

PLANNING & ZONING COMMISSION
December 10, 2012 Meeting Minutes

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

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

Commission Members Absent: Anthony Scarfo and Paul Harrington

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

I. Call to Order

Chairman Zimnoch called the meeting to order at 7:05 pm.

II. Roll Call

Commission roll call was taken.

III. Approval of Minutes from the November 12, 2012 Regular Meeting and the December 5, 2012 Special Meeting

It was **MOVED** (Zimnoch) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission approve the November 12, 2012 minutes.

Some errors were noted in the December 5, 2012 minutes.

On page 3, second paragraph:

“A brief discussion took place regarding the Ground Field Assessment Grant from the Environmental Protection Agency (EPA) and the \$5 million grant from the State of Connecticut for the improvement of the Church Street/Route 159 intersection” should read

“A brief discussion took place regarding the *Brown* Field Assessment Grant from the Environmental Protection Agency (EPA), and the *town sought a portion of the \$5 million available from the grant* from the State of Connecticut for the improvement of the Church Street/Route 159 intersection.”

Mr. Szepanski noted that Mr. Scarfo was **not** present at the December 5, 2012 special meeting and should be removed from the “Commission Members PRESENT” category and placed in the “Commission Members ABSENT” category.

It was **MOVED** (Zimnoch) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission approve the December 5, 2012 minutes, as amended.

IV. Public Hearings

A. **Public hearing on the special use permit application for internet leasing of used/reconditioned cars for the property located at 2 Ella Grasso Turnpike.**

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 November 28, 2012 and December 5, 2012.

Attorney Thomas Fahey and the applicant, John Barberino, addressed the commission. Mr. Barberino is going to run an internet used car business on the site for up to 190 vehicles. All sales will be done online, and there will be no customer shopping inside the premises. The cars will be serviced at King Spring Road. Attorney Fahey complimented both Ms. Rodriguez and Mr. Steele, who worked hard with Mr. Barberino's consultants to come up with a plan to address the concerns of both the Planning & Zoning Commission and the Wetlands Commission. Attorney Fahey went through the memo from Ms. Rodriguez (with the revised date of December 7, 2012) and outlined the various sections of the regulations that apply to this application. He explained that the property is accessed by a 34 foot easement from Route 75 just after the Enterprise premises. This situation is not like typical auto dealerships because there will not be customers looking at vehicles, so the parking lot will be used more for storage and will be a gravel lot. Attorney Fahey passed out to the commission pictures of a building located at Mr. Barberino's property on 49 Russell Road in East Granby that is similar to the building that will be constructed at 2 Ella Grasso Turnpike. Attorney Fahey referred to Section 705F.7, regarding landscaping in parking lots, and commented that this is not a typical parking lot with public access, so the interior landscape islands do not make sense to have in this lot. There will be landscaping around the 62 x 14 foot security building. There will be only one person on-site and traffic in and out will be minimal. Mr. Szepanski asked if there was any concern about the high visibility from Route 20, and Mr. Barberino replied no, the area is not that visible, it's about 45 feet below Route 20, and there are trees that provide a natural barrier.

Ms. Rodriguez read into the record the favorable comments from the Fire Marshall and Police Chief.

Mr. Steele summarized his letter dated December 10, 2012 with three conditions of approval.

Mr. Gannuscio and Chairman Zimnoch both agreed there was no need for landscape islands in this gravel parking lot with closely parked vehicles.

At this time Chairman Zimnoch opened up the public hearing for comments from the public in favor of this application. Joe Calsetta of 121 Orchard Hill Drive spoke in favor of this application. The floor was then opened up for comments in opposition. There were none.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission close the public hearing on the special use permit application for internet leasing of used/reconditioned cars for the property located at 2 Ella Grasso Turnpike.

Mr. Gannuscio stated for the record: he sees the special use of this property as something that matches the use of the surrounding properties; he does not see any detrimental results to any other properties in the area; this is an attempt to use a piece of property that is not really suitable for anything else given the nature of the topography; this is a compatible, acceptable use for this part of town; and the commission has received approvals from the fire and police departments. Chairman Zimnoch added that this property has limited access, which presents a challenge to getting it developed.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission approve the special use permit application for the property located at 2 Ella Grasso Turnpike, the nature of this being an internet leasing and used/reconditioned motor vehicle storage and sale facility.

V. Reviews

A. **Review of the site plan application for parking area and security employee building for the property located at 2 Ella Grasso Turnpike**

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission approve the site plan application of John Barberino for 2 Ella Grasso Turnpike with the following conditions: that the recommendations in Item #15 of Ms. Rodriguez's revised memo of December 7, 2012 be incorporated; that the Inland Wetlands Watercourses Commission's approval letter and conditions be located on the final plans for signature; that a notation be made on the plans that no mechanical or automotive repair shall occur on the property; that items one through three listed in the Town Engineer's letter dated December 10, 2012 be incorporated; that any landscaping or lighting items that arise in the future be submitted to staff for approval; and that prior to construction of the sewer WPCA approval shall be obtained.

B. Review of the site plan application for the demolition and rebuild for the property located at 482 Spring Street

Angelo D'Aleo and Gina Graziani, 482 Spring Street Plaza, addressed the commission. They are seeking approval to demolish about half of the existing front building located at 482 Spring Street and then reconstruct this building on the existing foundation, adding 130 additional square feet along the left rear of the building. The flat roof will be replaced with a pitched roof.

Ms. Rodriguez discussed her report with a revised date of December 7, 2012.

There was some discussion regarding the need for an as-built survey for this property. Mr. D'Aleo commented that there was a new survey just done for the new H&M building so they know exactly where the property line is. The building is not being relocated; it's just that one corner of the addition. Mr. Steele stated he felt it was important that a surveyor identify that the existing building is not non-conforming with regards to setback and suggested as an alternative that the applicant get a letter from a surveyor certifying that it meets the setback before and after the construction.

It was **MOVED** (Zimnoch) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission approve the site plan application for the demolition and rebuild for the property located at 482 Spring Street with the following condition: that the setback is verified and certified with a letter from a licensed land surveyor prior to being built and after completion.

C. Review of the site plan application for the property located at 14 Old County Road

Joseph Colla of Colla Construction, 14 Old County Road, and Richard Saloomey of 20 Old County Road addressed the commission. Mr. Colla stated a site plan review had been submitted showing the following: (1) the location of concrete storage bins for processed stone and gravel materials; (2) the location of a proposed 500 gallon diesel tank to supply his trucks and heavy equipment with diesel fuel; (3) the fence line that was in question; (4) all exterior perimeter markings indicating where the house is in relation to the fence; and (5) the quantity of materials which is not to exceed 80 cubic yards of material. Ms. Rodriguez stated that in the last application there was mention of adding an optional third storage bin which should be discussed. Mr. Colla does not see the need in the near future for a third bin. Mr. Steele pointed out that there should be no processing of materials at the site because of the noise and because it's zoned business not commercial.

Ms. Rodriguez read her report dated December 7, 2012. She pointed out that power washing of vehicles is regulated by the state and should not be done on the property. It was noted that the front of the sign has already been refaced but the applicant still needs to obtain a permit from the building office.

It was **MOVED** (Szepanski) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission approve the site plan review for the property located at 14 Old County Road with the following conditions: that storage construction material shall not exceed 80 cubic yards of material; that evergreen screening shall be planted at the rear of the property to serve as a buffer between neighboring properties and the storage materials; and that the appropriate permit shall be requested for the changes that have been made to the existing sign. The commission is comfortable with the storage of this material even though it is not allowed in a Business-1 Zone, with the rationale being it is an accessory use and is work-in-process material and not storage material.

VI. Action on Closed Public Hearing Items

There were none.

VII. Old Business

A. Discussion with Commission and Staff regarding:

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

Mr. Steele stated he spoke to Bob Stanhope from T&M and told him that we are still waiting for his attorney to submit the deeds. Ms. Rodriguez spoke to the Town Attorney who asked her to give him subdivision names and street names.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission move Item VIII (C) (i) to be discussed as the next item and add 33 Meg Way to Informal Discussions.

VIII. New Business

C. Informal Discussions

i. Cornerstone property located at 317 Ella Grasso Turnpike

No one was present to discuss this item.

ii. 33 Meg Way, Web Based Fire Arms Resale Business

Calvin Tanck addressed the commission regarding a web based part-time business he would like to start. This will be an internet based part-time business run out of his home for the sale of fire arms. He explained that he will do paperwork transfers of people who buy guns off the internet, and then deliver their weapon to them after the paperwork and background checks are completed. He anticipates doing about three to four transactions a month, possibly five to eight if the

business takes off. The weapons will be stored in his 600 pound, six-bar, fire rated safe in his basement. The alarm system is always monitored. Mr. Gannuscio complimented Mr. Tanck on his detailed presentation. Fire and Police Department comments are needed regarding any safety or tracking concerns. Mr. Gannuscio stated that this appears to be suitable as a home occupation, and from a zoning and use perspective, he does not see this as an objectionable home occupation, especially given Mr. Tanck's expertise and the precautions that are being taken.

Ms. Rodriguez asked if the commission would be in favor of waiving the site plan review requirement. Mr. Gannuscio replied he would be in favor, given the nature of the presentation, there is no need for parking, and there will be no signs. Ms. Rodriguez stated she would like to have the comments from the Police Chief and Fire Department once they determine what is appropriate on their end, and Chairman Zimnoch agreed that the commission should have their comments on record stating that they (Police and Fire) are comfortable going forward.

VII. Old Business

A. Discussion with Commission and Staff regarding:

iv. Main Street zoning

Mr. Gannuscio commented that Ms. Rodriguez's presentation at the December 5, 2012 special meeting was excellent. There was a brief discussion about the language for drive-through's and properties with frontage on Main Street.

Ms. Rodriguez asked for direction from the commission on working with the public because this public component has not happened a lot in town. She said she would like to discuss the different types of public participation that could happen and what realistically she felt she would be able to do. She mentioned mailers going right to someone's door, phone calls, and having one or two people in the neighborhood delivering flyers. She generated a list of all the people (households and businesses) in the MSOZ and Village Area in order to keep track of who she has been in touch with. It would be about \$82 to mail a flyer to everyone on this list. Mr. Gannuscio suggested that the mailings be sent out via bulk mail, which would save some money. He commented that because this is a notice to the public and is in conjunction with a hearing that will be held in the future, then funds could come out of the Publication Print Regs account. Ms. Rodriguez said she will probably send the notice to CRCOG this week. Other suggestions that were discussed were: a notice on the sign in front of Town Hall; the town website; the Windsor Locks Facebook page; the distribution list for ECDC; the website patch.com; a drop-in center in the lobby with a presentation board and material people can take; submitting a story to the local newspapers (*Windsor Locks Journal*, *The Reminder*, *The Journal Inquirer*; inserts in *The Reminder*; Winter Fest; and big signs at the major intersections in town.

A discussion took place about having a public workshop at the January 2013 meeting. Ms. Rodriguez said she felt comfortable going to a public presentation at that point in January.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the commission schedule a workshop for public comment and input regarding Main Street Zoning and the potential Main Street Overlay Zone to be held at the commission's regular January 2013 meeting.

It was agreed that a letter would be sent out about 10 days before the January meeting, to arrive approximately January 3 or January 4. Mr. Szepanski stated he would be happy to review the letter before it was sent out.

v. Alcoholic Beverage Regulations

A brief discussion took place regarding café and tavern permits and the dialogue which took place at the special meeting on December 5, 2012. Ms. Rodriguez commented that even though an alternative was provided, there seemed to be a repeated consensus to not permit the cafés and taverns. The 1,500 foot restriction will remain for liquor stores. A discussion took place regarding the 200 foot restriction from churches, colleges, schools, and off-premises. The question came up if January was too soon to hold a public hearing on this set of liquor regulations. It was decided to hold a public hearing for the liquor regulations on the regularly scheduled meeting on January 14, 2013, and have a special workshop for the Main Street regulations on January 28, 2013. The location for the January 28, 2013 workshop will be the large conference room unless otherwise noted. Ms. Rodriguez will check on the room availability. The commission discussed café liquor permits for museums, performing arts theaters, and amusement enterprises and confirmed that section C in Section 503 should be taken out of the regulations. For now, the 1,500 and 200 foot restrictions will remain.

VIII. New Business

D. Election of Officers

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (3-0, with Szepanski Abstaining) that the Planning & Zoning Commission elect Jim Szepanski for another term as Secretary of the Planning & Zoning Commission.

It was **MOVED** (Zimnoch) and **SECONDED** (Szepanski) and **PASSED** (3-0, with Gannuscio Abstaining) that the Planning & Zoning Commission elect Alan Gannuscio for another term as Vice Chairman of the Planning & Zoning Commission.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (3-0, with Zimnoch Abstaining) that the Planning & Zoning Commission elect Vincent Zimnoch for another term as Chairman of the Planning & Zoning Commission.

IX. Communications and Bills

Chairman Zimnoch stated there were some bills to be paid from the *Journal Inquirer* and the Connecticut Siting Council.

Mr. Steele mentioned that he met with Dollar Rent-a-Car on Old County Road and Elm Street. They got an approval in 1995 for a parking expansion to the rear of the site along the frontage of Elm Street which included closing out a curb cut on Old County and expanding the pavement. They closed out the curb cut but they never did the expansion. Now they want to do the expansion, but their permit has expired. The problem is since 1995 we now have maximum pervious coverage and bigger buffering, and now it doesn't conform, so they're going to pursue variances. They said they want to submit an application next week and are hoping the commission will consider taking action in January.

Mr. Steele also wanted to make the commission aware that he received plans from Camp Hartell to modify their side entrance on North Street (closest to C&S). He believes they are under the assumption that they do not need a permit from the P&Z Commission because they gave him notice that they are sending it out to bid in the upcoming months.

X. Adjournment

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 4-0) that the Planning & Zoning Commission adjourn the December 10, 2012 meeting at 9:41 pm.

Respectfully submitted,

*Debbie Seymour
Recording Secretary*