

Planning & Zoning Commission

54 East Main Street
Clinton, Connecticut 06413

Regular Monthly Meeting

July 10, 2017

Minutes

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

Absent: A. Singh and C. Neri

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

Chairman Michael Knudsen called the meeting to order at 7:31 p.m. Alternate Andrew Richards was seated for Amandeep Singh; Alternate Mary Ellen Dahlgren was seated for Edward Alberino.

1. Chairman's Comments: Michael Knudsen

Chairman Knudsen did not have any comments at this time.

2. Staff Reports:

- Eric Knapp, Zoning Enforcement Officer
 - Goupil inquired about blight enforcement and the budget
 - Goupil inquired about the status of the Mill Pond project
- John Guskowski, CME Associates, Inc.
 - Reviewed his report
 - There was a discussion regarding the State Plan of Conservation of Development
 - Bousquet inquired about ground coverage calculations

3. SE/CAM 17-017: 77 West Main Street, George Marshall: Multiple dwelling units in a single building. Map 44, Block 11, Lot 5-2. Zone B-2.

Aniskovich and Kravitz listened to the record from the June 5, 2017 public hearing.

Moore **moved** to approve SE 17-017: 77 West Main Street, George Marshall with the following conditions:

- The Commission approves the scale of 1" = 10';
- The applicant shall submit a landscape plan to be reviewed by the consultant planner and approved by the Zoning Enforcement Officer; and
- The Commission finds that sufficient information has been submitted to make an informed decision and does not require the submission of a lighting plan, a traffic study, or an erosion plan.

Bousquet **seconded** the motion. DISCUSSION: Goupil is concerned regarding the lack of landscaping plan. She is also concerned that it is not mixed development. There was a lengthy discussion regarding the landscaping.

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

Bousquet **moved** to approve CAM 17-017: 77 West Main Street, George Marshall as it is consistent with all applicable coastal policies and includes all reasonable measures to mitigate adverse impacts. Moore **seconded** the motion.

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

4. SE 17-046: 114 East Main Street, Steward's Hardware Company: Install propane filling station. Map 68, Block 65, Lot 5, Zone VZ.

It was noted that Bousquet, Goupil and Kravitz listened to the record of the July 5, 2017 public hearing.

Goupil **moved** to approve SE 17-046: 114 East Main Street, Steward's Hardware Company with the following conditions:

- The empty propane canisters will not remain on site for more than one week; and
- The outside storage area shall be enclosed by a six foot (6') high opaque fence.

Aniskovich **seconded** the motion.

In Favor: Guerra, Aniskovich, Alberino, Goupil, Kravitz, Moore, Dahlgren and Richards

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In Opposition: None
Abstentions: Bousquet
Not Voting: Knudsen (Chairman)
The motion **carried**: 8-0-1-1.

5. SE 17-048: 10 Killingworth Turnpike, Clinton's Farmer's Market: Farmer's market. Map 43, Block 24, Lot 5. Zone B-1. PH 7/5/2017

[Edward Alberino arrived at 8:17 p.m. Alternate Dahlgren was no longer seated.]

It was noted that Bousquet, Goupil and Kravitz listened to the record of the July 5, 2017 Public Hearing.

Goupil **moved** to approve SE 17-048: 10 Killingworth Turnpike, Clinton's Farmer's Market with the following conditions:

- The applicant shall submit a list of proposed products as required;
- The applicant shall submit a Certificate from the Department of Agriculture authorizing the farmer's market to operate; and
- The Commission finds that sufficient information has been provided to make an informed decision and a lighting plan and a traffic study is not required.

Aniskovich **seconded** the motion.

In Favor: Guerra, Aniskovich, Alberino, Bousquet, Goupil, Kravitz, Moore and Richards
In Opposition: None
Abstentions: None
Not Voting: Knudsen (Chairman) and Dahlgren (Not Seated)
The motion **carried**: 8-0-0-2.

Kravitz **moved** to enter *Executive Session for the discussion of pending litigation* and invite Eric Knapp, Zoning Enforcement Officer; Kenneth Slater, Halloran & Sage, LLP; John Guskowski, CME Associates, Inc.; Jullie Pudem, Land Use Technician; Thomas E. Cronan, Cronan & Sweeney, LLC; Doug Benoit, Arista Development, LLC; Paul Vitaliano, VHB; Douglas Grunert, BKA Architects; and Scott Weymouth, Arista Development, LLC into the session. Guerra **seconded** the motion.

In Favor: Guerra, Aniskovich, Alberino, Bousquet, Goupil, Kravitz, Moore and Richards
In Opposition: None
Abstentions: None

Not Voting: Knudsen (Chairman) and Dahlgren

The motion **carried**: 8-0-0-2.

6. Executive Session to discuss possible settlement of Arista Development, LLC v. Clinton Planning and Zoning Commission, MMX CV 16 6016076 S, appeal of Commission's denial of AR 16-060, application to land floating zone at West Main Street between Hull Street and John Street Extension; and Arista Development, LLC v. Clinton Planning and Zoning Commission, MMX CV 17 6017392 S, appeal of Commission's denial of SP/CAM 16-181, site plan application for locating a pharmacy use at West Main Street between Hull Street and John Street Extension.

The Commission came out of *Executive Session* at 9:25 p.m. No actions were taken and no decisions were made. The Commission then took a five-minute break. The meeting resumed at 9:31 p.m.

7. Public meeting pursuant to Practice Book Section 14-7B to discuss settlement of Arista Development, LLC v. Clinton Planning and Zoning Commission, MMX CV 16 6016076 S, appeal of Commission's denial of AR 16-060, application to land floating zone at West Main Street between Hull Street and John Street Extension; and Arista Development, LLC v. Clinton Planning and Zoning Commission, MMX CV 17 6017392 S, appeal of Commission's denial of SP/CAM 16-181, site plan application for locating a pharmacy use at West Main Street between Hull Street and John Street Extension in accordance with the terms of the stipulation for judgment [approving a modified site plan] on file in the Planning and Zoning Department of the Town of Clinton.

Kenneth Slater, Halloran & Sage, LLP, gave a brief overview of the process. Paul, Doug

Public Comments

Mary Kelly Busch, 43 Waterside Lane

Barbara Thorpe, 122 Shore Road

Vincent Cimino, 26 Old Mill Road

David Bautz, 2 Rose Marie Lane

Jeffrey Cashman, 66 River Road

Aniskovich **moved** to approve the settlement of Arista Development, LLC v. Clinton Planning and Zoning Commission, MMX CV 16 6016076 S and Commission, MMX CV 16 6016076 S with the modifications as outlined by Kenneth Slater, Halloran & Sage, LLP. Moore **seconded** the motion. DISCUSSION: Kravitz expressed his concern regarding traffic flow and drainage. Goupil expressed her concern about traffic and the train station expansion.

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In Favor: Guerra, Aniskovich, Alberino, Bousquet, Moore and Richards
In Opposition: Goupil and Kravitz
Abstentions: None
Not Voting: Knudsen (Chairman) and Dahlgren (Not Seated)
The motion **carried**: 6-2-0-2.

8. Committee Reports:

- Regulations Committee: C. Aniskovich

Aniskovich **moved** to schedule AR 17-038: Amendment to the Zoning Regulations (Section 4) for public hearing on Monday, October 2, 2017 at 7:00 p.m. Moore **seconded** the motion.

In Favor: Guerra, Aniskovich, Alberino, Bousquet, Goupil, Kravitz Moore and Richards
In Opposition: None
Abstentions: None
Not Voting: Knudsen (Chairman) and Dahlgren (Not Seated)
The motion **carried**: 8-0-0-2.

- Planning Committee: G. Bousquet
Bousquet reported on the progress on the implementation of the PoCD.
- Executive Committee: M. Knudsen
- Administrative Committee: M.E. Dahlgren
- Unilever Ad Hoc Committee: C. Goupil
Discussed affordable housing – adaptive reuse of buildings

9. Minutes:

- Public Hearing: June 5, 2017
- Regular Monthly Meeting: June 12, 2017
- Planning Committee Meeting: June 19, 2017
- Regulations Committee Meeting: June 26, 2017
- Unilever Ad Hoc Committee Meeting: June 29, 2017

Alberino **moved** to approve the minutes as submitted. Moore **seconded** the motion.

In Favor: Guerra, Aniskovich, Alberino, Bousquet, Goupil, Kravitz Moore and Richards
In Opposition: None
Abstentions: None
Not Voting: Knudsen (Chairman) and Dahlgren (Not Seated)
The motion **carried**: 8-0-0-2.

10. Bills & Correspondence:

- CME Associates, Inc. \$4,000.00

Aniskovich **moved** to approve the bill as presented. Bousquet **seconded** the motion.

In Favor: Guerra, Aniskovich, Alberino, Bousquet, Goupil, Moore and Richards
In Opposition: None
Abstentions: Kravitz
Not Voting: Knudsen (Chairman) and Dahlgren (Not Seated)
The motion **carried**: 7-0-1-2.

11. Old Business

12. New Business

Bousquet **moved** to approve the contact with CME Associates, Inc. from July 1, 2017 to June 30, 2018 subject to the Board of Selectmen approval. Alberino **seconded** the motion.

In Favor: Guerra, Aniskovich, Alberino, Bousquet, Goupil, Moore and Richards
In Opposition: None
Abstentions: Kravitz
Not Voting: Knudsen (Chairman) and Dahlgren (Not Seated)
The motion **carried**: 7-0-1-2.

Alberino **moved** to adjourn the meeting. Aniskovich **seconded** the motion.

In Favor: Guerra, Aniskovich, Alberino, Bousquet, Goupil, Kravitz Moore and Richards
In Opposition: None
Abstentions: None
Not Voting: Knudsen (Chairman) and Dahlgren (Not Seated)
The motion **carried**: 8-0-0-2.

The meeting adjourned at 10:38 p.m.

Respectfully submitted,

Julia N. Pudem
Clerk