

PLANNING & ZONING COMMISSION
November 10, 2014 Meeting Minutes

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

Commission Members Present: Vincent Zimnoch, Alan Gannuscio, Jim Szepanski, and Alexa Brengi

Commission Members Absent: Curtis Ruckey, Mike Forschino (Alternate), and Pat Sayers (Alternate)

Town Staff Present: Jennifer Rodriguez (Town Planner), and Dana Steele (Town Engineer)

I. Call to Order

Chairman Zimnoch called the meeting to order at 7:07 pm.

II. Roll Call

Commission roll call was taken.

It was noted that the agenda as printed reflected an incorrect date of November 11, 2014, not November 10, 2014; therefore, items requiring a vote by the commission cannot be acted upon at tonight's meeting.

III. Approval of Minutes from the September 8, 2014 and October 14, 2014 Regular Meetings

Approval of minutes was postponed until next month's meeting.

IV. Public Hearings (none)

V. Reviews (none)

VI. Action on Closed Public Hearing Items (none)

VII. Old Business

A. Discussion with Commission and Staff

i. Zoning regulations

a. Section 1102 (Distribution of Materials), and Section 1201 (Fee Schedule)

Ms. Rodriguez summarized the options that were discussed at last month's meeting regarding this item. She can hold onto the applications for staff to be picked up in their mailboxes to try to reduce mailing costs, or a fee can be charged per application to cover mailing costs. The increase could be based

on the average mailing cost of applications based on how many applications per year they receive, but it's difficult to predict that number. A fee of \$30 per application was also discussed. Chairman Zimnoch said he doesn't see any other way but to try it for a year and see if it's sufficient to cover our costs. Mr. Gannuscio asked if the fees are deposited into the Planning and Zoning account or the town's general account. Ms. Rodriguez was not sure, but Mr. Gannuscio thought they probably were deposited to the general account. Chairman Zimnoch suggested keeping track of the cost of all mailings, and at the end of a year see what the average was and whether the estimated \$30 per application was sufficient. Mr. Szepanski suggested keeping track for six months, but Chairman Zimnoch pointed out that there may not be enough activity in that time frame. Mr. Szepanski responded that if six months was not long enough then the time could be extended to one year. Ms. Rodriguez asked if there was a line item for postage in the budget now. Mr. Gannuscio responded there was not. Ms. Rodriguez asked if a \$30 fee per application sounded reasonable. Commission members agreed it was.

Mr. Szepanski commented on Section 1102 of the regulations. He questioned the wording in the next to the last paragraph, "Applications shall be signed by the applicant and the owner of the property where applicable." He said it's allowable and he has seen a designated attorney sign. A discussion took place regarding the specific wording. Mr. Gannuscio suggested, "An agent designated in writing." Mr. Steele asked if an email would be considered to be "in writing." Mr. Szepanski and Chairman Zimnoch agreed that emails are considered legal records. Ms. Rodriguez clarified the wording: "Applications shall be signed by the applicant and the owner of the property *where applicable*" will be changed to "Applications shall be signed by the applicant and the owner of the property *or an agent designated in writing.*"

Mr. Szepanski also noted that in Section 1105 the wording says, "The applicant shall post a sign...in a conspicuous place..." He said he has seen some signs set back 200 or 300 feet, and wondered if the words "25 feet from the road or from the curb" should be inserted so the signs can be closer and can be seen. A discussion then took place regarding having a larger sign made to make it more visible and what the cost would be. Ms. Rodriguez said she could call around to different towns to see what they do. Mr. Steele mentioned that some towns require a deposit for the sign, and if you return the sign in good condition you get your deposit back. Commission members liked a 2x2 size with a bright orange border, but Mr. Steele pointed out that a 24x18 was more standardized and might be better. Yankee Signs was recommended as a place to go for fast, reasonable service. Ms. Rodriguez asked how many signs they should buy. Chairman Zimnoch suggested that buying in bulk (ten) may be more economical.

ii. Subdivision regulations (none)

iii. Oakridge Drive, road acceptance

Mr. Steele stated he submitted a letter dated today regarding Oakridge Drive. They have received confirmation of the lighting, and he has recommended that the commission accept Oakridge Drive as a town road; specifically, the portion from South Center Street to the new cul-de-sac at the entrance to the Woodridge condominiums. The driveway from there to the other condos would remain private.

It was **MOVED** (Szepanski) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission recommend to the Board of Selectmen that Oakridge Drive from South Center Street to the cul-de-sac at the entrance to the Woodridge condominium development be accepted as a town road.

Mr. Gannuscio noted that this is an administrative matter and can be voted on.

B. Action Items (none)

VIII. New Business

A. Public Input (none)

B. Receive New Applications

i. Site plan review, 73 Old County Road

A gentleman (did not identify himself) spoke on behalf of the applicant. He said she is planning to run a massage business at 73 Old County Road. Chairman Zimnoch stated this is just a site plan review. Mr. Steele added that this is a change of use from retail to personal service in an existing plaza. From a parking standpoint, the parking requirements are the same, and since the square footage is not changing, he does not believe there is any parking issue. This change of use, according to the calculations, is not going to make it more intense. Chairman Zimnoch asked what will be required for documentation. Ms. Rodriguez said at the last meeting a copy of a plan that was used in the past was submitted as part of the application. Chairman Zimnoch asked about the actual floor plan. Mr. Steele pointed out that this was not drawn to scale and it was difficult to get the exact square footage, but he did not think this was enough of a reason to ask for a more accurate floor plan. There was a brief discussion about the floor plan and the rooms which have sinks. It was noted that the partitions and pipes were already there in place. Chairman Zimnoch asked to have the dimensions in both directions (width and length) of all rooms.

Mr. Szepanski pointed out that there is no requirement for the Department of Health to do a physical inspection. Ms. Rodriguez did know this also.

The applicant was able to give the measurements of the rooms--142 inches. The bathroom is 84x84. The gentleman speaking for the applicant said she is paying rent every month but is not open for business yet and asked why the commission could not approve her application tonight. Chairman Zimnoch explained that the meeting date was wrong on the agenda and that is why the commission could not take any action at tonight's meeting. He also pointed out that it is very rare that the commission accepts and approves an application all in one night, so the earliest they can act on this application is at the next meeting on December 8. Chairman Zimnoch suggested that the applicant write in the measurements on the floor plan and submit it to the Planning Office.

C. Informal Discussions

- i. 330 North Street, home occupation**
- ii. 60 Main Street, sewing studio**

Janice Porry of 32 Tiffany Drive, Windsor, addressed the commission. She stated that for the last four years she has operated a sewing business out of her home and would now like to relocate her sewing business to 72 Main Street, Waterside Village. She gave some background on her expertise and qualifications and what services she would like to offer in her new location. She said she may look at a bigger spot in that same strip, and there may be one partition that they take down. Ms. Rodriguez made a list of uses that were previously there, some of which were apparel store, copying office, florist, and insurance office. Mr. Gannuscio also mentioned an instructional office for paramedics. Ms. Rodriguez commented that what Ms. Porry is proposing is a little bit different but seems a similar and compatible use. Ms. Rodriguez said to the commission, "The direction that I would like to be able to give her is whether you're going to require anything or whether you feel like this is a continuation of the existing use and so she can go right in." Chairman Zimnoch responded that he did not see any problems and that this is a great location for this type of business. Mr. Gannuscio agreed and commented that there has been a variety of uses in this strip since it's been built, and this has been an underutilized facility. He does not see any problems with parking. Ms. Rodriguez advised the applicant that when she changes the face of the existing sign she will have to come to the Planning Office for a sign permit.

- iii. CRCOG Regional Planning Commission Survey**

(B. Receive New Applications)

ii. Site plan review, Lot 2, Old County Road, Senior Living Project

Ms. Rodriguez asked if commission members received this application. They did not. She is the only one who received a copy of it, but she stated that it's technically been submitted, so it will be received either way.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission place on the agenda for review on December 8, 2014 the site plan review for Lot 2, Old County Road, Senior Living Project.

D. Action Items

i. Effective date of regulation of amendment to Section 218

Chairman Zimnoch stated that when the amendment to Section 218 was approved at last month's meeting there was no effective date put on. Mr. Gannuscio confirmed with the chairman that it was approved without any challenge at the October meeting, and then pointed out that this is an administrative item and can be voted on.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission make the effective date November 12, 2014 for the amendment to Section 218 of the regulations.

IX. Communications and Bills

Mr. Steele said he submitted a letter to the commission regarding the bond reduction for Daleo Drive, and he is unsure if this requires a formal vote. Section 12.2 of the subdivision regulations says that when a substantial bond is required, the developer may request reductions to the bond, and the total reduction can't be less than one-third of the total. "Reductions shall only be granted if the commission is satisfied by documentation of work completed and cost estimates for the balance of construction are acceptable. Verification by the Town Engineer as to satisfactory completion of improvements and remaining costs is required." Mr. Steele asked, "The question is whether 'commission being satisfied' means that you have to vote." Mr. Gannuscio responded, "...or we just give you the authority to do the reduction." Mr. Steele has visited the site and consulted with town staff responsible for inspection of the public improvements and is recommending reducing the performance bond to \$91,925 while maintaining the \$6,000 E&S bond. Commission members agreed that it was okay to go ahead and reduce it. Mr. Steele clarified that it was okay for him to notify the Finance Department that the bond will be reduced. Mr. Gannuscio said yes, because this discussion is on the record.

X. Adjournment

It was **MOVED** (Zimnoch) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 4-0) that the Planning and Zoning Commission adjourn the November 10, 2014 meeting at 8:18 pm.

Respectfully submitted,

Debbie Seymour
Recording Secretary