

**PLANNING & ZONING COMMISSION**  
**March 14, 2013 Special Meeting Minutes**

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

Commission Members Present: Alan Gannuscio, Jim Szepanski, Peter Juszczynski, and Alexa Brengi (Alternate)

Commission Members Absent: Vincent Zimnoch, Anthony Scarfo, and Paul Harrington (Alternate)

Town Staff Present: Jennifer Rodriguez (Town Planner)

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**I. Call to Order**

Vice Chairman Gannuscio called the special meeting to order at 7:00 pm.

**II. Roll Call**

Commission roll call was taken. Ms. Brengi was seated for Mr. Scarfo by Vice Chairman Gannuscio.

**III. Public Hearing on Proposed Section 1108 Sexually Oriented Business Moratorium**

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

The Recording Secretary read the legal notice that was published in the *Journal Inquirer* on February 28, 2013 and March 7, 2013.

Before starting the public hearing, Vice Chairman Gannuscio stated: “Comments this evening will be limited strictly to the content of this moratorium. No comment will be permitted on any pending applications or potentially pending applications before this board to avoid any appearance of prejudice at later meetings of the board.”

At this time Vice Chairman Gannuscio opened up the public hearing for comments from the public in favor of this regulation. Attorney Paul Smith, 27 South Main Street, representing the group Windsor Locks Citizens for a Safe Community, spoke in favor of this moratorium. He stated for the record that he previously gave commission members three volumes of material which contain studies that were done regarding sexually oriented businesses and some court cases, and at tonight’s meeting also gave this material to the recording secretary. Some bad effects these types of businesses can have on a community include negative consequences to the values of businesses located near sexually oriented businesses, much higher crime rates, and the potential for employee victimization. He feels it is important for the town at this point to enact a moratorium so an ordinance can be created correctly—in other words, make sure people’s first amendment rights are protected but at the same time be sensitive to the negative effects these types of businesses can have on a community.

The following people also spoke in favor of the moratorium: Mickey Danyluk, 18 Maple Avenue; Doris McAusland, 29 Marshall Road; John Sullivan, 51 Ross Way; Dennis Gragnolati, 25 Roberts Street; and Steve Wawruck, 18 Burnap Road.

At this time the floor was opened up for comments in opposition. There were no comments in opposition of this proposed moratorium.

Vice Chairman Gannuscio stated he appreciated the orderly and focused manner in which testimony was presented tonight.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission close the public hearing.

Vice Chairman Gannuscio stated that this moratorium language and regulation was based on the existing language of what East Hartford enacted and put into effect several years ago. He noted, "To say that our regulations on this manner are outdated is an understatement. These regulations are basically non-existent at this point." We have a town ordinance that we've tried to use as the basis for limiting this type of business for years but recent US Supreme Court decisions have shown that such an ordinance will no longer fly. This six-month moratorium will give this board as well as other boards in town the opportunity to enact regulations and ordinances that give the police department and health and safety divisions powers to control and tightly regulate what could be a business that grows out of hand. This is a wise moratorium and hopefully this gives us a timeframe to move forward and enact what the town needs to protect its interests.

Ms. Rodriguez added that she agrees it is important for the commission to take the time to really look at all the information that is before the commission, including public input and the studies that show secondary impacts, in order to make a good decision for the town in terms of both legal rights and controlling secondary impacts.

It was **MOVED** (Gannuscio) and **SECONDED** (Juszczynski) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission adopt Section 1108, Moratorium on Sexually Oriented Businesses Within the Town of Windsor Locks, with this moratorium being effective at midnight this evening.

#### IV. Adjournment

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission adjourn the March 14, 2013 special meeting at 7:20 pm.

*Respectfully submitted,*

*Debbie Seymour  
Recording Secretary*