

Planning & Zoning Commission
54 East Main Street
Clinton, CT 06413

Minutes

Regular Meeting

Via Videoconference

Monday, January 11, 2021

7:00 P.M.

Members Present: Michael Rossi, Chairman; Mary Ellen Dahlgren, Secretary; Ed Alberino, Walter Beau Clark, Martin Jaffe, Adam Moore, Will Benoit (Alt)

Members Absent: Mike Knudsen, Vice Chairman; Amandeep Singh, Jeffrey Cashman (Alt)

Staff Present: Kathy King, ZEO; John Guskowski, Consulting Planner; Lisa DeMaria, Land Use Technician

Also in attendance were applicants, agents and members of the public.

M. Rossi called the Regular Meeting to order at 7:02 p.m.

W. Benoit was seated for A. Singh. B. Doyle was seated for M. Knudsen.

Chairman's Comments: M. Rossi stated that the virtual meeting was being recorded.

Alan Kravitz and Brandie Doyle (Alt) joined the meeting at 7:04 p.m.

Minutes

December 14, 2020 Regular Yearly Meeting

E. Alberino **moved** to approve the December 14, 2020 meeting minutes as submitted. E. Dahlgren **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle

In Opposition: None

Abstentions: B. Clark

Not Voting: M. Rossi, Chair

The motion carried: 7-0-1

January 4, 2021 Public Hearing Meeting

E. Alberino **moved** to approve the January 4, 2021 meeting minutes as submitted. B. Clark **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, B. Doyle

In Opposition: None

Abstentions: W. Benoit

Not Voting: M. Rossi, Chair

The motion carried: 7-0-1

Guest Speaker

Jessica Demar - Regulatory & Environmental Compliance Coordinator, CT Water Co.

K. King introduced J. Demar and explained that they met on site at the former Morgan High School project.

K. King stated that she asked J. Demar to explain to the Commission the importance of the review process for applications within the Aquifer Protection areas.

J. Demar gave the Commission a brief summary of her background. She explained that the DEEP oversees the program, CT Water Company is responsible for mapping and review of the project and the Aquifer Protection Agency approves the application with recommendations from the CT Water Co.

Topics discussed were as follows:

Stormwater, fueling areas, hazardous chemical storage and containment, blasting and pre-construction meetings.

Staff Reports

John Guskowski, Consulting Town Planner of Clough, Harbour & Associates, LLP, continued to work on the major redevelopment projects at the former Morgan High School, including meetings and coordination about demolition and site cleanup and discussions about minor building reconfigurations based on potential tenant interest. The first building (Big Y) will begin construction within the next 1-2 months. Continued work on Natural Hazards Mitigation Plan, discussions with RiverCOG staff on potential Regional Affordable Housing plan, and potential grants.

Kathy King, Zoning and Wetlands Enforcement Officer, continued to work on the major redevelopment projects at the former Morgan High School, including meetings and coordination about demolition and site cleanup and discussions about minor building reconfigurations based on potential tenant interest. Bids have been received for a new permitting system. K. King attended a webinar regarding Desegregate CT and diversified affordable housing.

Site Plan & CAM 20-024: Construct Steel Garage for Truck Storage: 359 East Main Street: Map 87, Block 69, Lot 129, Zone I-2. Applicant/Owner: David Malazzi.

Jonathan Malazzi sent an email requesting that the Commission table the application to the February 8, 2021 meeting for revised site plans to be submitted and the decision by the Inland Wetlands Commission.

E. Dahlgren **moved** to table Site Plan & CAM 20-024: Construct Steel Garage for Truck Storage: 359 East Main Street: Map 87, Block 69, Lot 129, Zone I-2, to the February 8, 2021 meeting. B. Clark **seconded** the motion and it carried unanimously.

Roll call vote taken by L. DeMaria.

In Favor:	E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition:	None
Abstentions:	None
Not Voting:	M. Rossi, Chair
The motion carried:	8-0-0

Special Exception 20-026: Convert Existing Office Space to a 1,224 s.f. Accessory Apartment: 10 West Main Street: Map 45 Block 34 Lot 3, Zone B-3. Applicant/Owner: Charles Mascola.

A. Kravitz **moved** to open the public hearing for Special Exception 20-026: Convert Existing Office Space to a 1,224 s.f. Accessory Apartment: 10 West Main Street: Map 45 Block 34 Lot 3, Zone B-3. E. Dahlgren **seconded** the motion and it carried unanimously.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

E. Dahlgren read the Document list into record.

Charlie Mascola, Agent/Applicant, described the project. The existing 2-story building has 2 large office spaces on the second floor. The proposal is to convert one office space, approximately half of the 2nd floor square footage, into an accessory apartment.

A. Moore stated that the application does not cite the correct subsection of the Zoning Regulations and should be amended to section 27.2.8.

E. Dahlgren pointed out, that the Fire Marshal stated in his review, the 2nd floor apartment would need a second egress. C. Mascola stated, that currently, there are 2 egresses to the exterior and one egress to the interior main floor.

B. Clark noted that the application stated there would be an apartment over retail, not the current restaurant. B. Clark stated the application was incorrect as submitted, the Fire Marshal would need to do a full review and a sprinkler system would have to be installed. C. Mascola stated that currently there is no sprinkler system and the Fire Marshal has not completed a full review. J. Guszowski explained that the Commission was to review the health and safety aspect, of the application, as it pertained to Land Use and the Fire Marshal review would come at the time of the building permit. A. Moore agreed with J. Guszowski.

There were no comments from the public.

A. Moore **moved** to close the public hearing for Special Exception 20-026: Convert Existing Office Space to a 1,224 s.f. Accessory Apartment: 10 West Main Street: Map 45 Block 34 Lot 3, Zone B-3. E. Alberino **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, M. Jaffe, A. Moore, W. Benoit, B. Doyle
In Opposition: B. Clark, A. Kravitz
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 6-2-0

The Commission had no comments. E. Dahlgren read the Fire Marshal comments into record. M. Rossi stated that they would have to have a Fire Marshal review if the Commission approved the application. K. King stated that the Commission is there to approve the use.

A. Moore **moved** to approve Special Exception 20-026: Convert Existing Office Space to a 1,224 s.f. Accessory Apartment: 10 West Main Street: Map 45 Block 34 Lot 3, Zone B-3. E. Alberino **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

AR 21-001: Proposed Amendment to the Zoning Regulations: Coastal Site Plan Review, Section 18.3.1 – Remove 500 s.f. requirement, Add distance of “within 100 ft.”. Applicant: Town of Clinton Planning & Zoning Commission.

There was no discussion by the commission.

B. Clark **moved** to adopt AR 21-001: Proposed Amendment to the Zoning Regulations: Coastal Site Plan Review, Section 18.3.1 – Remove 500 s.f. requirement, Add distance of “within 100 ft.”. E. Alberino **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, B. Doyle
In Opposition: None
Abstentions: W. Benoit
Not Voting: M. Rossi, Chair
The motion carried: 7-0-1

B. Clark **moved** to amend the approval to include an effective date of April 1, 2021. A. Kravitz **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

AR 21-002: Proposed Amendment to the Zoning Regulations: Accessory Apartments, Section 12.6 – Remove entire section, Replace with new section 28.4. Applicant: Town of Clinton Planning & Zoning Commission.

M. Rossi stated that any motion to approve would have to include an amendment, to the Use Table in section 27.1, from Special Exception to administrative approval.

B. Clark had concerns with administrative review and would be better left to the judgement of the Commission. B. Clark stated he is concerned with the lack of enforcement and oversight. The density should be looked at more closely.

A. Kravitz asked if the application would come to the Commission for Site Plan review if the accessory apartment was located in a separate structure. J. Guskowski and K. King both explained that all accessory apartments must have a review and approval from the Health Department under the Health Code. K. King added that everything has a health review, even sheds.

B. Clark asked if detached accessory apartments would come to the Commission for review. J. Guskowski stated no. It would be similar to someone building a detached garage. The Commission does not review accessory structures unless it requires a CAM application.

E. Alberino stated that he has an accessory apartment and had to upgrade his septic system.

M. Jaffe asked if this could potentially double the density with detached structures. J. Guskowski stated that if the all coverage and setbacks were met, yes, it could potentially double density. However, all health codes must be met first.

M. Rossi stated that the apartment would still maintain size limitations relative to the main structure.

E. Dahlgren is concerned with the ZEO making a decision that the accessory apartment maintains the architectural style of the existing structure.

A. Moore stated that he felt the ZEO was qualified to review and approve accessory apartment applications and the Commission rarely comments on the architectural style of structures.

A. Moore **moved** to adopt AR 21-002: Proposed Amendment to the Zoning Regulations: Accessory Apartments, Section 12.6 – Remove entire section, replace with new section 28.4, with the following amendments: Section 12 to be deleted in its entirety, add new section 28.4 as amended at this meeting, amend the Use Tables to reflect that accessory apartments are as of right and the amendment is consistent with the POCD. E. Alberino **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, M. Jaffe, A. Moore, W. Benoit, B. Doyle
In Opposition: B. Clark, A. Kravitz
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 6-2-0

Site Plan & CAM 21-003: Elevate Existing Single Family House/Second Floor Expansion: 133 Shore Road: Map 86 Block 72 Lot 102, Zone R-10. Applicant/Owner: Tony Silverio. Agent: Joe Wren, P.E., Indigo Land Design, LLC.

E. Dahlgren **moved** to receive Site Plan & CAM 21-003: Elevate Existing Single Family House/Second Floor Expansion: 133 Shore Road: Map 86 Block 72 Lot 102, Zone R-10. E. Alberino **seconded** the motion and it carried unanimously.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

Joe Wren, P.E. from Indigo Land Design, LLC, described the application. The majority of the existing house will be maintained. The structure will be elevated to meet FEMA and an addition will be added to the second floor. Several bump outs will be removed. Stairs will access the interior of the house from under the structure to reduce coverage. A bump out on the existing garage will be removed. A new code compliant septic system will be installed. The new driveway will be pervious pavers or decorative gravel.

Denise Von Dassel, KV Designs, LLC presented the architectural plans. The deck and stairs on the south side will not be any closer to the water than the existing.

B. Doyle asked if the new height of the structure would have an impact on the neighboring views of the water. D. Von Dassel stated the height of the structure was compliant with regulations.

M. Jaffe asked to see the architectural elevation of the street side of the structure.

E. Alberino **moved** to table Site Plan & CAM 21-003: Elevate Existing Single Family House/Second Floor Expansion: 133 Shore Road: Map 86 Block 72 Lot 102, Zone R-10, to the February 8, 2021 meeting, to wait for DEEP and flood review comments. B. Clark **seconded** the motion and it carried unanimously.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

Special Exception & CAM 21-004: Construct 32 Condos on 2 Parcels: 151-153 East Main Street: Map 67 Block 62 Lots 17 & 17A, Zone EMVD. Applicant/Owner: RESYNC Property Solutions, LLC. Agent: Thomas A. Stevens & Associates, Inc.

E. Alberino **moved** to receive Special Exception & CAM 21-004: Construct 32 Condos on 2 Parcels: 151-153 East Main Street: Map 67 Block 62 Lots 17 & 17A, Zone EMVD. A. Kravitz **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, B. Doyle
In Opposition: None
Abstentions: W. Benoit
Not Voting: M. Rossi, Chair
The motion carried: 7-0-1

Tony Bolduc, P.E. from Thomas A. Stevens & Associates, Inc. described the application. The project is being applied for under section 27.2.4, Multi Dwelling Units. Currently there are 2 lots. A larger lot in the rear and a smaller lot in the front, with a total of 7 acres. A lot line revision is proposed to create a 3.29 and a 3.76-acre lot. 16 units are proposed on each lot. Stormwater runoff will be directed to a swale and then to 2 detention basins. The Inland Wetlands Commission determined at their January 5, 2021 meeting, that they would not require an application. The site was approved in 2005 for 33 units.

B. Clark **moved** to set a public hearing date of February 8, 2021 for Special Exception & CAM 21-004: Construct 32 Condos on 2 Parcels: 151-153 East Main Street: Map 67 Block 62 Lots 17 & 17A, Zone EMVD. E. Dahlgren **seconded** the motion and it carried unanimously.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

Site Plan & CAM 21-005: Rebuild House on Existing Foundation/Addition: 97 Pratt Road: Map 34 Block 13 Lot 104, Zone R-20. Applicant/Owner: George Marshall. Agent: Thomas A. Stevens & Associates, Inc.

A. Moore **moved** to receive Site Plan & CAM 21-005: Rebuild House on Existing Foundation/Addition: 97 Pratt Road: Map 34 Block 13 Lot 104, Zone R-20. E. Alberino **seconded** the motion and it carried unanimously.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

Tony Bolduc, P.E. from Thomas A. Stevens & Associates, Inc. described the application. The owner is looking to reconstruct a house on the existing foundation and add a 2 car garage and deck. The structure will be FEMA compliant. A new code complying septic system will be installed and has been approved by CRAHD.

E. Alberino **moved** to table Site Plan & CAM 21-005: Rebuild House on Existing Foundation/Addition: 97 Pratt Road: Map 34 Block 13 Lot 104, Zone R-20, to the February 8, 2021 meeting, to wait for DEEP and flood review comments. A. Moore **seconded** the motion and it carried.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, B. Doyle
In Opposition: None
Abstentions: W. Benoit
Not Voting: M. Rossi, Chair
The motion carried: 7-0-1

Committee Reports

- Regulations Committee: Proposed Regulation Amendments

J. Guskowski will schedule a Regulations Committee meeting later in January to review expansion/enlargement of non-conforming structures, home occupations.

Correspondence

Cuddy & Feder, LLP – New Cingular Wireless Emergency Back-up Generator, 46 Meadow Road

There was no discussion.

Old Business

Review of Bylaws

E. Dahlgren **moved** to approve the bylaws, consistent with the circulated copy, dated January 11, 2021.

A. Kravitz **seconded** the motion and it carried unanimously.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

New Business

A. Kravitz explained that the Commission will be receiving a letter from RiverCOG, with an interactive map in it, which indicates proposed changes in the future land use as part of a new regional POCD. Commissioners can review and comment. A. Kravitz would like it put on the next agenda.

Adjournment

E. Alberino **moved** to adjourn the meeting at 8:47 p.m. A. Kravitz **seconded** the motion and it carried unanimously.

Roll call vote taken by L. DeMaria.

In Favor: E. Dahlgren, E. Alberino, B. Clark, M. Jaffe, A. Kravitz, A. Moore, W. Benoit, B. Doyle
In Opposition: None
Abstentions: None
Not Voting: M. Rossi, Chair
The motion carried: 8-0-0

Respectfully submitted,

lisa deMaria

Lisa DeMaria
Land Use Technician