

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

Regular Monthly Meeting
July 14, 2008
Minutes

Present: M. Rossi, Chairman; J. Main, Vice Chairman; C. Watts, Secretary;
P. Fritz, P. Giannotti, T. Guerra, A. Kravitz, L. MacDonald, T.
Vicino, P. Bennett and J. Rowland

Absent: M. Rapuano

Also Present: Thomas W. Lane, Zoning Enforcement Officer
Jay O. Northrup, Town Planner

Chairman Michael Rossi called the meeting to order at 7:30 p.m. There were no open seats for alternates to fill.

1. Chairman's Comments: Michael Rossi

Rossi apologized to the Commission members who had received letters regarding attendance. Copies of the letters had inadvertently been sent to all the members which was not Rossi's intention.

Rossi also welcomed Peter Giannotti, Lisa MacDonald and Pauline Bennett as new members of the Commission. He also briefly discussed the differences between the types of meetings that the Commission holds. Rossi noted that he would be providing guidance for the new members throughout the meeting.

2. ZEO Report: Thomas W. Lane

ZEO Lane submitted a written report. There were no comments or concerns from the Commission.

3. Planner's Comments: Jay O. Northrup

Town Planner Northrup submitted written comments. He noted that they applied to individual applications, and suggested that they be discussed during each application.

4. PR 08-111: 54 East Main Street, Shellfish Commission: Request for planning report under CGS Section 8-24 for the installation of a storage building at the back of the parking lot.

Edmund Localio, representing the Shellfish Commission, presented their request for a Planning Report for the Board of Selectmen. The Shellfish Commission would like to place a barn at the rear of the parking lot at 54 East Main Street (Town Hall) for the storage of shellfish equipment, monitoring equipment, et cetera. He noted that a barn has been selected because it was more aesthetically pleasing and would fit in with the Clinton Landing project. Localio submitted a map showing the potential locations for the barn to be placed.

The Commission discussed comments from Jay Northrup, Town Planner. Giannotti inquired if there were other uses proposed for the structure besides just storing equipment. Localio stated that it would be appropriate for classroom studies during the summer and the Shellfish Commission would like to have an educational/museum area as well.

Kravitz inquired if alternate locations were considered. Localio stated that the Shellfish Commission would like to use the area adjacent to the Town Launch Ramp, but determined that the approvals necessary would prove to be an extraordinary hardship on the Town. The proposed locations at the rear of the parking area of Town Hall were the next appropriate location.

Watts **moved** to send a report to the Board of Selectmen stating that this project is in compliance with the Town Plan of Conservation and Development. Main **seconded** the motion.

In Favor: Main, Watts, Fritz, Giannotti, Guerra, Kravitz, MacDonald, and Vicino
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman), Bennett (Not Seated) and Rowland (Not Seated)
The motion **carried**: 8-0-0-3.

5. AR 08-095: Proposed Amendment to the Zone Map, Sound Heritage Farms: Change of zone from R-10 to B-2 for the following properties: 66 West Main Street (Gorr-Stifel, Trustee), 72 West Main Street (Gorr-Stifel, Trustee), 74 West Main Street (Sound Heritage Farms), 78 West Main Street (Escalara) and Lot 58 Grove Street (Town of Clinton).

Peter Sipples, agent, gave a brief presentation, requesting that the petition be received and scheduled for public hearing.

Main **moved** to receive AR 08-095: Proposed Amendment to the Zone Map, Sound Heritage Farms and schedule a public hearing on Monday, August 4, 2008 at 7:00 p.m. Watts **seconded** the motion.

In Favor: Main, Watts, Fritz, Giannotti, Guerra, Kravitz, MacDonald, and Vicino
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman), Bennett (Not Seated) and Rowland (Not Seated)
The motion **carried**: 8-0-0-3.

6. SE/CAM 08-109: 2 Long Hill Road, Gregg Fedus: Construction of 2,436 sq. ft. duplex with two-bedroom units and a two-car garage. Map 67, Block 58, Lot 3-1. Zone R-20.

Gregg Fedus, applicant, gave a brief presentation. He noted that this lot conforms to the requirements for a two-family house.

Watts **moved** to receive SE/CAM 08-109: 2 Long Hill Road, Gregg Fedus and schedule a public hearing on Monday, August 4, 2008 at 7:00 p.m. Main **seconded** the motion.

In Favor: Main, Watts, Fritz, Giannotti, Guerra, Kravitz, MacDonald, and Vicino
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman), Bennett (Not Seated) and Rowland (Not Seated)
The motion **carried**: 8-0-0-3.

7. SE 08-035: 28 West Main Street, Eric D'Aquila: Change of use from office to accessory apartment. Map 45, Block 32, Lot 7. Zone B-2.

It was noted that the following members are not eligible to vote on this application: Fritz, Giannotti, MacDonald, Bennett and Rowland.

The comments from the Town Planner were discussed. Kravitz noted that he still has concerns regarding the parking. Staff noted that there was excess parking provided and that two spaces could be eliminated.

Watts **moved** to approve SE 08-035: 28 West Main Street, Eric D'Aquila with the following conditions:

- Compliance with the April 10, 2008 memo from Interim Deputy Fire Marshal Frank Schrempp; and

- Eliminate parking spaces #1 and #10, and to move space #5 to be located within the garage if necessary provided that the garage is structurally sound for this purpose.

Guerra **seconded** the motion.

In Favor: Main, Watts, Guerra, and Vicino
In Opposition: None
Abstentions: Kravitz
Not Voting: Rossi (Chairman), Fritz (Ineligible), Giannotti (Ineligible), MacDonald (Ineligible), Bennett (Ineligible) and Rowland (Ineligible)

The motion **carried**: 4-0-1-6.

8. SP 08-040: 16-24 West Main Street, Julia Berman & Michelle West: Change of use from business office to veterinary hospital for the expansion of an existing business. Map 45, Block 34, Lot 1. Zone B-3.

Giannotti, MacDonald and Bennett were ineligible to vote on this application.

It was noted that the applicant received the necessary variance for the number of parking spaces, and has filed the variance on the Land Records.

Main **moved** to approve SP 08-040: 16-24 West Main Street, Julia Berman & Michelle West. Guerra **seconded** the motion.

In Favor: Main, Watts, Fritz, Guerra, Kravitz and Vicino
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman), Giannotti (Ineligible), MacDonald (Ineligible), Bennett (Ineligible) and Rowland (Not Seated)

The motion **carried**: 6-0-0-5.

9. SE/CAM 08-053: 33 Sunnybrook Lane, Ronald & Deborah Sommo: Accessory apartment. Map 32, Block 8, Lot 66. Zone R-30.

These items were tabled pending the continuation of the public hearing on Monday, August 4, 2008.

10. SE/CAM/Sign 08-062: 14 West Main Street, Robert J. Rabine: Conversion of existing structure to restaurant and two apartments. Map 45, Block 34, Lot 2. Zone B-3/R-10.

Town Planner, Jay Northrup presented his comments. He also presented a letter from Town's Engineer, Wade Thomas of Nathan L. Jacobson regarding the parking issues raised at the public hearing. Secretary Watts read the letter into the record.

There was a lengthy discussion regarding the parking issues. Kravitz inquired if the parking calculations presented were correct. The Commission recessed the meeting from 8:24 p.m. to 8:31 p.m.

Northrup stated that the proposed uses require 44 spaces. 29 spaces have been provided on the plan, with information from the applicant's agent that an additional space could be added to the proposed parking area. Northrup stated that an additional seven spaces could be added to the rear of the property. This results in a shortage of seven parking spaces.

Kravitz **moved** to table SE/CAM/Sign 08-062: 14 West Main Street, Robert J. Rabine to the August 11, 2008 Regular Monthly Meeting. Watts **seconded** the motion.

In Favor: Main, Watts, Fritz, Giannotti, Guerra, Kravitz, MacDonald and Vicino
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman), Bennett (Ineligible) and Rowland (Not Seated)
The motion **carried**: 8-0-0-3.

11. SE/CAM 08-063: 143 East Main Street, Tom Patel: Demolition of existing motel structures, construction of new structure for 52-unit motel, 2,000 sq. ft. addition to existing structure for retail and two apartments and construction of 4,500 sq. ft. structure for single-family house. Map 67, Block 62, Lot 13. Zone VZ.

These items were tabled pending the public hearing scheduled for Monday, August 4, 2008 at 7:00 p.m.

12. REF 08-112: Westbrook Zoning Regulations: Proposed amendment to Westbrook Zoning Regulations Section 5.00.00: Flood Plain Zone.

Northrup presented the proposal from Westbrook to amend the Zoning Regulations. He noted that the map date was updated and the following sections removed:

- Above Ground Oil Tanks
- Portion of Structures in Flood Zone
- Structures in Two Flood Zones
- No Structures Entirely or Partially Over Water

Watts **moved** to send a letter to the Westbrook Zoning Commission stating that there are no intermunicipal concerns. Main **seconded** the motion. DISCUSSION: Kravitz requested Northrup to discuss the sections to be removed in more detail. It was determined that the Commission would prefer to see these sections remain in the Regulations. Watts **withdrew** her motion. Main **withdrew** his second.

Kravitz **moved** to send comments to the Westbrook Zoning Commission stating that the Commission feels that the sections entitled:

- Above Ground Oil Tanks
- Portion of Structures in Flood Zone
- Structures in Two Flood Zones
- No Structures Entirely or Partially Over Water

should remain in the Westbrook Zoning Regulations, however, the Commission has no objections or comments regarding the addition of the map date. MacDonald **seconded** the motion.

In Favor: Main, Watts, Fritz, Giannotti, Guerra, Kravitz, MacDonald and Vicino
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman), Bennett (Not Seated) and Rowland (Not Seated)
The motion **carried**: 8-0-0-3.

13. AR 08-082: Proposed Amendment to the Zoning Regulations: Section 17: Flood Hazard Zone.

Rossi noted that the text will be sent to the Commission this week. These amendments are forwarded from Staff and mandated for compliance by the DEP.

Watts **moved** to schedule AR 08-082: Proposed Amendment to the Zoning Regulations for public hearing on Monday, August 4, 2008. Main **seconded** the motion.

In Favor: Main, Watts, Fritz, Giannotti, Guerra, Kravitz, MacDonald and Vicino
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman), Bennett (Not Seated) and Rowland (Not Seated)
The motion **carried**: 8-0-0-3.

14. Minutes:

- June 2, 2008 Public Hearing
- June 9, 2008 Regular Monthly Meeting
- June 16, 2008 Planning Committee Meeting

Watts **moved** to approve the minutes as presented. Main **seconded** the motion.

In Favor: Main, Watts, Fritz, Guerra, Kravitz, and Vicino
In Opposition: None
Abstentions: None

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Not Voting: Rossi (Chairman), Giannotti (Ineligible), MacDonald (Ineligible),
Bennett (Not Seated) and Rowland (Not Seated)

The motion **carried**: 6-0-0-5.

15. Committee Reports:

- Planning Committee: A. Kravitz
- Review Committee: T. Vicino
- Regulations Committee: M. Rapuano

Planning Committee Chairman Kravitz discussed what the Committee has been working on. He noted that a request has been submitted to the Board of Selectmen for a joint meeting with them and the Downtown Revitalization Committee. It was suggested that the Economic Development Commission be invited as well. There will be a Planning Meeting on Monday, July 21, 2008 at 7:00 p.m.

The application reviews have been done by Staff for several months, and therefore there have been no Review Committee meetings.

Northrup has been working on reviewing the proposed Regulations.

16. Bills & Correspondence:

- Dzialo, Pickett & Allen, PC (Long Hill Estates) \$476.00

Watts **moved** to approve the bill for Dzialo, Pickett & Allen, PC. Main **seconded** the motion.

In Favor: Main, Watts, Fritz, Giannotti, Guerra, Kravitz, MacDonald and
Vicino

In Opposition: None

Abstentions: None

Not Voting: Rossi (Chairman), Bennett (Not Seated) and Rowland (Not Seated)

The motion **carried**: 8-0-0-3.

17. Old Business

There was no old business at this time.

18. New Business

There was no new business at this time.

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

In Favor: Main, Watts, Fritz, Giannotti, Guerra, Kravitz, MacDonald and
Vicino

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In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman), Bennett (Not Seated) and Rowland (Not Seated)
The motion **carried**: 8-0-0-3.

The meeting adjourned at 9:01 p.m.

Respectfully submitted,

Julia N. Petrie
Clerk