

Planning and Zoning Commission  
54 East Main Street  
Clinton, Connecticut 06413

Regular Monthly Meeting  
February 12, 2007  
**Minutes**

Present: M. Rossi, Chairman; J. Main, Vice Chairman; C. Watts, Secretary  
(arrived at 7:42 p.m.); E. Ambler, T. Guerra, T. Vicino

Absent: G. Colegrove, A. Kravitz, S. Wexell and M. Graveline

Also Present: Thomas W. Lane, Zoning Enforcement Officer

Chairman Michael Rossi called the meeting to order at 7:32 p.m. There were no alternates present to be seated.

1. Chairman's Comments:

Chairman Rossi welcomed Thomas Vicino to the Commission.

Main **moved** to add Agenda Item #15: Executive Session: Pending Litigation. Guerra **seconded** the motion.

In Favor: Main, Ambler, Guerra and Vicino

In Opposition: None

Abstentions: None

Not Voting: Rossi (Chairman)

The motion **carried**: 4-0-0-1.

2. ZEO Report: Thomas W. Lane

ZEO Lane submitted a written report. The Commission had no questions or concerns at this time.

3. AR 07-007: Proposed Amendment to the Zoning Regulations, Lynn M. Pinder, Esq.:  
Petition to amend Section 4.10.39 & 4.11.39 of the Zoning Regulations to change the word "automobile" to "motor vehicle".

Attorney Lynn Pinder, applicant, gave a brief presentation. She submitted a copy of Connecticut General Statutes Section 14-54 to demonstrate that the proposed change will make the Zoning Regulations match the Statutes.

Ambler **moved** to receive AR 07-007: Proposed Amendment to the Zoning Regulations, Lynn M. Pinder, Esq., and schedule a public hearing on Monday, March 5, 2007 at 7:00 p.m. in the Green Room of the Andrews Memorial Town Hall. Main **seconded** the motion.

In Favor: Main, Ambler, Guerra and Vicino  
In Opposition; None  
Abstentions: None  
Not Voting: Rossi (Chairman)  
The motion **carried**: 4-0-0-1.

4. SP/CAM 07-010: 36 Old Post Road, Gregg Fedus: Construction of 7,000 sq. ft. office building and 1,800 sq. ft. self-storage building. Map 77, Block 59, Lot H9B. Zone I-2.

Gregg Fedus, applicant, gave a brief presentation. There was a discussion by the Commission regarding holding a public hearing. The Commission felt that since they recently held a public hearing for a nearby, similar use, a public hearing should be held for this project as well.

Main **moved** to receive SP/CAM 07-010: 36 Old Post Road, Gregg Fedus, schedule a review meeting on Wednesday, February 21, 2007 at 6:00 p.m., and to schedule a public hearing on Monday, March 5, 2007 at 7:00 p.m. in the Green Room of the Andrews Memorial Town Hall. Ambler **seconded** the motion.

In Favor: Main, Ambler, Guerra and Vicino  
In Opposition; None  
Abstentions: None  
Not Voting: Rossi (Chairman)  
The motion **carried**: 4-0-0-1.

[Cynthia Watts arrived at 7:42 p.m.]

5. SP/CAM 07-011: 67 West Main Street, Michael B. Montanaro: Construction of 6, 000 sq. ft. building for retail/restaurant. Map 44, Block 11, Lot 8. Zone B-2.

There was no applicant or agent present at this time.

Watts **moved** to receive SP/CAM 07-011: 67 West Main Street, Michael B. Montanaro, schedule a review meeting on Wednesday, February 21, 2007 at 6:30 p.m. and a public hearing on Monday, March 5, 2007 at 7:00 p.m. in the Green Room of the Andrews Memorial Town Hall. Main **seconded** the motion.

In Favor: Main, Watts, Ambler, Guerra and Vicino  
In Opposition; None  
Abstentions: None

Not Voting: Rossi (Chairman)  
The motion **carried**: 5-0-0-1.

6. SP 07-001: Port Clinton Marina, LLC, 33 Indian Drive, Michael Mackey: Expansion of existing marina. Map 46A, Block 64, Lot 67. Zone M.

There was no applicant or agent present.

It was noted that the January 29, 2007 public hearing for this application was postponed so that the applicant could submit site plans. It was also noted that the surveyor for the applicant would like another review meeting on the site plans that were not a part of the application at the time of the original review meeting.

Main **moved** to schedule SP 07-001: Port Clinton Marina, LLC, 33 Indian Drive, Michael Mackey for a review meeting on Wednesday, February 21, 2007 at 5:30 p.m., and for public hearing on Monday, March 5, 2007 at 7:00 p.m. Ambler **seconded** the motion.

In Favor: Main, Watts, Ambler, Guerra and Vicino  
In Opposition: None  
Abstentions: None  
Not Voting: Rossi (Chairman)  
The motion **carried**: 5-0-0-1.

5. SP/CAM 07-011: 67 West Main Street, Michael B. Montanaro: Construction of 6,000 sq. ft. building for retail/restaurant. Map 44, Block 11, Lot 8. Zone B-2.

Michael Montanaro, applicant, gave a brief presentation. He noted that he would like to build a 6,000 sq. ft. building, with approximately 1,000 sq. ft. of the building dedicated to "some sort of food service".

Montanaro stated that he attended the Design Review Board meeting on Thursday, February 8, 2007. He noted that there are design changes to be made, and that he hadn't even looked at the plans until that night at the meeting.

The Commission informed Montanaro of the dates and times that had been scheduled previously in the evening for his application.

7. REF 07-003: Referral from Madison Planning & Zoning Commission: P&Z Application 06-50: 155 New Road. Map 60, Lots 9, 10, 11, 18. RU-2 Zone. Owner: Lauren Hald McLaughlin; Applicant: Present Moment Development, LLC. Petition to amend the Zoning Regulations to establish a Highway Economic Development Service District (HEDS) and Petition to Amend to the Zoning Map to change parcels at 155 New Road from RU-2 to HEDS.

The Commission reviewed the petition and determined that while there are no intermunicipal concerns, it appears to “look like spot zoning”. The Commission shall send a letter to the Madison Planning and Zoning Commission with their report.

8. Presentation by the Historic District Commission regarding the Clinton Enhancement Project.

Larry Oullette, member of the Historic District Commission, submitted an outline and discussed the proposed outline. He noted that it was recommended that the HDC give this presentation since the Planning and Zoning Commission is currently working on revising the Zoning Regulations. Watts clarified that it was the Village Zone District that they were discussing, not the Historic District.

Gerald Cotter discussed the proposed standards for the proposed project, including burying utility lines and replacing existing street lights.

A copy of the Design Report 2006 was submitted.

Cotter noted that the project would cost approximately 6.8 million. He also reassured the Commission that there is no part of this project that will take place on private property. He mentioned that the Commission would be working on an incentive program for the private property owners to comply with the design standards.

Rossi thanked the HDC for their presentation and invited them to the Planning Committee Meeting that will be held on Monday, February 26, 2007.

9. Town Plan of Conservation and Development

Ambler noted that there will be a meeting on February 26, 2007. The clerk noted that she has not received comments from most of the Commission members regarding the most recent draft.

10. Minutes:

- January 3, 2007 Public Hearing
- January 10, 2007 Special Meeting
- January 17, 2007 Review Meeting
- January 22, 2007 Planning Meeting

Watts **moved** to approve the above noted minutes. Main **seconded** the motion.

In Favor:	Main, Watts, Ambler, Guerra and Vicino
In Opposition:	None
Abstentions:	None
Not Voting:	Rossi (Chairman)

The motion **carried**: 5-0-0-1.

11. Committee Reports:

- Planning: E. Ambler
- Review: G. Colegrove & A. Kravitz
- Regulations: A. Kravitz

The Commission tentatively scheduled a Regulations Meeting on Monday, March 19, 2007 at 7:00 p.m. The clerk will send email reminders of the sections that people are to be writing along with the template.

12. Bills & Correspondence

There were no bills or correspondence that required attention at this time.

13. Old Business

There was no old business at this time.

14. New Business

Pamela Fritz, 14 Old Road, inquired about a petition to amend the Zoning Regulations that was submitted by Dale Moore and Attorney John Lambert on Friday, February 9, 2007. She didn't understand why the Commission did not discuss this petition.

Rossi stated that to be on the agenda, the petition needed to be submitted by February 2, 2007. The official date of receipt is February 12, 2007, but will be on the March 12, 2007 Agenda. The Commission did received advice from their Counsel on this matter.

15. Executive Session: Pending Litigation

Watts **moved** to enter Executive Session to discuss pending litigation. Main **seconded** the motion.

In Favor: Main, Watts, Ambler, Guerra and Vicino  
In Opposition: None  
Abstentions: None  
Not Voting: Rossi (Chairman)  
The motion **carried**: 5-0-0-1.

Watts **moved** to invite J. Pudem and T. Lane to join them in the Executive Session. Main **seconded** the motion.

In Favor: Main, Watts, Ambler, Guerra and Vicino

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In Opposition;       None  
Abstentions:       None  
Not Voting:       Rossi (Chairman)  
The motion **carried**:5-0-0-1.

The Commission entered Executive Session at 8:23 p.m.

Watts **moved** to return from Executive Session. Ambler **seconded** the motion.

In Favor:           Main, Watts, Ambler, Guerra and Vicino  
In Opposition;     None  
Abstentions:       None  
Not Voting:       Rossi (Chairman)  
The motion **carried**:5-0-0-1.

The Commission returned from Executive Session at 8:41 p.m.

Watts **moved** to authorize Attorney David Royston of Dzialo, Pickett & Allen, PC, to approach Attorney Lambert and his client Vincent Cimino regarding mediation and to proceed as necessary. Ambler **seconded** the motion.

In Favor:           Main, Watts, Ambler, Guerra and Vicino  
In Opposition;     None  
Abstentions:       None  
Not Voting:       Rossi (Chairman)  
The motion **carried**:5-0-0-1.

Watts **moved** to adjourn the meeting. Main **seconded** the motion.

In Favor:           Main, Watts, Ambler, Guerra and Vicino  
In Opposition;     None  
Abstentions:       None  
Not Voting:       Rossi (Chairman)  
The motion **carried**:5-0-0-1.

The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Julia N. Pudem  
Clerk