

**PLANNING & ZONING COMMISSION**  
**November 12, 2013 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: Jennifer Rodriguez (Town Planner)

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**I. Call to Order**

Chairman Zimnoch called the meeting to order at 7:02 pm.

**II. Roll Call**

Commission roll call was taken.

**III. Approval of Minutes from the October 15, 2013 Regular Meeting and October 28, 2013 Special Meeting**

It was **MOVED** (Zimnoch) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission approve the October 15, 2013 minutes.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission approve the October 28, 2013 minutes.

**IV. Public Hearings**

**A. Site plan review/special use permit application for Fared Saleh for an Islamic Center for the property located at 20L Main Street**

Ms. Rodriguez stated she did not receive anything in writing from the applicant withdrawing his application, but verbally she was asked to pass along to the commission that the applicant no longer had a contract with the owner and that someone else was set to purchase that portion of the site.

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 October 30, 2013 and November 6, 2013.

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** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission close the public hearing on the site plan review/special use permit application for an Islamic Center for the property located at 20L Main Street.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission deny without prejudice the site plan review/special use permit application for an Islamic Center at 20L Main Street. There has been no presentation, no applicant, and no withdrawal, and at this point the best option is to deny this application.

V. **Reviews** (none)

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**

Ms. Rodriguez stated she had a lengthy meeting with Mr. Steele and Attorney Storms to go over what was required of the developer. They went through all of the easements, and Attorney Storms typed a draft of all the documents that are required to move this forward. The documents are being reviewed by the surveyors at J.R. Russo & Associates, and there have been some discrepancies found between the verbiage that was originally proposed by the developer and what is on the paper maps, so those things need to be corrected. Once those are corrected they will be sent to the developer's attorney for their review and signature.

Chairman Zimnoch asked the recording secretary to carry forward this item on the agenda for the next meeting.

VIII. **New Business**

A. **Public Input** (none)

B. **Receive New Applications**

i. **Special use permit application for motor vehicle service station dispensing lubricants and minor service for the property located at 448 Spring Street**

Chairman Zimnoch stated that the applicant, Michael Zuraw, had met with the Town Planner and Town Engineer, and asked Mr. Zuraw to address the commission. Mr. Zuraw stated that after speaking with them he realized he needed to go into more detail as to what he proposes for a use of that building.

He plans to use it as an oil change facility only in accordance with DMV rules. He will have one employee there who will pick up a vehicle from a commercial customer. There will be one vehicle at a time going in and out of there. An oil change takes approximately five to seven minutes, so it will be a quick turnaround. After going over the parking lot with Mr. Steele, they discovered that there are seven spaces available to him if he needed to have any overflow parking or queue. He believes the footage of the driveway is adequate and is comparable to if not greater than a similar business at 590 Spring Street. He plans to follow all the conditions set forth by the commission, including moving the dumpster, repaving and potentially striping with some sort of directional traffic pattern if needed. He plans to redo the face of the building and the landscaping to make it as appealing as possible. Chairman Zimnoch asked if he owns the building. Mr. Zuraw responded that he currently rents but the end result would be for him to own the building. Chairman Zimnoch asked if the owner would be willing to comply with whatever needs to be done. Mr. Zuraw replied yes, and said the owner would be present at the public hearing next month.

It was **MOVED** (Zimnoch) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission schedule a public hearing for December 9, 2013 for a special use permit application for motor vehicle service station dispensing lubricants and minor service for the property located at 448 Spring Street.

Mr. Gannuscio suggested that this item be scheduled as the first public hearing at next month's meeting.

**C. Informal Discussions** (none)

**IX. Communications and Bills** (none)

## **OTHER**

Chairman Zimnoch asked the recording secretary to put on the agenda for next month Election of Officers and Setting Calendar for Meeting Dates.

Ms. Rodriguez stated that the medical marijuana laws are becoming well known in her planning circles, and she put together a package to distribute to commission members. Included in this packet are LISTSERV comments that she received, referrals she has received from other towns from CRCOG, and articles so the commission has an idea of what's happening throughout the state and what different towns are doing. Some towns are doing a moratorium and creating a lengthy set of regulations, some towns are doing nothing, and some towns are doing something in-between. The town has been contacted by one company, and Friday is the deadline for those applications for medical marijuana facilities. The owner of the Montgomery Mill had interest in applying, but the process is a six-month process, a \$25,000 nonrefundable fee, and not something you can pull together in a week. On Friday the state will have its 20 applications to review, and then they will pick three.

Ms. Rodriguez also distributed a copy of the table of contents of Exhibits A and B regarding sexually oriented businesses that was passed out by Paul Smith at a previous meeting so she can state for the record that the commission has a reminder of those contents. Exhibit C is the third page attached, which is the table of contents of all the materials that have been gathered since then, and this is new material. Chairman Zimnoch encouraged all commission members to read the articles on secondary effects of sexually oriented businesses.

There was a brief discussion regarding waiving the fee for 448 Spring Street.

Miscellaneous:

- The furniture store is not going in at 2 North Main Street and the building is now up for rent.
- The old H&M building is up for rent.
- The substation between Bobby G's and Stella's has been cleared and the arborvitae have been cut down.
- Colla Construction never put up his concrete barriers.
- Used cars are still being sold in Old County plaza.
- There are still unregistered vehicles by Becker's Jewelers.
- Margarita's has not done anything with the land and has been using it as a taxi stand.

**X. Adjournment**

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning & Zoning Commission adjourn the November 12, 2013 meeting at 7:37 pm.

*Respectfully submitted,*

*Debbie Seymour*  
*Recording Secretary*