

TOWN OF CLINTON
PLANNING AND ZONING COMMISSION
54 EAST MAIN STREET
CLINTON, CONNECTICUT 06413

MINUTES
Regular Meeting
August 8, 2016

In the absence of Chairman Gary Bousquet, Vice Chairman Michael Knudsen called the August 8, 2016 Regular Monthly Meeting of the Planning and Zoning Commission of the Town of Clinton to order at 7:35 P.M. in the Rose Room of the William Stanton Andrews Memorial Town Hall, 54 East Main Street, Clinton, Connecticut.

Members present: Vice Chairman Michael Knudsen, Secretary Chris Aniskovich, Christine Goupil, Timothy Guerra, Alan Kravitz, Adam Moore, Amandeep Singh and Alternates Mary Ellen Dahlgren, Carl Neri and Andrews Richards

Members absent: Chairman Gary Bousquet and Edward Alberino

Also present: Zoning Enforcement Officer Edward Knapp (ZEO Knapp), John Guskowski, Consulting Town Planner and members of the public

Knudsen **seated** Neri for Bousquet and Richards for Alberino.

Staff Reports:

- Zoning Enforcement Officer's Report. The report was reviewed. There are no new enforcement actions at this time. He updated members on the status of several violations and proposed language for several zoning regulations. He then addressed inquiries of the Commission.
- John Guskowski, CME Associates, Inc. He gave an overview of the month's activities since the last PZC meeting then addressed inquiries of the Commission.

Discussion: SE 1-05: 11 Killingworth Turnpike, Mill Pond Clinton, LLC: Request for determination for minor modification to SE 16-05 to be handled administratively.

Henry Resnikoff, Applicant's Agent, gave an overview of the proposed modifications to the special exception based on a commitment from a grocery enterprise, narrated his power point presentation then addressed inquiries of the Commission. The applicant plans to get an application to the State Department of Transportation as soon as possible but needs this determination before it can proceed.

(During the power point presentation, Neri left the room at 7:54 P.M. and returned at 7:58 P.M.)

ZEO Knapp stated his position that the proposal is a material change because a few buildings and their shape, use and/or location will be changing, as well as proposed changes to the hardscape in the area associated with these buildings. He encouraged the applicant to request from the Commission a determination as to whether a modification to the special exception permit will be required.

Following a lengthy discussion between all parties on the scope of the proposed modifications as well as Clinton Zoning Regulation Section 4.18 regarding the modification of an existing permit, Neri **MOVED** to allow the zoning enforcement officer to act administratively on the proposed modification of the permit for Special Exception 16-05: 11 Killingworth Turnpike, Mill Pond Clinton, LLC. Aniskovich seconded the motion. Discussion: there was a lengthy discussion on the determination as to the classification of the modifications as “material” by Commission members with input from Knapp and Resnikoff. Neri **MOVED** the motion. Voting in favor of the motion as proposed: Richards, Moore, Neri, Guerra, Aniskovich and Deep. Opposed: Goupil and Kravitz. Abstentions: none. The motion was **carried**, 6-2-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).

AR 16-107: Petition to Amend the Zoning Regulations, Mill Pond Clinton, LLC:
Addition of Section 28.3.9: Pylon Sign and Section 28.6.4(g): Pylon Sign.

Moore **MOVED** to accept and schedule for public hearing, AR 16-107: Petition to Amend the Zoning Regulations, Mill Pond Clinton, LLC: Addition of Section 28.3.9: Pylon Sign and Section 28.6.4(g): Pylon Sign on August 29, 2016 at 7:00 P.M., in the Green Room of the William Stanton Andrews Memorial Town Hall, 54 East Main Street, Clinton, Connecticut. Kravitz seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).

CAM 16-109: 11 Uncas Road, Karen Viggiano: Modification of CAM 15-234 for the construction of a new single-family house. Map 69, Block 66, Lot 5. Zone R-10.

Knapp advised the applicant is now seeking to raise the roof of the existing second floor of the residence. A modification of the existing permit is needed. The Office of Long Island Sound Programs (OLISP) has asked for more time to review the modification proposal.

Goupil **MOVED** to table CAM 16-109: 11 Uncas Road, Karen Viggiano: Modification of CAM 15-234 for the construction of a new single-family house. Map 69, Block 66, Lot 5. Zone R-10 to the September 10, 2016 Regular Meeting. Moore seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).

AR 16-112: Proposed Amendment to the Zoning Regulations: Amendment to Section 1052: Contractor's Businesses and Storage Yards and Section 26.1.4(M): Accessory outside storage.

This is a Commission proposal. Aniskovich **MOVED** to schedule AR 16-112: Proposed Amendment to the Zoning Regulations: Amendment to Section 1052: Contractor's Businesses and Storage Yards and Section 26.1.4(M): Accessory outside storage, for public hearing on August 29, 2016, 7:00 P.M. in the Green Room of the William Stanton Andrews M Memorial Town Hall, 54 East Main Street, Clinton, Connecticut. Kravitz seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).

AR 16-113: Proposed Amendment to the Zoning Regulations: Amendment to Section 23: Districts and Section 25: Lot Requirements – Standards;
AR 16-115: Proposed Amendment to the zoning regulations: Section 24.3: Schedule of Uses for the MSD-1 Floating Zone; and
AR 16-114: Proposed Amendment to the Zoning Regulations: Rearrangement of Zoning Regulations

These are Commission proposals. Moore **MOVED** to schedule AR 16-113: Proposed Amendment to the Zoning Regulations: Amendment to Section 23: Districts and Section 25: Lot Requirements – Standards; AR 16-115: Proposed Amendment to the zoning regulations: Section 24.3: Schedule of Uses for the MSD-1 Floating Zone; and AR 16-114: Proposed Amendment to the Zoning Regulations: Rearrangement of Zoning Regulations to public hearing on Monday, October 3, 2016, at 7:00 P.M. in the Green Room of the William Stanton Andrews M Memorial Town Hall, 54 East Main Street, Clinton, Connecticut. Kravitz seconded the motion. Discussion: Commission members, led by Goupil, discussed with Knapp and Guskowski whether AR 16-115 should be scheduled for public hearing at this time. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions:

none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).

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

Neri did not listen to the audio of the August 1, 2016 public hearing. Knudsen **SEATED** Dahlgren in his place.

(Neri left the meeting at 8:50 P.M.)

Aniskovich **READ** the August 4, 2016 Report from the Connecticut River Area Health District into the record which was received after the close of the public hearing. ZEO Knapp advised the report is considered a “staff report” and eligible for consideration by the Commission.

(Neri returned at 8:53 PM.)

Goupil **MOVED** to approve Re-Sub. 294: Eagle Landing Subdivision, 161 West Main Street, Frederick & Linda Bauer: 2-lot subdivision. Map 23, Block 10, Lot 41. Zone B-4. Guerra seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Dahlgren and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Neri. Not Voting: Knudsen (Acting Chairman).

Neri Assumed his seat from Dahlgren.

SE/CAM 16-097: 15, 19, 21 & 23 West Main Street & 6 John Street Extension, Doug Benoit: Construction of 13,225 sq. ft. retail establishment. Map 44, Block 30, Lots 1/3/4/5. Zone B-3/I-1.

The property was not posted for the public hearing. The application will be carried over to the August 29, 2016 Public Hearing agenda. Knapp advised the applicant has filed an appeal to the Superior Court of this Commission’s denial of the application to land the floating zone. He then outlined the application timetable to open the public hearing for this application.

Aniskovich **MOVED** to table SE/CAM 16-097: 15, 19, 21 & 23 West Main Street & 6 John Street Extension, Doug Benoit: Construction of 13,225 sq. ft. retail establishment. Map 44, Block 30, Lots 1/3/4/5. Zone B-3/I-1 to the September 10, 2016 Regular Monthly Meeting. Singh seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra,

Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).

SE/CAM 16-098: 46 Meadow Road, Nichols Auto Parts: Deposition of materials (woodchips) Map 85, Block 69, Lot 1. Zone I-2.

The public hearing was continued to August 29, 2016.

Guerra **MOVED** to table SE/CAM 16-098: 46 Meadow Road, Nichols Auto Parts: Deposition of materials (woodchips) Map 85, Block 69, Lot 1. Zone I-2 to the September 10, 2016 Regular Monthly Meeting. Moore seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).

Committee Reports:

- Regulations Review Committee: Update by members. The Committee is aware of public concern for the lack of a noise regulation. ZEO Knapp advised this would have to be a town ordinance. Singh will research this topic and possibly develop language for a proposed ordinance.
- Subdivision Regulations Review Committee: This was incorporated into the Regulations Review Committee with Knudsen appointing Kravitz to work on these.
- Planning Review Committee: Goupil discussed along with several other items the following:
 - July 22, 2016 Minutes – a draft of her proposed amendments was distributed for review.
 - RFP for Clinton Center Masterplan – a meeting will be requested with the Board of Selectmen. Kravitz **MOVED** to endorse the submission of the RFP to the Board of Selectmen and to have Goupil, Moore and Bousquet, along with Guskowski, to present the RFP to the Board of Selectmen. Aniskovich seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).
 - Marine Zone. A public input meeting is tentatively scheduled for September 19, 2016. Notification to property owners will be done in conjunction with the Chamber of Commerce.
 - Connecticut Main Street Program. If there is enough local interest, representatives will be invited to make a presentation to the Planning and Zoning Commission as well as other interested parties on a date to be determined.

- Incentive Housing Aspect of the Town Plan of Conservation and Development. The subcommittee is now starting to address this.
- Executive Committee. No report.
- Administrative Committee. No report.

Minutes

- July 5, 2016 Public Hearing and July 11, 2016 Regular Monthly Meeting. Kravitz **MOVED** to accept and approve as presented the Minutes of the July 5 2016 Public Hearing and the July 11, 2016 Regular Monthly Meeting. Moore seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).
- **July 13, 2016 Administrative Committee Meeting.** Guerra **MOVED** to accept and approve as presented the Minutes of the July 13, 2016 Administrative Committee Meeting. Goupil seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).
- July 18, 2016 Planning Review Committee Meeting. Kravitz **MOVED** to approve with the proposed corrections submitted by Goupil on August 8, 2016, the Minutes of the July 18, 2016 Planning Review Committee Meeting. Guerra seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).
- July 25, 2016 Regulations Committee. Kravitz **MOVED** to table the Minutes of the July 25, 2016 Regulations Committee to the September 10, 2016 Regular Meeting. Guerra seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).
- August 1, 2016 Public Hearing and Special Meeting. Guerra **MOVED** to **add** to the agenda the Minutes of the August 1, 2016 Public Hearing and the Minutes of the August 1, 2016 Special Meeting. Moore seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).
- **August 1, 2016 Public Hearing and August 1, 2016 Special Meeting.** Guerra **MOVED** to accept and approve as presented the Minutes of the August 1, 2016 Public Hearing and the August 1, 2016 Special Meeting.

Moore seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Moore, Singh and Richards. Opposed: none. Abstentions: Kravitz and Neri. The motion was **carried**, 6-0-2. Not seated: Dahlgren. Not voting: Knudsen (Acting Chairman).

Bills & Correspondence

- CME Associates, Inc. (Invoice #22833) \$4,000; and
 - Halloran & Sage, LLP
 - Clinton Housing Inc – 8 Liberty Place (#11211457-24) \$259.00
- Kravitz **MOVED** to accept and recommend for payment the invoices of CME Associates, Inc. (Invoice #22833) \$4,000; and, Halloran & Sage, LLP Clinton Housing Inc – 8 Liberty Place (#11211457-24) \$259.00. Guerra seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman).
- July 12, 2016 Letter from Michael J. Milano [Requested to be read]. Aniskovich **READ** the July 12, 2016 Letter from Michael J. Milano into the record. Neri asked ZEO Knapp to look into a possible violation (as to the number of apartments) at Milano's West Main Street site. ZEO Knapp advised he cannot take action against an issued certificate of occupancy.

Old Business: none.

New Business: none.

There being no further business, Deep **MOVED** to adjourn the meeting. Kravitz seconded the motion. Discussion: none. Voting in favor: Aniskovich, Goupil, Guerra, Kravitz, Moore, Singh, Neri and Richards. Opposed: none. Abstentions: none. The motion was **carried**, 8-0-0. Not seated: Dahlgren. Not Voting: Knudsen (Acting Chairman). The meeting was **adjourned** at 9:35 P.M.

Respectfully submitted,

Sherry Lee Hynes

Sherry Lee Hynes, Acting Clerk

E-mailed: Town Clerk
Board of Selectmen
Posted to: Website