

**PLANNING AND ZONING COMMISSION**  
**November 13, 2018 Meeting Minutes**

*These minutes are not official until approved at a subsequent meeting.*

Commission Members Present: Alan Gannuscio, Vincent Zimnoch, Jim Szepanski, and Cindy Cooper

Commission Members Absent: Alexa Brengi, and Kayleigh Royston (Alternate)

Town Staff Present: Jennifer Rodriguez (Town Planner)

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**I. Call to Order**

Chairman Gannuscio called the meeting to order at 7:06 pm.

**II. Roll Call**

Commission roll call was taken.

**III. Approval of Minutes from the October 9, 2018 Regular Meeting**

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission moves the approval of the October 9, 2018 minutes down on the agenda after the public hearings have been conducted.

**IV. Public Hearings**

Mr. Szepanski read the rules for conducting a public hearing.

**A. Special Use Permit for Classic Car Restoration and General Repairer License at 465 Spring Street (property owner Julie Sales)**

The Recording Secretary read the legal notice that was published in the *Journal Inquirer* on November 1, 2018 and November 8, 2018.

The applicant for the first public hearing was delayed and not present at the meeting, but when Ms. Rodriguez spoke with him he said he would be on his way. Chairman Gannuscio then made the following motion.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission moves the public hearing for 465 Spring Street to just after Item IV.C on the agenda.

**B. Special Use Permit with Site Plan Review and Liquor Permit for Microbrewery in existing garage at 592 North Street (property owner Amber Guyette)**

The Recording Secretary read the legal notice that was published in the *Journal Inquirer* on November 1, 2018 and November 8, 2018.

Brian Diggins, 592 North Street, addressed the commission. They are trying to use an existing space and set it up for doing distribution out of there. They would not be open to the public and there would be no increase of traffic onto the street. It's a full electric brewery so there are no unsafe gases and no negative effects to the environment. It's also virtually silent and won't disturb the neighbors. They are looking to use that portion of the garage that's on the existing site plan and will do anything that is required by the health department or the building official for making it to code. The site plan shows the approximate layout of where the equipment is going to be. They are trying to make as few changes as possible.

Chairman Gannuscio explained the process of a public hearing to Mr. Diggins.

Jennifer Rodriguez, Town Planner, discussed her report dated November 9, 2018. The Fire Marshall spoke verbally with Ms. Rodriguez and conveyed to her that he has no issues for this proposal or site and noted that anything interior will be reviewed prior to and along with the building permit or a Certificate of Occupancy. A report to Ms. Rodriguez from the Police Chief dated November 13, 2018 stated that he had no concerns. The public hearing sign was posted. She has comments from the WPCA but asked for a few minutes to find them.

Mr. Diggins commented that they are planning on using a pick-up truck, a personal vehicle of his, which is already at the property. There will be no extra vehicles. He has no problem with sidewalks. Chairman Gannuscio pointed out that the property owner would have to agree to the sidewalk deferral. Mr. Diggins replied that he has in writing from the property owner that he has the authority to do whatever is necessary for this business, and getting a signature from her on the deferral would not be a problem. He added that they are not looking to have signs or to advertise. They are trying to get established and then in the future maybe find a location that would make sense.

Mr. Szepanski suggested reading the Town Engineer's email into the record. Ms. Rodriguez read for the record a report dated November 12, 2018 from Dana Steele, Town Engineer.

Mr. Szepanski pointed out that the applicant said that he would probably move to a different location once his brewery was established, and the special use permit that the applicant is seeking stays with the property, which is *not* good.

Mr. Szepanski stated he has several questions for the applicant, which are as follows: *Half a barrel is how much liquid?* 15 gallons. *What type of containers will you use for distribution to others?* We're looking into canning, 16-ounce cans in four-packs. *Will you do this at your facility?* We're looking into the options. We would like to get to the point where it would be done in the facility. It may be more beneficial to have someone come in and do it for us but we haven't figured out the logistics completely yet. *So at this point you don't have your game plan worked out yet relative to packaging?* No. One of the battles in this industry is the amount of

paperwork it takes to get through. We still have to file with the state and the federal government, so there is plenty of time to figure these things out before we would be able to be open and sell. Also, before we can file for anything we need an address. *What would be your guesstimate if you should receive approval when you would be up and brewing and making distribution to local restaurants or package stores?* We would love to be distributing by summer 2019. *So you're talking about 6 or 8 months?* Yes, that would be our goal. *You're projecting 2 barrels a month, brewing on Friday. Why just brew on Friday's? Is that a restriction on your availability or capacity?* Since right now we're not set up to sell, we're just practicing our recipes, trying to get them down, and we work around our schedules, so typically Friday evenings work out where it's our best available time. *The capacity of the facility as presented this evening--what type of capacity can you get out of that garage?* With that space we could easily go to a five-barrel brewery which would basically be five times the 30 gallons. The space would allow us to go to the same size as any microbrewery selling to the public or selling through distribution on a reasonable scale. *If you were to quantify that, how many barrels would that be? If you're talking 2 barrels now per month, if you ramped up, it would be how many barrels?* We could probably do up to 20 barrels per month. *What type of beer are you going to be brewing? The typical IPA that comes out of a brewery?* We're trying to do a variety. The IPA's are taking off as the most common, but we also work at stouts and browns. We've started trying to do a couple of lagers. We're always trying to come up with new things. Everything we make is completely designed by us and made from scratch. *Where are the utilities coming from in the garage (electric, water, sewer), from the home that's there?* Yes, they are. The garage has a 50 AMP subpanel that's coming off from the main in the house, and water lines are also run out there as well. *Is there a security system in that building?* Not currently. *Do you plan on one?* I think it would be a good idea. *The liquor commission would probably make that a requirement. Spent grains, as you make the beer, what are you going to do with that?* At this point for the scale that we're on, we do some of it for compost, some we dry out, and some we dispose of through the regular trash. Going forward, if things scale up, we will find a better means for that. Many farms do take them for the animals, so we would probably look into that and find a better way to dispose of them. *It's nothing you'd be putting into the sewer system?* Absolutely not. *Your experience up until now. It sounds as if up until now you've been approaching this as a hobby, looking to perfect your recipes, get something that would appeal to the general public? Is that a good summary?* That's exactly it. We've been doing this for a little over a year and have come a long way. In the beginning we were ordering kits online with the ingredients, and we've turned this into an electric brewery where we can control the temperature down to a fraction of a degree. We've tried really hard to make this not just anyone's home built kit but something that's going to be designed for a legitimate business. *Is the woodstove used to heat the building?* It's currently being used for that but there is also an electric heater in the garage that runs on a thermostat if the woodstove were to go out. At some point we would like to get a more efficient gas heater and get rid of the woodstove. *Is the inside of that building insulated sheet rock panel?* It is insulated on all the walls and it is sheet rock and it has a drop ceiling with three-quarter inch insulated tiles on it.

Mr. Szepanski asked if the commission is reviewing this application as being a home occupation, or as being in a Business-1, or as a combination. Chairman Gannuscio replied that this is a major factor in this. Mr. Szepanski said that a home occupation has to happen within the dwelling itself, not in an accessory building. This garage is an accessory building, and if we're looking at it as a home occupation, he doesn't think it fits the definition. Ms. Rodriguez commented that another important distinction would be if this special use permit is granted, it would continue, and if the property was converted over to completely business...right now the residential portion of it is the non-conforming portion of it, so it would be good to specify whether it was being approved as a mix of uses versus a home occupation.

At this point, Ms. Rodriguez read comments from an email from the WPCA to herself dated November 13, 2018.

Mr. Diggins stated that they would figure out a way to meet any conditions necessary.

At this time Chairman Gannuscio opened up the public hearing for comments from the public in support of this application. Christine Lesnieski, 12 Arbor Lane, spoke in favor of this application.

The floor was then opened up for comments in opposition. There were none.

Chairman Gannuscio commented that this is a unique position with this property. Over the years North Street has been quite the mixture of uses, and despite the best efforts over 25 years or so of trying to put some kind of order to this, it really has not worked. North Street has always presented a challenge, and this offers an additional challenge. There are surrounding houses but they are committed to business uses. This application is going to be for use within a business zone. As for it being a home occupation, our regulations say that it can't be a home occupation. This special use permit causes problems because it's attached to the property and gets recorded with the Town Clerk, and anyone coming along has the opportunity to do this or to file an amended application to expand your start-up use. He worries about all the special use permits granted over the last year that are now left hanging out there.

Mr. Szepanski pointed out that this particular building is relying on utilities from a home in front of it. Chairman Gannuscio asked who owns the property. Mr. Diggins replied that his wife owns it. Mr. Zimnoch asked if the house is occupied. Mr. Diggins replied that it is. Mr. Zimnoch pointed out that the house is serving as a residence, and he doesn't see how it can have a residence and consider that as a business; it's one or the other. Chairman Gannuscio responded, "But it's a non-conforming in that it's a residence, but the zone itself is a business zone." Mr. Zimnoch said, "But now you have a residence and you're proposing a business on the same piece of property, so it has to be a home occupation." Mr. Diggins asked about the places that have a business on the lower level and have housing above it. Isn't this the same thing except instead of going horizontally it's going vertically?

Ms. Rodriguez: If it was approved as something other than a home occupation then the units must be separate, and that's when building code, fire code, and health department come in to be sure that the units are separate. If the applicant understands that this would be the implication if this were to be approved, those are the things those departments would be looking at. They would probably need to consider those separate. Chairman Gannuscio: The whole theory behind Main Street redevelopment is to have business on the ground level and housing above, but there was a specific zone that was created for Main Street to allow that. At some point in the future this could be a booming business located somewhere else in town, which is what every town looks for, to have something as a start-up turn into a successful enterprise. Mr. Szepanski: That's probably why a lot of these businesses start as hobbies and once they develop their recipes and technique and get proper funding, then they can move into a business area and do it the way it should be done. The applicant indicated that they were going to use this as a steppingstone. Mr. Diggins: Another possibility would be to have this stay as the production facility and find another location that is more like a bar or taproom. There are no definite plans to abandon this as a facility for production.

Chairman Gannuscio asked if this is the only residential dwelling still occupied as a residence on that portion of North Street. Ms. Rodriguez replied that the applicant said someone does live in the property next door. Mr. Zimnoch pointed out that if a residence is currently being used as an office already, then that would be more of a business application. Right now you're creating a mixed use, and it doesn't qualify for a home occupation. How could you have residence and business on one piece of land with residents next door? If the residence was going to be part of this business, you could consider that as a business, but he doesn't see any other way to consider this but residential. The only way this could fly would be with a home occupation.

Chairman Gannuscio said he doesn't think it can fly as a home occupation. When we look at the criteria here that we used earlier with the FFL... This is the trailblazer here. There are no similar uses on other properties. We don't have brew establishments at this point. The use should be more than unique or rare even though it is not necessarily found on a majority of similarly situated properties. He stated that we cannot consider this as a home occupation, so any of these other limitations don't seem to apply. Chairman Gannuscio commented that our Town Attorney has had experience as the town attorney in Enfield. He's not sure how Powder Hollow got started, but he would like to have some kind of input from our Town Attorney on this. Chairman Gannuscio asked the applicant if he is facing any imminent deadlines. The applicant replied that he was not. Chairman Gannuscio said he would like to hear what advice our Town Attorney would have since he has experience with several other towns, and this is very unique. Mr. Diggins responded that he knows there is another brewery in the State of Connecticut that is operating out of a garage that is in the same property as the house. He cannot remember which town or the name of the brewery, but he can get this information and make it available to the commission. Chairman Gannuscio explained that if the public hearing is kept open then he will be able to come back with this information on December 10.

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission continues the public hearing for a special use permit with site plan review and liquor permit for microbrewery in existing garage at 592 North Street to December 10, 2018.

**C. Special Use Permit with Site Plan Review and Liquor Permit for Brew Pub at 18 Main Street (property owner Dexter Plaza LLC)**

The Recording Secretary read the legal notice that was published in the *Journal Inquirer* on November 1, 2018 and November 8, 2018.

Jennifer Wright (Executive Director and Owner of Luppoleto Brewing Company) and James Wright (Co-owner and Brewer) made their presentation to the commission. Their vision is to create a brew pub in Dexter Plaza which will be fresh, friendly, and authentically local. Luppoleto will brew and sell boldly aromatic, crisp, inspired beer direct to customers as fresh as possible in a vibrant, inviting taproom with an over-the-top hospitality. Beer wants to be fresh and local, and it is best served directly from the tanks. They want patrons to taste their beer at its peak, and this is achieved through small batch size, control over the entire life cycle of the beer, and direct to consumer sales. In lieu of traditional distribution, the tap room will be the exclusive outlet of Luppoleto beer where customers will enjoy pints poured directly from the tanks at the peak of freshness.

Their vision is for Luppoleto to be a gathering place. Breweries have emerged to fill the void of that third place (other than work or home) where people can meet and socialize. Unlike bars, breweries aren't typically open late. Theirs will be bright, hospitable, and energetic, not dark, divey, or gritty. Built around communal tables, not a bar top facing a TV, Luppoleto is engineered to foster communication and interaction as a social gathering place. Although Luppoleto will not serve food of their own, they will work closely with area restaurants and arrange regular visits from Connecticut's creative and exciting food truck purveyors. Their entire operation will be infused with remarkable hospitality, treating every patron as they would a guest in their home. This uncommon warmth and friendliness will start with how they treat their staff, modeling daily the kindness and generosity they want them to extend to their customers and the surrounding community. They will also invest in their staff with competitive pay and thorough training to ensure they are equipped to deliver great service.

And finally, Luppoleto will be a part of the community. Building on the momentum of the town's transit-oriented development, their location will be accessible by plane, train, or automobile. They selected Windsor Locks for its exciting downtown revitalization efforts and enthusiastic team at Town Hall. Their space in Dexter Plaza is just across from the inspiring Montgomery Mill apartment project and the soon to be relocated New Haven/Harford/Springfield rail line train station. They are thrilled at the prospect of adding "local brewery" to the walkable amenities. Business travelers staying by the airport in search of a local gem are just a short Uber ride

away, so fresh local beer is just a few minutes from the baggage claim. Craft beer benefits from the locavore movement, but Windsor Locks, especially the airport area, is underserved in this regard. Business travelers are often eager for the taste of something local, and there are no brew pubs in Windsor or Windsor Locks. Customers want to connect with the people who make the stuff they eat and drink.

They will fully capitalize on the opportunity to have a direct and fruitful relationship with their customers and community. They are excited to connect with them and introduce them to local farmers who provide most of the ingredients. They want to be an integral part of the community and help out with projects that the people of Windsor Locks care about. They will listen to their local patrons and focus a hefty portion of their philanthropic energy on helping the people of Windsor Locks, whether that's helping to clean up local parks or gathering food, clothes, or school supplies for local families in need; they want to make a positive impact on the town. In closing, Ms. Wright stated, "We want to thank the commission and all the people here at Town Hall that we have worked with for fostering a warm, positive, and aspirational atmosphere in Windsor Locks. We can see the bright future you envision here—that future which you're all working so hard to build—and we're eager to be a part of it."

Chairman Gannuscio asked which space Unit 18 was previously. Mr. Wright responded that it was previously a bank (Windsor Locks Savings and Loan).

Jennifer Rodriguez, Town Planner, discussed her report dated November 9, 2018. The Fire Marshall spoke verbally with Ms. Rodriguez and conveyed to her that he has no concerns with access to this site or response of fire apparatus. Ms. Rodriguez read an email dated today, November 13, 2018, from the Police Chief indicating that he has no concerns for this application. Ms. Rodriguez read comments that she received from the WPCA dated November 13, 2018. She also read an email received from the Town Engineer, Dana Steele, dated November 12, 2018, saying that he had no comments on this application since there were no proposed site improvements.

Chairman Gannuscio asked Ms. Rodriguez if Mr. Steele or the WPCA Director had any comments about installing a floor drain at this site. Ms. Rodriguez replied they did not, but they will still need to review this for the building permits.

Mr. Szepanski commented that he thought this presentation was put together very well and was very thorough, and he had no questions.

Chairman Gannuscio asked the applicants if the owner of Dexter Plaza had any issue with the presence of food trucks. Ms. Wright replied that they contacted him prior to submitting this application and specifically discussed the food trucks with him, and he had no concerns. Mr. Szepanski pointed out that you have to get a vendor permit to bring a food truck into town.

Mr. Zimnoch had some questions for the applicants. *Are you currently brewing?* Yes, just for hobby. *What are you brewing?* Mr. Wright replied that he did work at Back East for a few years before deciding that he wanted to brew his recipes, not their recipes, and they focused on that aspect. *Is the space they will have sufficient for brewing?* It is adequate for what they think is reasonable. They think they can get about 80 seats in that space, which seems like the right size for this area, and they scaled everything off of that. If they have additional needs to sell more beer than they can sell in the tap room they can look at mobile canning options or other avenues, but for now they want to sell it out the front door. *So initially you plan on selling everything that you produce there?* Yes, in glasses. The numbers may seem a little small because of that, but that's intentional. They want to make sure that they're sizing it so they can keep things fresh, keep a rotation, and keep lots of options available so things don't sit around too long. *What kinds of beer have you experimented with?* All kinds. They like to keep a variety so people are always trying new things and don't get stuck in a rut. At home they have a wide range of styles and varieties. *How many will you be able to serve at one time?* To start, it'll be 4 or 5, and they hope to get that number up to 8 or so, but it's making sure they can scale up adequately as the demand requires it so they don't have things sitting around. *Mr. Zimnoch commented that he was surprised the space will allow them to have that much variety.* Mr. Wright replied the batch is relatively small, so they're talking about 3½ barrels. They'll probably double batch, so about half of that volume will go into 7 barrel tanks, and the 7 barrel tanks don't take up that much more room than a 3½ barrel tank; they're just a little taller, and until you get to that really large scale, you don't really need a ton of space. The footprint is about the same. *What will be your schedule?* Tuesday and Wednesday 4 to 8, Thursday and Friday 4 to 9, and Saturday 11 to 9.

At this time Chairman Gannuscio opened up the public hearing for comments from the public in support of this application.

Chris Kervick, 100 Paul Drive, spoke in favor of this application. He commented that these applicants did their homework very well and were well prepared. They have a passion for what they're doing but also for the buy-in to the bigger picture for what is trying to happen downtown. This application appears to fit squarely within the regulations and the MSOZ. They are buying into what this commission has created with the assistance of Ms. Rodriguez over the last several years. The commission laid out this path, and this application fits this path. The commission should be commended because this is a vision that the commission had, and the commission paved the way for it. Pete Lambert, 11 Copper Drive, spoke in favor of this application. He feels this venture is going to be a home run because it is in our downtown area on the walking path. Curt Brace, 47 Elm Street, spoke in favor of this application. He is an avid home brewer and this is the type of business that we want to bring into Main Street, and it's an awesome opportunity for the town. Jeremy Barn, Old Wethersfield spoke in favor of this application. He has sampled some of their beers and would gladly pay for them.

The floor was then opened up for comments in opposition. There were none.

Mr. Wright commented that they still have a long road because there are lots of steps and paperwork, and regulatory oversight from lots of places. The next step is the Health Board and then state and federal licensing, but if all goes well, six months is their timeline.

Chairman Gannuscio pointed out that one issue is the condition of the parking lot. He asked the Wrights if they have received any kind of commitment where the owner of the plaza would try to upgrade the surface of the parking lot. Mr. Wright replied that they have not sought such a commitment but they can certainly inquire. Mr. Szepanski said he walked the parking lot and the white lines can be refreshed. He saw one minor pot hole and there's a lot of broken pavement where they've patched something, but it's nothing like the other application received a year ago. Mr. Wright stated that if the commission finds specific areas they would like addressed they can certainly pass that along. Ms. Cooper suggested getting other tenants involved; many voices may get some action.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission closes the public hearing on the special use permit with site plan review and liquor permit for Luppoletto, a Brew Pub at Unit 18, Main Street.

Chairman Gannuscio asked for comments from commission members. Mr. Szepanski said he likes what he sees and thought it was a very professional package. Ms. Cooper thinks this is an exciting opportunity for everyone. Mr. Zimnoch stated if he shows any more excitement he will have to recuse himself.

Chairman Gannuscio summarized: In general, when it comes to the special permitting process this is something that falls squarely in what they're looking to do in the Main Street Overlay. They're looking to encourage new business and different types that will blend in with what is happening up and down Main Street. It fits within the overall plan for the area. He can't see where there would be any conflict with the Middle School, given the operating hours. This is something that offers a benefit to the town, and he's grateful they chose to come here to Windsor Locks. Their application is complete. He sees no detriment to the neighborhood. This offers a ground breaking for what has been on paper and part of hearings for the better part of many years and gives some traction to what they're looking to be done, and maybe this will be the impetus for an upgrade to the plaza. This falls within the special use guidelines and overall it's something that offers a benefit to us all.

Mr. Zimnoch thinks this business will provide synergy for other businesses in the plaza. Chairman Gannuscio asked if there is still a church in the plaza where Suffield Savings was. Ms. Rodriguez stated that area is empty. Chairman Gannuscio just wanted to make sure they would not have any objections.

It was **MOVED** (Cooper) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission approves the site plan review for Luppoleto, a Brew Pub at Unit 18, Main Street with the following two conditions in the Town Planner's report dated November 9, 2018: comment #5 (that the parking area be in good repair, as observed by staff, prior to issuance of a certificate of occupancy); comment #9 (connection of the public sidewalk and plaza walk with a crosswalk pavement marking). Signage shall be reviewed and approved by staff.

It was **MOVED** (Cooper) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission approves the special use permit and liquor permit for Luppoleto, a Brew Pub at Unit 18, Main Street.

**A. Special Use Permit for Classic Car Restoration and General Repairer License at 465 Spring Street (property owner Julie Sales)**

Tom Hillery, the applicant for this application, apologized for not being here when the meeting started.

Chairman Gannuscio explained that Mr. Hillery is looking to transfer the previous special use permit from one bay to another bay. Mr. Hillery stated that the landlord signed an amendment saying nothing else motor related would go in to where he was. Chairman Gannuscio confirmed that it's the same basic work that he was doing before and he will not be doing tire changes or oil changes. Mr. Hillery said that is correct, he just does restoration work on older vehicles. Chairman Gannuscio asked if there was there some change in the language that needed to be done for Motor Vehicles. Mr. Hillery explained that when the inspector showed up, he said he didn't know what to do with it because there were restrictions on it, and his boss didn't want to see any restrictions on the form. He told Mr. Hillery that the state doesn't care what cars you're working on, the variance is with the town, and with the state it all falls under General Repair whether it's restoration or new cars, and there's basically just one license. Chairman Gannuscio said, "So their concern isn't so much that there's a special use permit that was granted with restrictions, they want to see your license with the new address on it, and DMV doesn't care about any of the restrictions that were put on this."

Ms. Rodriguez discussed her report dated November 9, 2018. She explained that in the Business 1 zone this application came before the commission for a different unit and was approved, and the commission felt this was more of a personal service than a typical repairer might see. The way this was approved before, the DMV would not issue the state license for the unit in which the applicant has had further current local approval because of the language that was attached to the special use permit. On January 8 this commission approved under a "personal service categorization limited to this particular unit on the site as a builder/restorer of classic antique or specialty vehicles, not to be a general repair situation outside of this builder/restorer categorization." She thinks the intention the commission had at the time was not to say that he couldn't then go get a General Repairer license but that it wouldn't be

open to the public to just drive in for general repair like you would typically see. With the commission trying to articulate that difference between what you might typically see as a General Repairer license and what the applicant does specifically for his business, in trying to do that, the way it came out in the approval made the DMV say, “Well but they approved it but then they’re saying you can’t have a General Repairer license.” She doesn’t think this is what the commission intended, so what they’ve asked is if the commission would consider wording this differently. You can in fact condition the permit, but you can’t condition the permit and say you can’t run a General Repair location and then he goes to get a General Repair location. On the actual state form, toward the bottom, under Certificate of Local Approval (which is the portion that her office has to sign), there’s a question that says, “Are there any restrictions placed on the licensee’s use of the property? No or Yes,” and “If yes, attach a copy of the restrictions to this application.” That’s what she did, and they said not only does it have restrictions but it says you can’t have a General Repairer license, so they wouldn’t sign this. This is part of what the applicant is asking the commission to do tonight—to consider how this is worded, and secondly, he would like to change the location. In order for her to sign off on this with the new location, she needs to know there is local approval through the appropriate commissions and the Zoning Board of Appeals before she can sign this.

A discussion followed about the wording of the approval.

*Chairman Gannuscio called a short break at 8:55 pm. The meeting was called back to order at 9:00 pm.*

Mr. Szepanski clarified with Mr. Hillery that his General Repairer license is only good for him and would be turned back into the state should Mr. Hillery retire.

Ms. Rodriguez explained that she took the original condition that was, “This is limited to a particular unit on this site as a builder/restorer of classic, antique or specialty vehicles, not to be a general repair situation outside of the builder/restorer categorization and limited to six cars on the site with the condition that all vehicles being worked on shall be stored in the building at all times with no storage outside the building. In addition, the sign will go to staff for review only if it goes beyond the slot of the sign visible from Spring Street.” This is what she came up with: ***“To approve the special use permit for Hillery Hot Rods, LLC personal service use as a builder/restorer of classic, antique, or specialty vehicles under a General Repairer license, Unit B, with the following conditions: (1) limited to six cars on the site, (2) all vehicles being worked on shall be stored in the building at all times, (3) no outdoor storage of vehicles or materials, and (4) any signs in addition to the slot in the freestanding existing sign will be reviewed by staff.”***

Chairman Gannuscio said that this language has been re-written and re-worded and should do the trick.

At this time Chairman Gannuscio opened up the public hearing for comments from the public in support of this application. There were none. The floor was then opened up for comments in opposition. Joe Scata, Scata's Auto and Truck Repair, 535 Spring Street, spoke in opposition to this application. He respects the fact that Mr. Hillery has gone through all the work of getting his license. However, he saw in previous minutes that there is language saying he does not do any painting and does not take engines apart, but if you look at his Facebook page, there is indication that he does do these items. Mr. Hillery said he does not paint them there, he sends them out to be painted. He said he does do engines and anything mechanical.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission closes the public hearing on the application of Hillery Hot Rods, LLC, for 465 Spring Street, now to be located in Unit B.

Chairman Gannuscio stated that new language has been crafted that hopefully will satisfy state bureaucracy.

It was **MOVED** (Zimnoch) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission approves the special use permit for classic car restoration and General Repairer license at 465 Spring Street, Unit B, with the following new language: approve the special use permit for Hillery Hot Rods, LLC personal service use as a builder/restorer of classic, antique, or specialty vehicles under a General Repairer license, Unit B, with the following conditions: (1) limited to six cars on the site, (2) all vehicles being worked on shall be stored in the building at all times, (3) no outdoor storage of vehicles or materials, and (4) any signs in addition to the slot in the freestanding existing sign will be reviewed by staff.

## **(VIII. New Business)**

### **C. Informal Discussions**

#### **i. Home Occupation, Food Vending Cart Storage**

Chris Mahoney, 17 Lincoln Street, addressed the commission. He stated that he is here tonight to see if he can keep his little food truck cart on his property when it's not in use.

Chairman Gannuscio asked Ms. Rodriguez about the history behind this. She replied that trailers are required to be kept on the side or in the rear, behind the building line. Those are typically for personal or recreational use. This one is in association with a business, so she thought it should come before the commission. She didn't know if the commission wanted to consider it as a home occupation or wanted to maybe talk about how frequently it's being brought on and off the site. Chairman Gannuscio asked how this is any different with someone parking their Snap-On Tool truck in their yard. He asked if Mr. Mahoney is doing any cooking in the truck while it's in his yard. Mr. Mahoney replied no. He said it's

registered as a two-wheel hot dog cart, but technically it's a pop-up camper, so if you look at it, it looks like he has a camper in his yard. There is no writing on it right now, and a lot of the signage is on the inside, so when you raise it up then you'll see that it's actually a useable two-wheel hot dog cart. There will be small signs on the side of it, but other than that it looks just like a pop-up camper. Chairman Gannuscio asked if there is space on his property to park it along the side of the garage. Mr. Mahoney responded that he has two spots he was thinking of storing it. He has a shed and a six-foot fence, so in the winter time he can just pull it behind the shed. If he was just keeping it on his property for a few days he has an easement part which is a huge area.

Chairman Gannuscio said it doesn't sound to him like it's a home occupation; it's just the parking of his business implement. Mr. Szepanski asked how this differs from a landscaper parking his trailer in his yard with his lawnmower and weed wacker on the side of his garage. Is this the same? Chairman Gannuscio replied that he thinks it is. Mr. Szepanski recalls a few years ago there was a gentleman who came to the commission and wanted to park his landscape trailer with his lawnmower on the side of his garage and the commission determined he couldn't do that and would have to go someplace else. Mr. Szepanski asked how this differs. Ms. Rodriguez replied that that is part of the reason that she had Mr. Mahoney come tonight. It's not uncommon to have someone who really truly just brings their commercial vehicle home and parks it. And in some cases it can come to be more of a home occupation. She thought it was worth having this conversation, understanding the business, and getting it on the record. Landscaping complaints are one of the biggest and continue to be.

Mr. Mahoney clarified that it will be stored there and will not be opened there. He plans to do just two events a week. It would be rare that it would be opened and it would not be used for any home based business.

Chairman Gannuscio commented that at this point he doesn't see this as a home occupation, and if it can be parked within the requirements of what they have for recreational vehicles like somewhere behind the building line, he thinks it would be fine. He can see the distinction between someone who is starting their mowers and trying to run them and this situation. Mr. Szepanski asked Mr. Mahoney how long he has been storing a trailer at his property. Mr. Mahoney replied that he has had it for just over a year. Mr. Szepanski asked what brings him here. He replied that the Health Department wanted him to confirm that he could store it at his house. Mr. Szepanski stated that he doesn't have a problem with it. Chairman Gannuscio replied he didn't either. Mr. Zimnoch confirmed that it's a pop-up camper, so the only exception is that he has small signs, and that would be the only giveaway that this is not a camper. Ms. Cooper suggested using magnetic signs so he could pull them off when he parks it at home. Chairman Gannuscio commented, "So no one has any problems with the storage." Mr. Zimnoch responded that the storage isn't the problem, that the only problem really is the signage on the camper, so the best way to avoid a problem is to go with magnetic

signs. And if he parks it in a designated area and he doesn't have a commercial sign on it, there should be no problem. Ms. Rodriguez said that she will type something up to put in the street file.

**(III. Approval of Minutes from the October 9, 2018 Regular Meeting)**

There was a discussion about the corrections that needed to be made to the October 9, 2018 minutes. The following are the revisions:

On page 13, in the last paragraph, third sentence from the bottom, DELETE the phrase, "*and maximum height of \_\_\_ feet*". This sentence should read as follows: "*It was agreed that for the Old County Road sign the maximum size of 50 square feet would be good.*"

On page 13, in the last paragraph, in the next-to-last and last sentence the number **30** should be **100** and the number **100** should be **30**, to read as follows: "*For the two signs on Route 20 the maximum size of 100 square feet and maximum height of 30 feet is good.*"

On page 14, delete the AMENDED MOTION paragraph and *add* to the end of the second motion near the bottom the following: "*Before voting, the motion was amended to include the Water Pollution Control Authority's recommended language under section 8, Suggested Water Pollution Control Facility Condition.*"

It was **MOVED** (Cooper) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission approves the minutes of the October 9, 2018 meeting *as revised above*.

**V. Reviews (none)**

**VI. Action on Closed Public Hearing Items (none)**

**VII. Old Business**

**A. Discussion with Commission and Staff** (none)

**B. Action Items** (none)

**VIII. New Business**

**A. Public Input** (none)

## **B. Receive New Applications**

### **i. Regina Drive Subdivision Modification, release of right of way for future driveway**

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission schedules a public hearing for a subdivision modification and release of right of way for #18 and #13 Regina Drive on December 10, 2018.

### **ii. Special Use Permit with Site Plan Review for small engine repair (lawn mowers, snow blowers) at 1 Concorde Way**

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission schedules a public hearing for a Special Use Permit with Site Plan Review for small engine repair (lawn mowers, snow blowers) at 1 Concorde Way on December 10, 2018.

### **iii. Special Use Permit with Site Plan Review for place of worship at 332 Elm Street**

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission schedules a public hearing for a Special Use Permit with Site Plan Review for place of worship and religious classes at 332 Elm Street on December 10, 2018.

## **D. Action Items (none)**

## **IX. Communications and Bills**

Chairman Gannuscio has a bill from David Sherwood in the amount of \$1,350 for legal services for Pool Table Magic and would like approval for that expenditure.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission approves payment of \$1,350 for David Sherwood regarding Kulungian vs. Windsor Locks.

## **OTHER**

Ms. Rodriguez reminded the commission about the POCD Workshop on Wednesday, November 28, 2018 at 6:00 pm.

Mr. Szepanski asked about reprinting the Zoning Regulations. Ms. Rodriguez said there are copies available from a 2016 printing.

**X. Adjournment**

It was **MOVED** (Gannuscio) and **SECONDED** (Cooper) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission adjourns the November 13, 2018 meeting at 9:44 pm.

*Respectfully submitted,*

*Debbie Seymour  
Recording Secretary*