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# Planning & Zoning Commission

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54 East Main Street  
Clinton, Connecticut 06413

Regular Monthly Meeting

April 8, 2019

7:00 p.m.

## Amended Minutes

Members Present: M. Ellen Dahlgren, Chairman; Alan Kravitz, Vice Chairman; Chris Aniskovich, Secretary; Gary Bousquet, Michael Hughes, Bethany Knight, Adam Moore, Andrew Richards and Michael Rossi

Members Absent: Amandeep Singh, Jeffrey Cashman, Patrick Sheehan

Adam Moore was seated for Amandeep Singh.

Staff Present: Kathleen King, Recording Clerk

Chairman M. E. Dahlgren called the meeting to order at 7:00 p.m.

G. Bousquet **moved** to add the report from Planning and Zoning Attorneys at Halloran and Sage to Item 3: Staff Reports. M. Rossi **seconded** the motion, and it carried unanimously.

In Favor: A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards and M. Rossi.

In Opposition: None

Abstentions: None

Not Voting: M. E. Dahlgren (Chairman)

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

1. Chairman's Comments:

M. E. Dahlgren noted comments under each agenda item when applicable.

2. Minutes:

G. Bousquet **moved** to approve the March 11, 2019 Regular Meeting Minutes, March 21, 2019 Regulations Committee Meeting Minutes, the April 1, 2019 Special Joint Meeting Minutes of the Planning & Zoning Commission, the Board of Selectmen, the Inland Wetlands and Watercourses Commission and the Zoning Board of Appeals, and the April 1,

2019 Public Hearing Minutes as presented. C. Aniskovich **seconded** the motion, and it carried unanimously.

In Favor: A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards and M. Rossi.  
In Opposition: None  
Abstentions: None  
Not Voting: M. E. Dahlgren (Chairman)  
The motion **carried**: 8-0-0.

3. Staff Reports:

Consulting Town Planner John Guskowski submitted his report to Commissioners via email as did Halloran and Sage. Regarding Item 1 in Halloran and Sage's report, MJM, no decision has been made, and regarding Item 3, Halloran and Sage has assumed representation in this matter.

4. AR-19-003: Petition for Amendment to Zoning Regulations adding new Section 20.3.1.1, - Applicant: Greylock Property Group, LLC; Agent: William R. Sweeney, Esq.

M. Rossi **moved** to receive the application AR-19-003: Petition for Amendment to Zoning Regulations adding new Section 20.3.1.1. Applicant: Greylock Property Group, LLC; **Agent: William R. Sweeney, Esq. and schedule** the public hearing for Monday, April 29, 2019, at 7:00 p.m. in the Green Room of Andrews Memorial Town Hall, 54 East Main Street; B. Knight **seconded** the motion, and it carried unanimously. The application materials should be submitted to the Town Engineer, the Consulting Town Planner and the Town's Planning and Zoning Attorney for their review.

In Favor: A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards and M. Rossi.  
In Opposition: None  
Abstentions: None  
Not Voting: E. Dahlgren (Chairman)  
The motion **carried**: 8-0-0.

5. SE & CAM-19-004: Special Exception Modification: Construction of an additional 15 stall surface parking area on the site. 7 Heritage Park Road; Map 77, Block 59, Lot H-6, Zone I-2. Applicant: Tower Laboratories, Ltd; Agent: Robert L. Doane, P.E., L.S

M. Rossi **moved** to receive application SE & CAM-19-004: Special Exception Modification: Construction of an additional 15 stall surface parking area on the site. 7 Heritage Park Road; Map 77, Block 59, Lot H-6, Zone I-2. Applicant: Tower Laboratories, Ltd; Agent: Robert L. Doane, P.E., and schedule the public hearing for Monday, April 29, 2019, at 7:00 p.m. in the Green Room of Andrews Memorial Town Hall, 54 East Main Street; G. Bousquet **seconded**

the motion, and it carried unanimously. The application materials should be sent to the Town Engineer, the Consulting Town Planner and the Planning and Zoning Attorney for their review.

In Favor: A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards, M. Rossi.  
In Opposition: None  
Abstentions: None  
Not Voting: E. Dahlgren (Chairman)  
The motion **carried**: 8-0-0.

6. CAM & AR-19-005: Petition for Amendment to the Zoning Regulations amending Section 26.11.13: Applicant: Cedar Island Marina; Agent: Kris Shapiro.

7. C. Aniskovich **moved** to accept application CAM & AR-19-005: Petition for Amendment to the Zoning Regulations amending Section 26.11.13: Applicant: Cedar Island Marina; Agent: Kris Shapiro, and schedule the public hearing for Monday, April 29, 2019, at 7:00 p.m. in the Green Room of Andrews Memorial Town Hall, 54 East Main Street; G. Bousquet **seconded** the motion, and it carried unanimously. **Discussion**: M. Hughes suggested moving some of the public hearings to the June 3, 2019 meeting to avoid hearing too many applications in one meeting. Commissioners decided to schedule them all for 4/29/2019 to be sure to meet statutory requirements.

In Favor: A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards and M. Rossi  
In Opposition: None  
Abstentions: None  
Not Voting: E. Dahlgren (Chairman)  
The motion **carried**: 8-0-0.

8. SE-19-006: Special Exception: Replacement of booster pump station, and demolition of the existing pump station. 12 Kelseytown Bridge Road; Map 49, Block 41, Lot 5, Zone R-80; Applicant: CT Water Company; Agent: Adam M. Wing, P.E.

M. E. Dahlgren stated for the record that the applicant's agent's father is a close friend of hers, but she does not believe this will bias her decision in any way, and she feels she can hear the application objectively.

A. Wing gave a brief description of the application, and offered to answer any questions.

M. Rossi **moved** to receive application SE-19-006: Special Exception: Replacement of booster pump station, and demolition of the existing pump station. 12 Kelseytown Bridge Road; Map 49, Block 41, Lot 5, Zone R-80; Applicant: CT Water Company; Agent: Adam M.

Wing, P.E., and schedule the public hearing for Monday, April 29, 2019, at 7:00 p.m. in the Green Room of Andrews Memorial Town Hall, 54 East Main Street; G. Bousquet **seconded** the motion, and it carried unanimously. The application materials should be sent to the Town Engineer for review.

In Favor: A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards, M. Rossi.  
In Opposition: None  
Abstentions: None  
Not Voting: E. Dahlgren (Chairman)  
The motion **carried**: 8-0-0.

9. AR-19-001: Petition for Amendment to Zoning Regulations adding new Section 15, Village District - Applicant: Clinton Historic District: Agent: Larry Ouellette.

M. Rossi and A. Richards stated that they listened to the audio recording and read the minutes, and they both felt prepared to vote.

G. Bousquet **moved** to approve **AR-19-001: Petition for Amendment to Zoning Regulations adding new Section 15, Village District**: Applicant: Clinton Historic District Commission; Agent: Lawrence Ouellette effective May 15, 2019 with modifications of the eastern boundary to terminate at Route 145 North and South. C. Aniskovich **seconded** the motion.

**Discussion:** A. Kravitz asked for a more specific description of the boundary which G. Bousquet referred to. The area excluded would be the Police Station, the billboard across the street from that and Attorney John Watt's property. Three properties would be excluded in total. To clarify, there was discussion to approve AR-19-001 excluding everything East of Route 145, on the south side of US 1 the Police Station and everything east of there and everything on the north side of US 1. It was emphasized that a map must be submitted with clear boundaries of the EMSVD.

The Chair restated the motion by G. Bousquet to clarify that the motion excludes the following properties from the EMDVD:

- The Police Station and its grounds;
- All properties in the proposed District located on the South side of US Route 1 located East of the Police Station;
- All properties in the proposed District location on the North side of US Route 1 and East of route 145;
- All properties in the proposed District located on the East side of Route 145.

G. Bousquet and C. Aniskovich (seconded) accepted the Chair's restatement of the Motion.

Discussion: A. Moore commented that the motion should be accompanied by a map.

M. Hughes spoke about the potential for municipal buildings to install solar panels, and he asked for a language change to the regulation to allow solar installation for all town of Clinton buildings. He wanted to eliminate “district character” as he felt that was subjective and could be “in the eye of the beholder”.

M. Hughes **moved** to amend the Main Motion by changing the language for **AR-19-001: Petition for Amendment to Zoning Regulations adding new Section 15, Village District** - Applicant: Clinton Historic District: Agent: Larry Ouellette to add the following section:

15.3.e.2 All Town of Clinton buildings will be allowed to have solar energy systems installed and is exempt from the language stated in 15.3.e.1.

B. Knight **seconded** the Amendment to the Main Motion, and it was not accepted by G. Bousquet as a friendly amendment.

A discussion followed in which the question of whether or not the town can put solar panels on any town owned building specifically the Town Hall, the Annex and the Police Station belongs in this regulation. Because this was not accepted as a friendly amendment, it needed to be voted on separately. G. Bousquet said it’s not a good idea to separate what the Town can do versus what the general public can do.

In Favor:	M. Hughes
In Opposition:	A. Kravitz, C. Aniskovich, G. Bousquet, B. Knight, A. Moore, A. Richards, M. Rossi
Abstentions:	None
Not Voting:	E. Dahlgren (Chairman)
The motion <b>failed</b> :	1-7-0.

A Moore **moved** to amend the Main Motion by incorporating Consulting Town Planner John Guskowski’s language into the motion to approve **AR-19-001: Petition for Amendment to Zoning Regulations adding new Section 15, Village District** - Applicant: Clinton Historic District: Agent: Larry Ouellette as follows:

The action is consistent with the Town of Clinton Plan of Conservation and Economic Development;

(1) References to “Section 24” in proposed Section 15.2 shall be changed to “Section 27”;

(2) References to “Section 29” in proposed Section 15.3.3 shall be changed to “Section 33”;

(3) The following text be added to the end of proposed Section 15.2: “For administration and review of applications regulated by this Section, the Clinton Design Review Board shall function as the architectural review board as described in Section 8-2j of the Connecticut General Statutes.”;

(4) Proposed Section 15.3.1.b be amended to state: “...shall require authorization of Planning & Zoning Commission as part of an overall proposal to develop or redevelop a site, and not as a simple structural demolition.”;

(5) Add a new Section 15.3.2.a.3, stating “Interior changes or exterior changes not visible from the public way are not subject to review by this Regulation. Routine maintenance, rehabilitation, or in-kind replacement of building materials or elements are not subject to review by this Regulation.”;

(6) The header of Section 26.11 of these Regulations using the abbreviation “VZ” shall be changed to “EMVD” to be an administratively consistent reference.

A Kravitz **seconded** the motion to amend the Main Motion.

G. Bousquet stated that he accepted this as a friendly amendment.

C. Aniskovich, Secunder of the Main Motion, also accepted it as a friendly amendment.

B Knight commented on the shared driveway serving the Watts property and the Police Station. M Rossi commented that it was irrelevant to the motion because both buildings were now excluded from the District.

G. Bousquet **moved** to amend the Main Motion to make approval contingent upon review of a revised map of the changes. M. Rossi **seconded**. It was accepted as a friendly amendment.

A. Kravitz said he was not inclined to change the boundaries because the two corner properties on Route 145 are historic properties. This area is part of the east and west gateway to Clinton. He stated that he wants to keep the proposed Village District property boundaries which include the John Watt’s property along with the village property which abuts the east side of the Watts property as well as the restaurant and the southside properties.

G. Bousquet said he does not feel that the billboard, the restaurant and the area around John Watt's office are a gateway to Clinton, and that he would not accept such a change to his Motion.

A. Kravitz **moved** to amend the Main Motion approving **AR-19-001: Petition for Amendment to Zoning Regulations adding new Section 15, Village District** - Applicant: Clinton Historic District: Agent: Larry Ouellette to include the following properties in the East Main Village District:

the property on the north side of US Route 1 and the east side of 145 on the corner and the property immediately north of that on the east side while making no changes to the south side of US1, keeping those properties included and identifying the properties by lot, 8 & 8A abutting the white home on the corner.

M. Rossi **seconded** the motion.

G. Bousquet confirmed that he did not accept this as a friendly amendment. It carried as an unfriendly amendment.

In Favor:	A. Kravitz, B. Knight, M. Hughes and M. Rossi.
In Opposition:	G. Bousquet, C. Aniskovich, A. Moore, A. Richards
Abstentions:	None
Not Voting:	E. Dahlgren (Chairman)
The motion <b>tied</b>	4-4-0.

M.E. Dahlgren voted to break the tie. She voted in favor carrying the motion 5-4-0.

The approval would exclude only the back lot which is 8A Old Post Road on the east side of US Route 1.

M Rossi **moved** to Reconsider the amendment to the Main Motion made by A. Kravitz and seconded by M. Rossi to amend the boundaries for **AR-19-001: Petition for Amendment to Zoning Regulations adding new Section 15, Village District** - Applicant: Clinton Historic District: Agent: Larry Ouellette.

B Knight **seconded** the Motion to Reconsider.

In Favor of the Motion to Consider:	C. Aniskovich, G. Bousquet, M. Hughes, A. Moore, A. Richards and M. Rossi.
In Opposition:	B. Knight and A. Kravitz
Abstentions:	None
Not Voting:	E. Dahlgren (Chairman)
The motion to Reconsider <b>carried</b> :	6-2-0.

The Motion to amend the Main Motion, originally made by A. Kravitz and seconded by M. Rossi, to amend AR19-001 by changing the boundaries was reconsidered with the following results:

In Favor:	A. Kravitz, B. Knight and M. Rossi.
In Opposition:	C. Aniskovich, G. Bousquet, M. Hughes, A. Moore and A. Richards
Abstentions:	None
Not Voting:	E. Dahlgren (Chairman)
The motion <b>failed</b> :	3-5-0.

The Chair stated that the Main motion would now be voted on.

The Motion is to approve **AR-19-001: Petition for Amendment to Zoning Regulations adding new Section 15, Village District**: Applicant: Clinton Historic District Commission; Agent: Lawrence Ouellette effective May 15, 2019 with modifications of the eastern boundary to exclude the following properties:

- The Police Station and its grounds;
- All properties in the proposed District located on the South side of US Route 1 located East of the Police Station;
- All properties in the proposed District location on the North side of US Route 1 and East of route 145;
- All properties in the proposed District located on the East side of Route 145

as shown on the map attached to and made a part of the minutes of this meeting

With the following provisions:

(1) References to "Section 24" in proposed Section 15.2 shall be changed to "Section 27";

(2) References to "Section 29" in proposed Section 15.3.3 shall be changed to "Section 33";

(3) The following text be added to the end of proposed Section 15.2: "For administration and review of applications regulated by this Section, the Clinton Design Review Board shall function as the architectural review board as described in Section 8-2j of the Connecticut General Statutes.";



(4) Proposed Section 15.3.1.b be amended to state: "...shall require authorization of Planning & Zoning Commission as part of an overall proposal to develop or redevelop a site, and not as a simple structural demolition.";

(5) Add a new Section 15.3.2.a.3, stating "Interior changes or exterior changes not visible from the public way are not subject to review by this Regulation. Routine maintenance, rehabilitation, or in-kind replacement of building materials or elements are not subject to review by this Regulation.";

(6) The header of Section 26.11 of these Regulations using the abbreviation "VZ" shall be changed to "EMVD" to be an administratively consistent reference.

The Commission finds that this action is consistent with the Town of Clinton Plan of Conservation and Economic Development.

The vote on the Main Motion was as follows:

In Favor:	C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards and M. Rossi
In Opposition:	A. Kravitz
Abstentions:	None
Not Voting:	E. Dahlgren (Chairman)
The motion <b>carried</b> :	7-1-0.

10. CAM & AR-19-002: Proposed text amendments to Zoning Regulations, Section 27.2, East Main Street: Applicant: Clinton Planning and Zoning Commission.

G. Bousquet **moved** to approve CAM & AR-19-002: Proposed text amendments to Zoning Regulations, Section 27.2, East Main Street: Applicant: Clinton Planning and Zoning Commission effective May 15, 2019. It is in harmony with the Plan of Conservation and Development. C. Aniskovich **seconded** the motion, and it carried unanimously.

In Favor:	A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards and M. Rossi.
In Opposition:	None
Abstentions:	None
Not Voting:	E. Dahlgren (Chairman)
The motion <b>carried</b> :	8-0-0.

11. Committee Reports:

Administrative Committee:

There was nothing new to report.

Regulations Committee:

M. Rossi would like to schedule the next meeting for 4/25/2019 at 6:30 p.m. in the Lower Level Lobby.

12. Bills & Correspondence:

Halloran & Sage Invoice # 11289043	\$5,884.33
Dzialo, Pickett & Allen, P.C. Invoice # 33826	\$ 92.50
DTC Engineering Invoice # 36553	\$ 758.00
Total	\$6,734.83

M. Rossi **moved** to approve the bills as submitted. A. Moore **seconded** the motion, and it carried.

In Favor: C. Aniskovich, G. Bousquet, A. Moore, A. Richards, M. Rossi  
In Opposition: A. Kravitz, M. Hughes and B. Knight  
Abstentions: None  
Not Voting: E. Dahlgren (Chairman)  
The motion **carried**: 5-3-0.

13. Old Business: None

G. Bousquet spoke to Bob Lee who lives in the area near Lobster Landing. B. Lee is very concerned about the traffic congestion there and that people park all up and down Commerce Street on both sides. The Traffic Authority held a meeting to discuss traffic flow, but the lack of parking is the larger problem.

The discussion then moved to the Vendor Permit application submitted by John Benchimol, owner of Shanks. The Vendor Permit was supposed to be for one year with the second year requiring a Site Plan Review.

G. Bousquet **moved** to request that Shanks owner John Benchimol meet with Consulting Town Planner John Guskowski, Interim Zoning Enforcement Officer Mike D'Amato and Chairman of Planning and Zoning M. Ellen Dahlgren to discuss permitting for Shanks. A site plan needs to be submitted. A temporary Vendor Permit will be issued for Shanks. This permit will expire on July1, 2019. A. Moore **seconded** the motion, and it carried unanimously.

In Favor: A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards and M. Rossi.  
In Opposition: None  
Abstentions: None

Not Voting: E. Dahlgren (Chairman)  
The motion **carried**: 8-0-0.

14. New Business:

There was concern that because of the approval of AR-19-001, several properties no longer have a zone, and this needs to be addressed. This will be referred to the Regulations Committee.

15. Adjournment:

G. Bousquet **moved** to adjourn the meeting at 8:25 p.m. B. Knight **seconded** the motion, and it carried unanimously.

In Favor: A. Kravitz, C. Aniskovich, G. Bousquet, M. Hughes, B. Knight, A. Moore, A. Richards and M. Rossi.  
In Opposition: None  
Abstentions: None  
Not Voting: M. E. Dahlgren (Chairman)  
The motion **carried**: 8-0-0.

Respectfully submitted,  
*Kathleen King*  
Kathleen King  
Planning & Zoning Clerk

# Town of Clinton Zoning Detail - Properties in EMVD and Remaining in VZ Districts - May 2019

