**

Chairman Ruckey stated that he had previously reviewed and approved an invoice from the Journal Inquirer. He then noted that he had received an email from Rosemary Szepanski which he would read into the record during the public hearing to following later in the meeting.

#### **OLD BUSINESS:**

None

#### **NEW BUSINESS:**

- a. Public hearing on Application #FY11-12-05, Owner: John Barberino, Applicant: The Hartford Springfield Auction Coop, LLC for a Used Car Dealer License for the property located at 24 King Spring Road.**

Attorney Thomas Fahey of 487 Spring Street addressed the Board and stated that John Barberino was also present that evening. He then verified that all of the Board members had received a copy of the location permit plan. Attorney Fahey pointed out that the Board's duty was to act as an agent of the State under Sections 14-54 and 14-55 of the Connecticut



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General Statutes for a location approval. He went on to say that they needed to show that the site was suitable for a Used Car Dealer License and that there were no major safety issues with the site.

Attorney Fahey stated that the site plan and permit issues would be under the jurisdiction of the Planning and Zoning Commission. He went on to say that the applicant had previously appeared before the Planning and Zoning Commission informally to introduce them to the site. He then noted that the site was formerly the location of Gate Gourmet, but that it had been empty for the past five or six years.

Attorney Fahey referred to the suitability of the site and submitted a print-out from the Department of Motor Vehicles which showed that there were five other Used Car Dealer Licenses on King Spring Road. He then pointed out that the site was located in an Industrial Zone. He went on to say that they had clarified with the Planning and Zoning Commission that the proposed use was deemed to be permitted in the zone. Attorney Fahey stated that the access to the site was off of King Spring Road and not Route 75.

Attorney Fahey stated that they were on a fast track; once they received the Board's approval they would be going before the Planning and Zoning Commission in March. He then noted that they had their Department of Motor Vehicles application ready to go as well.

Chairman Ruckey asked the Board members for any questions or comments. Mr. Glazier stated that he had driven by the site and noticed that adjacent to the building was a large parking area. He then asked if that parking area was part of the site in question. Mr. Barberino replied that it was. He then noted that the site was 3 acres in size.

Mr. Glazier clarified that the Used Car Dealer License did not include a Repairers' License. Mr. Barberino stated that that was incorrect; all Used or New Car Dealer Licenses in the state automatically included a Repair License as well.

Mr. Lambert commented that he had gone to the site recently and that the site looked great. He then referred to the plan and noted that it appeared as though they were going to be putting a parking lot in the back by Industrial Road. Mr. Barberino stated that they probably would not put a parking lot in back right away. Mr. Lambert stated that if they were to put a parking lot in back they should make sure that they installed curbing to protect the adjacent properties. Attorney Fahey explained that there was already an existing amount of pavement and that there was an impervious/pavement requirement that they could not exceed for the site. He went on to say that when they went before the Planning and Zoning Commission, the Town Engineer would look at that as well as runoff and drainage issues.

Chairman Ruckey asked for any public comments in favor of the application.



Joe Calsetta of 121 Orchard Hill Drive addressed the Board and stated that he felt that the proposed business would be an asset to Windsor Locks. He went on to say that the company that he worked for had been doing business with Mr. Barberino for over fifty years and that Mr. Barberino ran a class act operation.

Chairman Ruckey asked for any public comments in opposition to the application. There were none.

**Chairman Ruckey asked for a motion. Mr. Glazier moved to approve Application #FY11-12-05, Owner: John Barberino, Applicant: The Hartford Springfield Auction Coop, LLC for a Used Car Dealer License for the property located at 24 King Spring Road. Mr. Lambert seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

- b. Public hearing on Application #FY11-12-06, Owner: Stuart White, Applicant: Brian Dupuis for a Motor Vehicle Dealer/General Repairer License for the property located at 361 South Center Street.**

Brian Dupuis addressed the Board and stated that he was before the Board that evening to transfer the existing Used Car Dealer License for the property and continue to do business at the location.

Chairman Ruckey asked Mr. Dupuis if he was familiar with the prior history of the previous occupants of the property in question. Mr. Dupuis stated that the property had been a convenience store at one time, that Stuart White had purchased the property and that Shelby Motor Cars had been the last occupant.

Chairman Ruckey asked Mr. Dupuis if he was familiar with some of the previous occupant's issues regarding overpopulation on the site and adhering to various Town Ordinances. Mr. Dupuis replied that he was not aware that the previous occupant had had a problem, but that he was aware that they had had a lot of vehicles on the site. He went on to say that he had been informed that there should only be 29 vehicles on the site at any given time. Mr. Ruckey asked Mr. Dupuis if he was going to abide that 29 vehicle limit. Mr. Dupuis replied that he would. Mr. Lambert then pointed out that any employee vehicles should be included in the 29 car limit.

Mr. Glazier asked Mr. Dupuis if he was aware of the previous restrictions on the hours of operation which were Monday thru Saturday from 9:00 am to 5:00 pm and closed on Sunday. Mr. Dupuis replied that he had been made aware of those hours. He went on to say that it would be a very small operation with just him and his son working there. He then stated that

he would continue to operate his current business located in Somers as well as the operation in Windsor Locks. Mr. Glazier asked Ms. Rodriguez if they should give Mr. Dupuis a copy of the previous approval letter. Ms. Rodriguez stated that she would do so.

Chairman Ruckey asked Mr. Dupuis what his hours of operation would be. Mr. Dupuis stated that his hours of operation would be Monday thru Thursday from 10:00 am to 6:00 pm, Friday from 10:00 am to 5:00 pm, Saturday from 10:00 am to 3:00 pm and closed on Sunday (typical business hours).

Chairman Ruckey read the following email from Rosemary Szepanski:

Try as I might I have been unable to rearrange my schedule to allow me to attend tonight's meeting ref in particular application FY11-12-06. I have no objection provided:

1. Normal business hours are utilized as to the noise emitting from the area.
2. That they are closed for service on Sundays.
3. That the area is maintained as to looks. I don't want a lot of junk cars sitting around making the area undesirable. I hope to sell my house and that will make a difference.

Please include this email at the meeting.

Chairman Ruckey asked the Board members and staff for any questions or comments.

Ms. Rodriguez stated that she had gone by the site as the Wetlands Agent earlier because a Board member had been concerned that local resources might be compromised. She then explained that there was a park nearby which was abandoned Water Company property. She went on to say that she found the site to be quite clean and tidy.

Mr. Lambert stated that he had gone by the site as well because people would be watching the property very closely since the adjacent land was now a preserve. He went on to say that he was concerned about any run-off from washing vehicles or oil running into the brook. He then noted that the State or Planning and Zoning would address those issues.

Chairman Ruckey asked for any public comments in favor of the application. There were none.

Chairman Ruckey asked for any public comments in opposition to the application. There were none.



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**Chairman Ruckey asked for a motion regarding Application #FY11-12-06. Mr. Aspinwall moved to approve Application #FY11-12-06, Owner: Stuart White, Applicant: Brian Dupuis for a Motor Vehicle Dealer/General Repairer License for the property located at 361 South Center Street. Mr. Lambert seconded the motion. All were in favor. The vote was 5 – 0, the motion was approved.**

The Board members supplied the Recording Secretary with updated contact telephone numbers for the Board Member List. The Recording Secretary stated that she would update the list and resend it to all of the Board members.

**Mr. Glazier moved to adjourn the meeting. Mr. Lambert seconded the motion. All were in favor. The vote was 5 – 0, the meeting was adjourned at 7:30 pm.**

Respectfully submitted,

Diane Ferrari  
Recording Secretary

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**THIS IS A DRAFT**

**Please check the following month's meeting minutes for official approval of these minutes and any amendments or corrections that were made.**