

# Planning & Zoning Commission

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54 East Main Street  
Clinton, Connecticut 06413

Regular Monthly Meeting

June 13, 2016

## Minutes

Present: G. Bousquet, Chairman; M. Knudsen, Vice Chairman; C. Aniskovich, Secretary; E. Alberino, C. Goupil, T. Guerra, A. Kravitz, A. Moore, A. Singh, M.E. Dahlgren and C. Neri

Absent: A. Richards

Also present: Eric Knapp, Zoning Enforcement Officer  
John Guskowski, CME Associates, Inc.

The meeting was called to order at 7:36 p.m.

### 1. Chairman's Comments: Gary Bousquet

Chairman Bousquet announced the receipt a \$114,000 Transit Oriented Development Grant by the Town.

### 2. Staff Reports:

- Eric Knapp, Zoning Enforcement Officer  
Distributed Stipulated Judgement for Bluff Properties
- John Guskowski, CME Associates, Inc.  
Responsible Growth and TOD Growth 114,000  
RiverCOG – Route 81 Corridor Study

### 3. Determination of Jurisdiction: 117 Nod Road, Town of Clinton: Request for determination if revision to the project is “materially affecting the project design” and if it requires a new application or if it can be signed off on administratively. Map 14, Block 3, Lot 26. Zone IP.

Peter Neff gave a brief presentation explaining the revisions to the plans. There was a lengthy discussion regarding the reasons for and impacts of the revision and the regulations regarding modifications to approved applications.

Alberino **moved** to table this item until later in the meeting so that an application may be completed for the Commission to act upon. Kravitz **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

4. Discussion: Home Occupations out of Temporary Structures, Christina Trunzo: Request to operate a home occupation out of a "tiny house".

Goupil **moved** to table this item to the next Regular Monthly Meeting on July 11, 2016. Singh **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

5. Discussion: 131 Grove Street, Shanks Dining Establishment: Discussion regarding vendors permit versus food service establishment (Site Plan approval).

There was a lengthy discussion regarding the stationary vendor regulations, the operation at 131 Grove Street and how to proceed. Input from the property owner was obtained to clarify certain factual issues.

Knudsen **moved** to take up Agenda Item #3: SP 16-084: 117 Nod Road, Town of Clinton: Modification of SP 16-03. Singh **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

Goupil **moved** to receive SP 16-084: 117 Nod Road, Town of Clinton. Aniskovich **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None

Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

Aniskovich **moved** to approve SP 16-084: 117 Nod Road, Town of Clinton. Knudsen **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

6. Discussion: Clinton Fireworks Committee, Vendors Permits: Request from Jessica Demers to exempt vendors from the requirement to file permit applications and fees.

There was a lengthy discussion, with participation from members of the Clinton Fireworks Committee, regarding the process and the fees. It was determined that an amendment should be put forth that any vendor who is participating in an event sponsored by a local non-profit organization does not need to pay the fee, but must file the applications and receive approval.

Kravitz **moved** to waive the fees for the vendors for the 2016 Summer Fest & Fireworks but require the Vendor Permit applications to be completed and submitted for approval. Alberino **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

7. Re-Sub. 294: Eagle Landing Subdivision, 161 West Main Street, Frederick & Linda Bauer: 2-lot resubdivision. Map 23, Block 10, Lot 41. Zone B-4.

The agent for the applicant sent a request for the application to be received and scheduled for public hearing.

Goupil **moved** to receive Re-Sub. 294: Eagle Landing Subdivision, 161 West Main Street, Frederick & Linda Bauer and schedule a public hearing on *Tuesday*, July 5, 2016 at 7:00 p.m. Knudsen **seconded** the motion.

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In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

8. SP 16-079: 45 Church Road, Clinton Cemetery Association: Change of use to business office. Map 56, Block 9, Lot 1. Zone VZ.

Goupil **moved** to receive SP 16-079: 45 Church Road, Clinton Cemetery Association. Knudsen **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

Singh **moved** to approve SP 16-079: 45 Church Road, Clinton Cemetery Association. Moore **seconded** the motion. DISCUSSION: Kravitz inquired about the proposed use. Attorney Jason Lewellyn, agent for the applicant, responded and gave a brief presentation.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

9. AR 16-20: Petition to Amend the Zoning Regulations, Kimberly Simoncini: Section 10.52: Contraction's Businesses and Storage Yards; Section 26.1.4(m): Outside Storage.

10. AR 16-026: Petition to Amend the Zoning Regulations, Cedar Island Marina: Amendments to Sections 24.2.5 and 10.5: Common Interest Community Development (CICD).

11. AR 16-055: Petition to Amend the Zoning Regulations, Caitlan Nadolny: Addition of Section 3.8.3: Grooming Facility, Section 24.1.41: Groom Facility and Section 24.2.41: Grooming Facility.

12. SE 16-056: 224 East Main Street, Giovanni Lawn Care, LLC/Ciro Landscaping, LLC: Modification of SE 15-038 to reduce the height of the fence. Map 78, Block 70, Lot 159A. Zone B-4.

Guerra **moved** to reschedule the public hearing for the following application at 6:00 p.m. on *Tuesday*, July 5, 2016:

- AR 16-20: Petition to Amend the Zoning Regulations, Kimberly Simoncini
- AR 16-026: Petition to Amend the Zoning Regulations, Cedar Island Marina
- AR 16-055: Petition to Amend the Zoning Regulations, Caitlan Nadolny
- SE 16-056: 224 East Main Street, Giovanni Lawn Care, LLC/Ciro Landscaping, LLC

Singh **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

Goupil **moved** to change the time for the public hearing for Re-Sub. 294: Eagle Landing, 161 West Main Street, Frederick & Linda Bauer to 6:00 p.m. on *Tuesday*, July 5, 2016. Singh **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

13. AR 16-058: Petition to Amend the Zoning Regulations and Map, Clinton Housing, Inc.:  
Addition of Section 21.3.2: Affordable Housing District-1; Section 24.1.3: Two-family dwellings in more than one structure; Section 24.1.4: Multiple Unit Dwelling; 24.2.3: Two-family dwellings in more than one structure; Section 24.2.4: Multiple Unit Dwelling; Section 24.3: Permitted uses for AHD-1 Zoning District.

Knudsen **moved** to change the time of the public hearing for AR 16-058: Petition to Amend the Zoning Regulations and Map, Clinton Housing, Inc. to 6:00 p.m. on *Tuesday*, July 5, 2016. Guerra **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

14. SP 16-059: 8 Liberty Place, Clinton Housing, Inc.: 32 mixed income dwelling units in a 30,934 sq. ft. building under CGS Section 8-30g. Map 54, Block 53, Lot 20. Zone R-60 (See Petition AR 16-058).

Knudsen **moved** to table SP 16-059: 8 Liberty Place, Clinton Housing, Inc. to the July 11, 2016 Regular Monthly Meeting. Kravitz **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

15. AR 16-060: Petition to Amend the Zoning Regulations and Map, Doug Benoit: Landing of MSD-1 floating zone on 15 West Main Street (Map 44, Block 30, Lot 5. Zone B-3/I-1), 19 West Main Street (Map 44, Block 40, Lot 4. Zone B-3/I-1), 21 West Main Street (Map 44, Block 30, Lot 1. Zone B-3/I-1), 23 West Main Street, A+B+C (Map 44, Block 30, Lot 2. Zone B-3/I-1) and 6 John Street Extension (Map 44, Block 30, Lot 3. Zone B-3/I-1) and amend Section 21.3.1(b)(1) to include the specific zone location.

Aniskovich **moved** to change the time of the public hearing for AR 16-060: Petition to Amend the Zoning Regulations and Map, Doug Benoit to 6:00 p.m. on *Tuesday*, July 5, 2016. Guerra **seconded** the motion.

In Favor: Knudsen, Aniskovich, Alberino, Goupil, Guerra, Kravitz, Moore and Singh  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman), Dahlgren (Not Seated) and Neri (Not Seated)  
The motion carried: 8-0-0-3.

16. Committee Reports:

- Regulations Review Committee: A. Singh  
Singh distributed copies of the proposed amendments that the Regulation Review Committee has been working on. Staff will email all the documents to the Commission so that they can review them prior to the next meeting.
- Subdivision Review Committee:
- Planning Review Committee: C. Goupil  
Goupil brought up several issues that needed input from the Commission.

[Alberino left at 9:51 p.m. Neri left at 9:53 p.m. Dahlgren was seated for Alberino]

- Executive Committee: G. Bousquet

Aniskovich **moved** to empower Bousquet to work with the First Selectmen in engaging CME Associates, Inc. on a monthly basis to prevent a gap in Planning services. Guerra **seconded** the motion.

In Favor: Knudsen, Aniskovich, Goupil, Guerra, Moore, Singh and Dahlgren  
In Opposition: None  
Abstention: Kravitz  
Not Voting: Bousquet (Chairman)  
The motion carried: 7-0-1-1.

- Administrative Committee: M.E. Dahlgren

Singh **moved** to recommend DTC to the Board of Selectmen to serve as the consultant engineer for the Planning and Zoning Commission for period of one year. Knudsen **seconded** the motion.

In Favor: Knudsen, Aniskovich, Goupil, Guerra, Moore, Singh and Dahlgren  
In Opposition: None  
Abstention: Kravitz  
Not Voting: Bousquet (Chairman)  
The motion carried: 7-0-1-1.

#### 17. Minutes:

- May 2, 2016 Public Hearing
- May 9, 2016 Regular Monthly Meeting
- May 11, 2016 Administrative Committee Meeting
- May 16, 2016 Planning Committee Meeting
- May 23, 2016 Regulations Committee Meeting
- May 31, 2016 Regulations Committee Meeting

Aniskovich **moved** to approve the minutes as submitted. Knudsen **seconded** the motion.

In Favor: Knudsen, Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh and Dahlgren  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman)  
The motion carried: 8-0-0-1.

#### 18. Bills & Correspondence:

- CME Associates, Inc.
  - Invoice # 22701(May) \$4,000.00
  - Invoice # 22702(June) \$4,000.00

- Halloran & Sage, LLP
  - General Land Use Matters (Invoice #11208301-1) \$425.50
  - Bluff Properties, LLC (Invoice #11208301-15) \$536.50
  - General Zoning Enforcement Matters (Invoice #11208301-20) \$296.00
  - Shoreline Gardens LLC – Appeal to ZBA (Invoice #11203301-21) \$335.00

Kravitz **moved** to approve the bills as presented. Singh **seconded** the motion.

In Favor: Knudsen, Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh and Dahlgren  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman)  
The motion carried: 8-0-0-1.

#### 19. Old Business

Goupil brought up and discussed an article from the Harbor News regarding splitting the Commission into two separate commissions. There was a lengthy discussion.

#### 20. New Business

There was no new business to discuss at this time.

Singh **moved** to adjourn the meeting. Moore **seconded** the motion.

In Favor: Knudsen, Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh and Dahlgren  
In Opposition: None  
Abstention: None  
Not Voting: Bousquet (Chairman)  
The motion carried: 8-0-0-1.

The meeting adjourned at 10:42 p.m.

Respectfully submitted,

Julia N. Pudem  
Clerk