

Planning & Zoning Commission

54 East Main Street
Clinton, Connecticut 06413

Regular Monthly Meeting

February 12, 2018

Minutes

Present: M. Rossi, Chairman; C. Aniskovich, Secretary; G. Bousquet, M.E. Dahlgren, M. Hughes, A. Richards, A. Singh, J. Cashman, A. Moore, and P. Sheehan

Absent: A. Kravitz, Vice Chairman; and B. Knight

Also Present: Eric Knapp, Zoning Enforcement Officer

Chairman Michael Rossi called the meeting to order at 7:32 p.m. Alternate Jeffrey Cashman was seated for Alan Kravitz; Alternate Patrick Sheehan was seated for Bethany Knight. Rossi noted that for Item #4, Moore will be seated instead of Sheehan.

1. Chairman's Comments: Michael Rossi

Chairman Rossi stated that he reserved his comments for individual items.

2. Staff Reports:

- Eric Knapp, Zoning Enforcement Officer
Noted that violation log will be forthcoming; 66 River Road; Main Street landscaping; 1 West Main Street.

Bousquet **moved** to add Agenda Item #7b: Preliminary Discussion: 1 West Main Street, Timothy Garrelts. Sheehan **seconded** the motion.

In Favor: Aniskovich, Bousquet, Dahlgren, Hughes, Richards, Singh, Cashman and Sheehan

In Opposition: None

Abstentions: None

Not Voting: Rossi (Chairman) and Moore (Not Seated)

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

[Aniskovich stepped out at 7:46 p.m. and returned at 7:48 p.m.]

- John Guskowski, CME Associates, Inc.

3. CAM 17-085: Beach Park Point, Beach Park Association: Reconstruction of existing retaining wall. Map 70, Block 67, Lot F. Zone R-10.

This was placed on the agenda is error.

Hughes **moved** to take up Agenda Items #5, 6, 7 and 7b before Agenda Item 4. Aniskovich **seconded** the motion.

In Favor: Aniskovich, Bousquet, Dahlgren, Hughes, Richards, Singh, Cashman and Sheehan
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman) and Moore (Not Seated)
The motion **carried**: 8-0-0-2

5. CAM 18-001: Grace LaFlame Revocable Trust 2007: Single Family Home addition and renovation. Map 10, Block 72, Lot 53. Zone R-15.

Gregg Fedus, agent for the applicant, gave a brief presentation. It was noted that comments from DEEP/LWRD had not yet been received and therefore the Commission could not make a decision on the application.

Dahlgren **moved** to receive CAM 18-001: 37 Shore Road, Grace LaFlame Revocable Trust 2007 and table it to the next Regular Monthly Meeting, March 12, 2018. Hughes **seconded** the motion.

In Favor: Aniskovich, Bousquet, Dahlgren, Hughes, Richards, Singh, Cashman and Sheehan
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman) and Moore (Not Seated)
The motion **carried**: 8-0-0-2

[Amandeep Singh recused himself from the next agenda item. Alternate Adam Moore was seated in his place]

6. SE 18-002: NIKMUN, LLC: Approval of two-family house, 111 High Street, Map 54, Block 54, 77. Zone R-20. **New.**

Amandeep Singh, agent for the applicant, stated that he was uncomfortable making a presentation before the Commission as he was afraid that it would appear improper. Rossi

stated that he would obtain an opinion from counsel prior to the public hearing regarding a member of the Commission presenting an application on their own behalf.

Bousquet **moved** to receive SE 18-002: 111 High Street, Nikmun, LLC and schedule a public hearing on Monday, March 5, 2018 at 7:00 p.m. Moore **seconded** the motion.

In Favor: Aniskovich, Bousquet, Dahlgren, Hughes, Richards, Cashman, Sheehan and Moore
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman) and Singh (Recused)
The motion **carried**: 8-0-0-2

[Amandeep Singh returned to his seat and Moore was no longer seated.]

7. AR 18-003: Proposed Amendment to Zoning Regulations: Section 27.2.4 Non-Residential Schedule of Uses. Change from "SE" to "X" of Multiple Unit Dwellings in the B-2 Zoning District. **New**.

Rossi noted that he requested this be added to the agenda. There was a discussion regarding the change and the history of why it was changed to a permitted use by Special Exception.

Aniskovich **moved** to schedule AR 18-003: Proposed Amendment to the Zoning Regulations for public hearing on Monday, April 2, 2018 at 7:00 p.m. Richards **seconded** the motion.

In Favor: Aniskovich, Dahlgren, Hughes, Richards, Singh, Cashman and Sheehan
In Opposition: Bousquet
Abstentions: None
Not Voting: Rossi (Chairman) and Moore (Not Seated)
The motion **carried**: 7-1-0-2

7b. Preliminary Discussion: 1 West Main Street, Timothy Garrelts

Timothy Garrelts, owner of 1 West Main Street, submitted a packet of information for a proposed restaurant. There was a brief discussion between Garrelts and the Commission. The Commission reacted favorably and felt that a formal application should be submitted.

[Alternate Adam Moore was seated for Alternate Patrick Sheehan who was ineligible to vote on Agenda Item #4]

8. AR 17-078: Proposed Amendment to the Zoning Regulations: Section 23: Transit Oriented Development Overlay; Section 27.3: Floating Zones/Overlay Zones; Appendix B.

Bousquet **moved** to approve AR 17-078: Proposed Amendment to the Zoning Regulations with the alternative text provided by John Guskowski, CME Associates, Inc., with regards specifically to Section 23.10, in which language making submission of below market rate housing as part of any multi-family housing in the Transit Oriented Development Overlay district at the applicant's option instead of mandatory, as originally drafted. As part of his motion, Bousquet state that the effective date would be July 1, 2018. Bousquet motion stated that the Commission found the text, as amended consistent with the Plan of Conservation and Development. Hughes **seconded** the motion. DISCUSSION: There was a lengthy discussion regarding the use of the alternate text which made the use of affordable housing optional rather than mandatory. Dahlgren inquired if that much of a change in language was legal after the public hearing closed. Rossi stated that he had an opinion from counsel that it was.

Hughes **moved** to amend the motion to decrease the height limit to 35' and reduce the number of stories to 3. Cashman **seconded** the motion.

In Favor: Hughes and Cashman
In Opposition: Aniskovich, Bousquet, Dahlgren, Richards, Singh, and Moore
Abstentions: None
Not Voting: Rossi (Chairman) and Sheehan (Not Seated)
The motion **did not** carry: 2-6-0-2.

Vote on original motion:

In Favor: Aniskovich, Bousquet, Hughes, Richards, Singh, Cashman and Moore
In Opposition: Dahlgren
Abstentions: None
Not Voting: Rossi (Chairman) and Sheehan (Not Seated)
The motion **carried**: 7-1-0-2

[Alternate Patrick Sheehan was reseated. Moore was no longer seated.]

9. Discussion: Appointed Committees vs. Ad Hoc Committees

Rossi stated that he has been informed by the Town Clerk that only the Board of Selectmen can appoint "Ad Hoc" committees so the committees have to be "appointed".

10. Committee Reports

- Regulation Review Committee: C. Aniskovich & M.E. Dahlgren
Dahlgren gave a brief report and noted that the Committee felt that the two sections that needed to work on “AirBnB”-type uses and, separately, the West End and Subsection D. As no one volunteered to work on AirBnBs the Regulation Review Committee will work on this. The West End will wait until next meeting to be discussed.
- Administrative Committee: B. Knight & A. Singh
Singh gave a brief report.

11. Minutes:

- Regular Monthly Meeting: January 8, 2018
- Regulations Review Committee: January 22, 2018

Bousquet **moved** to approve the minutes as presented. Aniskovich **seconded** the motion. DISCUSSION: Cashman stated that he felt that the minutes should be reviewed by Counsel due to the comments made by ZEO Knapp regarding AirBnBs.

In Favor: Aniskovich, Bousquet, Dahlgren, Richards, Singh, and Sheehan
In Opposition: Hughes and Cashman
Abstentions: None
Not Voting: Rossi (Chairman) and Moore (Not Seated)
The motion **carried**: 6-2-0-2

12. Bills & Correspondence:

- CME Associates, Inc. \$4,000.00

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

In Favor: Aniskovich, Bousquet, Dahlgren, Hughes, Richards, Singh, Cashman and Sheehan
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman) and Moore (Not Seated)
The motion **carried**: 8-0-0-2

A letter from Bethany Knight was read into the record. Chairman Rossi noted that the email with the revised draft of the TODO regulations was not able to be found by Staff although it was sent by Guszowski. As such, Rossi has requested that he is copied on any

correspondence between the Land Use Office and the consultant planner. Additionally, he asked the Commission if they wanted the February 5, 2018 minutes amended with Eric Knapp's name rather than the Clerk's name. The Commission members did not indicate that they wanted this done.

13. Old Business

There was no old business at this time.

14. New Business

Cashman voiced concerns that the Commission had not adequately supported the Town of Clinton's farm uses. Cashman voiced particular concern that Commission's counsel had billed time on litigation related to Shoreline Gardens.

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

In Favor: Aniskovich, Bousquet, Dahlgren, Hughes, Richards, Singh, Cashman and Sheehan
In Opposition: None
Abstentions: None
Not Voting: Rossi (Chairman) and Moore (Not Seated)
The motion **carried**: 8-0-0-2

The meeting adjourned at 9:20 p.m.

Respectfully submitted,

Julia N. Pudem
Clerk