

PLANNING & ZONING COMMISSION
July 22, 2013 Special Meeting Minutes

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

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

Commission Members Absent: Paul Harrington (Alternate)

Town Staff Present: Dana Steele (Town Engineer)

I. Call to Order

Chairman Zimnoch called the special meeting to order at 7:01 pm.

II. Roll Call

Commission roll call was taken.

Chairman Zimnoch noted that Ms. Carson, Interim Town Planner, had an emergency and could not be present at tonight's meeting.

III. Approval of Minutes from the July 22, 2013 Regular Meeting

Approval of minutes from the July 22, 2013 regular meeting was postponed to the August meeting due to Ms. Carson's absence.

IV. Public Hearings

A. Public hearing on the special use permit for a second floor residential apartment at 246-250 Main Street

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 July 10, 2013 and July 17, 2013.

Mike Barile, 246-250 Main Street, addressed the commission. He distributed pictures of the apartment to the commission, discussed his plans for the 1,600 square foot apartment, and answered questions from commission members.

Mr. Steele stated he did not prepare a report because the applicant is not proposing any site improvements to the existing parking.

Mr. Steele read Ms. Carson's report of July 19, 2013 for the record. Favorable comments were received from the Fire Marshall.

At this time Chairman Zimnoch opened up the public hearing for comments from the public in favor of this application. There were none. The floor was then opened up for comments in opposition. There were none.

It was **MOVED** (Zimnoch) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission close the public hearing on the application for a special use permit for a second floor residential apartment at 246-250 Main Street.

Mr. Gannuscio noted that this is exactly what the commission was looking for when the new overlay zone was approved, to mix the residential and commercial uses. This application fits within the concept of the new Main Street area and within the character and use of what the commission wants to see happen in this part of town.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission approve this special use permit for a second floor residential apartment at 246-250 Main Street.

Mr. Calsetta told commission members that he could not hear them speaking and asked if they could please speak into their microphones.

B. Public hearing on the site plan modification, special use permit, and liquor permit for Sportech Venues, Inc. for the property located at 11 Schoephoester Road

The Recording Secretary read the legal notice that was published in the *Journal Inquirer* on July 10, 2013 and July 17, 2013.

Cormac Byrne, Jones Byrne Margeotes Architects, 245 Mill Street, Greenwich; Ted Taylor, 39 Prospect Street, Milford; and Barbara O'Brien, 83 South Elm Street, addressed the commission. They have created a new entrance on the side of the building which will be the main restaurant entrance to the building. They have redirected the traffic so there's a one-way and an entrance only to a covered carport. The new landscape islands will be grass and trees. On the two corners of the building flanking the restaurant entrance there will be lawn and trees. There are two outside dining areas, and one has an outside bar which will be seasonal. They have gotten an interior demo permit. The whole interior renovation encompasses about 8,000 square feet. With the reconfiguration of the driveways, some parking spaces were eliminated (from 552 to 509), but because there is also a reduction in occupancy (from 480 to 325), the parking calculations still work. There are 34 handicapped spaces.

There was a lengthy discussion regarding the need for sidewalks. Also discussed: seating at the bar, the size of the kitchen, the menu, and the hours of operation.

Mr. Steele discussed his report dated July 18, 2013.

Mr. Gannuscio noted that positive comments were received from the Fire Marshall but no comments were received from the Police Chief. The applicants said they have made many calls to the police department but have not received any response. Mr. Gannuscio asked if the Water Pollution Control has submitted any comments. They replied that they have been in contact with WPCA and they have approved the grease trap interceptors and have asked them to install two 1,000 gallon interceptors which have been ordered.

Mr. Steele summarized Ms. Carson's report of July 19, 2013 for the record.

Mr. Gannuscio asked the applicants if there was anything they wanted to add regarding the modification of the liquor permit. Mr. Byrne responded that the attorney who handles those permits spoke with Ms. Carson today and they are on the same page with the liquor permit as it is described.

At this time Chairman Zimnoch opened up the public hearing for comments from the public in favor of this application. Joe Calsetta, 121 Orchard Hill Road, spoke in favor of this application. Steve Wawruck, 18 Burnap Road, spoke in favor of this project. Mr. Wawruck did text the Police Chief to ask if he had any comments. He thought he did send a reply out but said he did not have any objections or concerns with the proposal. The floor was then opened up for comments in opposition. There were none.

The applicants discussed the sidewalk issue. Mr. Gannuscio asked if and when there was something to connect to would they be willing to put in sidewalks. The applicants responded yes.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission close the public hearing on the site plan modification, special use permit, and liquor permit for Sportech Venues, Inc. for the property located at 11 Schoephoester Road.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission approve the site plan modification application for 11 Schoephoester Road in accordance with the Town Engineer's report of July 18, 2013, with items 1, 2, 3, 5 and 6 to be included as conditions of approval, and sidewalks shall be deferred at this point until such time in the future when there is a need for them.

Mr. Gannuscio stated that with the limited time period for the outdoor dining and the liquor being part of the outdoor dining experience, there is no detrimental effect. Chairman Zimnoch added that the area is well isolated and there are no neighbors or businesses that will be disturbed by this venture.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission approve the special use permit for 11 Schoephoester Road which is a good approval for this commission due to its well-defined time frame and purpose with regard to the outdoor dining and expansion of the restaurant use.

Mr. Gannuscio stated that the focus of this facility is on restaurant use and restaurant serving, and the modification of the liquor approval is something that goes hand in hand with this concept.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission approve the liquor permit for 11 Schoephoester Road, as this application is more focused on a restaurant use, given the amount of footage that is dedicated to kitchens and the limited amount of space dedicated to bar usage, and is therefore worthy of the commission's approval.

V. **Reviews** (The item listed on the agenda, 61 South Main Street, was listed in error and is scheduled for the August 12, 2013 meeting.)

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

VII. **Old Business**

A. **Discussion with Commission and Staff regarding:**

i. **T&M and North Group, LLC request for acceptance of roads**

Mr. Steele stated that the Town Attorney is working on obtaining the necessary deeds from the developer, and there is a meeting scheduled this week to discuss that and how we will proceed with that, so perhaps for the August meeting we will have the schedule with regard to how the town will get the developer to start moving.

ii. **Zoning regulations** (none)

iii. **Subdivision regulations** (none)

VIII. **New Business**

A. **Public Input** (none)

B. **Receive New Applications**

C. **Informal Discussions**

i. Temporary Off-Premises Signs for Temporary Events in an Industrial Zone

Sam Sales, 7 Woodland Hollow, addressed the commission. He puts a 4x8 sign up on King Spring Road twice a year when he holds an auction. He has permission from the property owner to do this, and Public Works said it was okay as long as there were no site line issues. There was an anonymous complaint made, and the Building Department told him he had to take the sign down because it is not permitted by the regulations. A discussion took place regarding the need to address this issue by revising the regulations and whether a waiver could be granted to Mr. Sales. Mr. Szepanski commented that the commission cannot give a waiver on a regulation that doesn't exist yet. Mr. Gannuscio remarked that with Ms. Carson's experience she might be able to pull together a draft quickly for discussion at the August meeting, and the commission could then get the process rolling as soon as possible.

Mr. Calsetta said he would like to propose that in the downtown development area registered logos be allowed to be used as part of the building with a special use permit reviewed by this board. He asked what he should do to make this proposal. He said he would put the proposed regulation in writing and send copies out to Ms. Carson, Mr. Steele, the Planning & Zoning Commission, the First Selectmen's Office, and the EIDC.

ii. Proposed Sexually Oriented Businesses Ordinance

Mr. Wawruck stated that other boards and commissions have reviewed this ordinance, and the police commission came up with some ideas to revise and add to the ordinance itself. Mr. Gannuscio commented that much of this was taken from East Hartford and he believes it is a pretty comprehensive ordinance. Chairman Zimnoch said the commission needs to amend its regulations, which would require a public hearing.

Mr. Juszczynski mentioned the blight in certain areas on Route 75 where it is overgrown and not being maintained. Mr. Kulungian commented that Route 75 has a lot of potential and it is very important to have more teamwork with the property owners to work together as a unit and accomplish more. A brief discussion took place regarding blight in Windsor Locks.

IX. Communications and Bills (none)

X. Adjournment

It was **MOVED** (Zimnoch) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission adjourn the July 22, 2013 special meeting at 9:08 pm.

*Respectfully submitted,
Debbie Seymour
Recording Secretary*