

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

REVISED

Minutes

Regular Meeting Minutes
Via Videoconference
Monday, December 12, 2022
7:00 p.m.

1. Call to Order/Seating of Members

Chairman Michael Rossi called the Regular Meeting of the Clinton Planning and Zoning Commission to order at 7:00 p.m.

Members Present: Michael Rossi, Chairman; Mary Ellen Dahlgren, Secretary; Eddie Alberino; Mike Florio; Martin Jaffe; Alan Kravitz; Adam Moore; Alternate Members Jay Mandell

Members Absent: Michael Knudsen, Vice-Chairman; Will Benoit; Brendan Saunders

Also present: John Guskowski, Consulting Town Planner; Kathy King, ZEO and Abigail Piersall, Town Planner

Chairman Rossi seated Jay Mandell for Will Benoit

2. 2023 PZC Meeting Calendar

A Kravitz moved to approve the 2023 Calendar as circulated. M. Florio seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell

In Opposition: None

Abstentions: None

The motion carried: 7-0-0

3. Election of Officers

M. Jaffe nominated M. Rossi for Chairman. M. Florio seconded. There were no other nominations. E. Dahlgren motioned to close the nominations for Chair. M. Florio seconded the motion. The motion was carried by unanimous vote. M. Rossi continues as Chairman.

A. Kravitz nominated M. Knudsen for Vice-Chair. E. Dahlgren seconded the motion. A. Kravitz moved to close nominations for Vice-Chair. A. Moore seconded the motion. E. Dahlgren motioned to close the nominations for Chair. M. Florio seconded the motion. The motion was carried by unanimous vote. M. Knudsen continues as Vice-Chairman.

M. Rossi nominated E. Dahlgren for Secretary. M. Jaffe seconded the motion. A. Kravitz moved to close the nominations for Secretary. M. Florio seconded the motion. The motion was carried by unanimous vote. E. Dahlgren continues as Secretary.

E. Alberino arrived at 7:07 pm.

4. Review of Bylaws

No review or changes were made by Commission Members

5. Chairman's Comments

M. Rossi commented on recognizing John Guszkowski's time as our Interim Town Planner. M. Rossi also recognized our new Town Planner Abby Piersall.

E. Dahlgren made a motion "RESOLVED-The Planning and Zoning Commission of the Town of Clinton, CT extends its thanks to John Guszkowski of Tyche Planning & Policy Group for his collaboration over the past nine-and-one-half years and his contributions to substantial improvements in Clinton's built environment and to the professional support of our Land Use Office." M. Jaffe seconded the motion. M. Rossi did a voice call. All members voted yes.

M. Rossi then requested to add two (2) new items under New Business. Item 9c is to discuss getting back to in person meetings. The second would be for planning the next Town Plan of Conservation and Development meeting. A. Kravitz moved to accept the new two (2) items. M. Florio seconded the motion and the motion carried. Members voted on the motion and it carried, unanimously.

In Favor:	E. Dahlgren; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition:	E. Alberino
Abstentions:	None
The motion carried:	6-1-0

6. Minutes

PZC – November 14, 2022

A. Kravitz moved to accept the minutes of November 14, 2022 as submitted. M. Florio seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor:	E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition:	None
Abstentions:	None
The motion carried:	7-0-0

Before the beginning of the Public Hearing, M. Rossi went over the rules for the Public Hearing. Meeting is being recorded, both audio and video. He advised the public that if they wanted to speak they would have to sign into the chat with their name so it could be recorded correctly in the minutes. He also advised that there will be no cross-talking between people.

E Dahlgren then read the Legal Notice of Public Hearing published in the Harbor News on December 1, 2022 and December 8, 2022.

7. Public Hearing

- a. **PZC-22-16 for 39 Waterside Lane, Zone change of subject property from R-20 to R-10 (Map 56 Block 64 Lot 51, Zone R-20)** Owner: John G. Rowland. Agent: Gregg Fedus

Attorney Robert Rimmer who represents Mary-Kelly Busch and Daniel Picchioni who own 43 Waterside Lane, spoke in opposition. He asked what the applicant wants to do with the property. He further stated that a deed restriction does not guarantee the home will remain. He stated that this application is for a zone change only. He asked for clarification on the applicant's plan for the property, the decision runs with the land-not with the owner. He referenced the State Historic Preservation Office letter. He recommended the Commission deny this application.

Peggy Adler reviewed a history of Waterside Lane relative to Historic District designation. P. Adler supported the architect's experience in historic building design.

Maureen Wellman then spoke in opposition. M. Wellman requested that letters submitted to the Commission be read. She further stated that "Granting a zone change would set the wrong precedent and will disrupt the neighborhood, the charm of the street."

John Andrews spoke. He owns 37 Waterside Lane, which abuts 39 Waterside Lane. His family has owned this property for over 125 years. He was not in favor or opposed to this application, but concerned about the views to his back yard and the septic tank.

Erin LaCross, who owns 13 Waterside Lane, spoke in opposition. She stated that changing the zone is not necessary.

There were no further comments.

M. Rossi then asked if any of the other Commission Members had any other comments or questions. E. Dahlgren stated that the Commission is only receiving a zone change at this time.

G. Fedus, with Fedus Engineering, Agent for the applicant. He stated a proposed site plan and deed restriction language has been submitted and attached to the application.

M. Williams, the Architect for this project, spoke. M. Williams described future site improvements should the zone change be approved.

Maurice Hakim, of 21 Waterside Lane, asked for clarification on the feasibility of future development relative to septic improvements.

E. Alberino moved to CLOSE public hearing for **PZC-22-16 for 39 Waterside Lane, Zone change of subject property from R-20 to R-10 (Map 56 Block 64 Lot 51, Zone R-20)** Owner: John G. Rowland. Agent: Gregg Fedus. J. Mandell seconded the motion. Members voted on the motion and it was NOT carried.

In Favor: E. Alberino; and M. Florio
In Opposition: E. Dahlgren; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
Abstentions: None
The motion was NOT carried: 2-5-0

Gregg Fedus agreed to give PZC an extension to continue the public hearing to January 9, 2023

M. Rossi stated that the Commission requests the language for the deed restriction be looked over by the Town's attorney. M. Rossi further stated that the Commission Members will need to read all of the letters in opposition of this application.

M. Jaffe requested that the Town attorney see whether a site plan can be incorporated into the restrictive covenant as well. M. Jaffe further requested the review of the design for any subsequent structure by the Historic Preservation Commission.

A. Kravitz moved to CONTINUE public hearing to January 9, 2023 for **PZC-22-16 for 39 Waterside Lane, Zone change of subject property from R-20 to R-10 (Map 56 Block 64 Lot 51, Zone R-20)** Owner: John G. Rowland. Agent: Gregg Fedus. M. Jaffe seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition: None
Abstentions: None
The motion carried: 7-0-0

b. PZC-22-18 for 7 Central Ave (Map 47 Block 27 Lot 12 Zone I-1) and 20 North High St (Map 44 Block 26 Lot 22 Zone I-1) Application to amend the zoning map to change the zone of both properties to Transit Oriented Development Overlay District ("TODO") in order to expand the existing TODO zone and to update the Master Plan for the

Station at Clinton. Applicants- 10 North High Street LLC, R&R Clinton Ventures III LLC, 20 North High Street Associates LLC, and R&R Clinton Ventures IV LLC, Agents- Robert Berchem, Esq. and Stephen Studer, Esq.

Attorney Stephen Studer, with Bercham & Moses, 75 Broad Street, Milford, spoke on behalf of the applicant and reviewed compliance with required public notice procedures. He explained how they have 4 other professionals prepared to testify. He stated how the signs for the public hearing were posted per the regulations, and that the abutting neighbors were notified of said public hearing.

Developer Michael Massimino, reviewed project phasing.

Geoff Fitzgerald Professional Engineer Planner from Bohler Engineering, 65 LaSalle Rd Ste 401, West Hartford shared his screen with the Commission Members. He reviewed the proposed zone change and Master Plan to incorporate residential development into the existing TODO District. G. Fitzgerald then proceeded to explain other phases of the upcoming project associated with this application.

Michael Dion, P.E., P.T.O.E., from BL Companies, 355 Research Parkway, Meriden, CT spoke on behalf of the applicant. M. Dion presented the traffic study.

M. Jaffe asked whether or not they have plans to incorporate any mixed-income housing units within the multi-family units. M. Massimino stated that at first it was not their intention but they are considering; it would not be under Statute 8-30g but they would propose some percentage level of affordable.

M. Jaffe noted that the location on High Street has some non-residential uses and TODO is supposed to be a mixed-use. M. Jaffe questioned, besides the sports complex, whether or not there were other commercial components relative to mixed-use. M. Massimino stated that they are currently in negotiations with somebody that is looking to take the majority of the space; at this moment there are no other retail or sporting goods type vendors.

M. Jaffe questioned whether the traffic study assured people would be using the train to travel or whether they would be driving. Michael Dion, P.E., P.T.O.E., replied that the traffic study assumed 20 percent (20%) of the people would be taking the train.

A Kravitz requested clarification on the internal circulation system. G. Fitzgerald shared the screen and explained traffic and pedestrian circulation shown in the Master Plan to the Commission members.

M. Rossi requested public comments and then allowed people from the public to speak.

Taylor Boucher, owner of 29 John St., spoke against the project. T. Boucher requested that John Street be turned to a dead end. He further stated that he feels that these hearings should be done in-person.

David Traskos, owner of 50 John St., spoke against the project. D. Traskos expressed concern about traffic.

Josh Mengel, owner of 52 High St., spoke in opposition of the project. He is also concerned about the traffic and feels that this is something that needs to be looked at more closely.

Jamie Saturno, from 34 John St. & Wendy Denhardt at 24 John St spoke together. Both are against this project. Both are concerned with the amount of traffic as well and the safety and well-being of neighbors. J. Saturno further stated that the construction workers are currently going on John Street at high rates of speed and are driving the wrong way. Both J. Saturno and W. Denhardt requested in person meeting and asked that this discussion be continued before any decision is made. W. Denhardt questioned why the sidewalks were removed and if they are going to be replaced.

No other members from the public spoke.

M. Massimino stated that the sidewalks that were removed are going to be replaced. M. Massimino supported turning John Street turned into a dead end. M. Massimino stated that 20 North High Street will provide secondary access to the site. M. Massimino also stated that the matter before the board is only about the zone change right now; further development is down the road and that can be discussed then for when they come in for Site Plan approvals. M. Massimino recognized the public's concerns about traffic safety.

M. Rossi questioned when will the Phase III realistically start. M. Massimino stated it could be another three (3) years.

E. Dahlgren moved to CLOSE public hearing **PZC-22-18 for 7 Central Ave (Map 47 Block 27 Lot 12 Zone I-1) and 20 North High St (Map 44 Block 26 Lot 22 Zone I-1) Application to amend the zoning map to change the zone of both properties to Transit Oriented Development Overlay District ("TODO") in order to expand the existing TODO zone and to update the Master Plan for the Station at Clinton.** Applicants: 10 North High Street LLC, R&R Clinton Ventures III LLC, 20 North High Street Associates LLC, and R&R Clinton Ventures IV LLC, Agents: Robert Berchem, Esq. and Stephen Studer, Esq., as it is consistent with the Plan of Conservation and Development. J. Moore seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor:	E. Dahlgren; M. Florio; M. Jaffe; A. Moore; and J. Mandell
In Opposition:	E. Alberino; A. Kravitz
Abstentions:	None
The motion carried:	5-2-0

8. Staff Reports

- 1) **John Guskowski** – J. Guskowski thanked the Commission and stated that A. Piersall is a wonderful choice for the Town Planner and he believes the Town will be in good hands.
- 2) **Kathy King** – K. King let the Commission Members know that she received her certification from CAZEO and is now a Certified Zoning Enforcement Officer.

E. Dahlgren made another motion “RESOLVED-The Planning and Zoning Commission of the Town of Clinton, CT extends its congratulations to Kathy King on achieving her Certified Zoning Enforcement credential and acknowledges and appreciates her efforts in reaching this professional milestone.” M. Jaffe seconded the motion. M. Rossi did a voice call. All members voted yes.

9. New Business

- a) **PZC-22-19 for 26 West Main St. (Map 45 Block 32 Lot 8) and 28 West Main St. (Map 45 Block 32 Lot 7), Clinton West Development - 8-30 Mixed Use Site Plan.**
Owner: Clinton West Development LLC and Eric D'Aquila. Agent: Edward Cassella.

E. Dahlgren recused herself from this matter.

Attorney Edward Cassella introduced Rick D'Aquila, the applicant. R. D'Aquila spoke briefly about the project. E. Cassella then let the Members know how the project is for a 8-30g affordable housing which consists of 6 residential units, a restaurant with less than sixty (60) seats, and there is also a small office.

Matt Williams spoke as the architect of the project. M. Williams then shared his screen showing an aerial view of the area of the proposed project.

G. Fedus, engineer for this project, also shared his screen and went through the site plan submitted. G. Fedus went over the septic, sidewalks and parking area details.

M. Rossi questioned where the parking for the restaurant would be. G. Fedus explained that the parking requirements are six (6) spaces for the housing units, twelve (12) parking spaces for the office.

E. Alberino spoke. Has expressed concerns about the parking on Stevens Rd as it is a one way and it abuts the proposed project area.

G. Fedus and M. Williams went over in detail the parking details.

E. Alberino moved to APPROVE **PZC-22-19 for 26 West Main St. (Map 45 Block 32 Lot 8) and 28 West Main St. (Map 45 Block 32 Lot 7), Clinton West Development - 8-30 Mixed Use Site Plan.** Owner: Clinton West Development LLC and Eric D'Aquila. Agent: Edward Cassella. M. Jaffe seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor:	E. Alberino; M. Florio; M. Jaffe; A. Moore; and J. Mandell
In Opposition:	None
Abstentions:	A. Kravitz

The motion carried: 5-0-2

- b) **PZC-22-20 161 West Main St. Applying for a 2 lot resubdivision and open space parcel. (Map 23 Block 10 Lot 41 Zone: B-4).** Owner: Fred & Linda Bauer.
Applicant/Agent: Robert Grabarek.

E. Alberino moved to ACCEPT and SCHEDULE for a public hearing to January 9, 2023 **PZC-22-20 161 West Main St. Applying for a 2 lot resubdivision and open space parcel. (Map 23 Block 10 Lot 41 Zone: B-4).** Owner: Fred & Linda Bauer. Applicant/Agent: Robert Grabarek. A Kravitz seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition: None
Abstentions: None
The motion carried: 7-0-0

- c) **PZC-22-21 for 10 West Main St., the proposal includes a change of use to retail (27.2.24), specifically a jewelry store, and accessibility upgrades. The upgrades include, but not limited to, an exterior ramp and stair, vestibule addition, interior lift, new interior stairs, and new restrooms. (Map 45 Block 34 Lot 3 Zone: B-3)** Owner: Clinton D&T Investments. Agent: Josh LaBeau.

Joshua LaBeau shared his screen and explained the project to the Commission Members.

E. Alberino moved to RECEIVE AND APPROVE **PZC-22-21 for 10 West Main St., the proposal includes a change of use to retail (27.2.24), specifically a jewelry store, and accessibility upgrades. The upgrades include, but not limited to, an exterior ramp and stair, vestibule addition, interior lift, new interior stairs, and new restrooms. (Map 45 Block 34 Lot 3 Zone: B-3)** Owner: Clinton D&T Investments. Agent: Josh LaBeau. A. Kravitz seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition: None
Abstentions: None
The motion carried: 7-0-0

- d) **In Person Meetings-** Commission Members spoke about returning back to in person meetings.

A Piersall, K. King and J. Guskowski spoke and advised members what the regulations were.

E Alberino spoke and is worried about the high rate of transmission currently with RSV, flu and COVID.

M. Florio stated how he is in Florida for five (5) months and won't be able to attend in person meetings for that time.

It was decided by all Commission Members that the meetings will remain virtual for January and February of 2023. Returning to in-person meetings will be further discussed at the February 13, 2023 meeting.

e) Town Plan of Conservation and Development-

A Piersall spoke about the budget and what needs to be prioritized. She proposed a budget of eighty thousand dollars (\$80,000.00) split into two (2) years for the update to the Plan of Conservation and Development. She suggested robust public outreach for the POCD (Plan of Conservation and Development).

10. Old Business

- a) PZC-22-19 for 26 West Main St. (Map 45 Block 32 Lot 8) and 28 West Main St. (Map 45 Block 32 Lot 7), Clinton West Development - 8-30 Mixed Use Site Plan.**
Owner: Clinton West Development LLC and Eric D'Aquila. Agent: Edward Cassella

E. Alberino moved to APPROVE **PZC-22-19 for 26 West Main St. (Map 45 Block 32 Lot 8) and 28 West Main St. (Map 45 Block 32 Lot 7), Clinton West Development - 8-30 Mixed Use Site Plan.** Owner: Clinton West Development LLC and Eric D'Aquila. Agent: Edward Cassella. M. Jaffe seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition: None
Abstentions: None
The motion carried: 7-0-0

- b) PZC-22-20 161 West Main St. Applying for a 2 lot resubdivision and open space parcel. (Map 23 Block 10 Lot 41 Zone: B-4).** Owner: Fred & Linda Bauer.
Applicant/Agent: Robert Grabarek

E. Alberino moved to ACCEPT and SCHEDULE for a public hearing on January 9, 2023 **PZC-22-20 161 West Main St. Applying for a 2 lot resubdivision and open space parcel. (Map 23 Block 10 Lot 41 Zone: B-4).** Owner: Fred & Linda Bauer. Applicant/Agent: Robert Grabarek. A Kravitz seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition: None
Abstentions: None
The motion carried: 7-0-0

- c) **PZC-22-21 for 10 West Main St., the proposal includes a change of use to retail (27.2.24), specifically a jewelry store, and accessibility upgrades. The upgrades include, but not limited to, an exterior ramp and stair, vestibule addition, interior lift, new interior stairs, and new restrooms. (Map 45 Block 34 Lot 3 Zone: B-3)**
Owner: Clinton D&T Investments. Agent: Josh LaBeau

E. Alberino moved to RECEIVE AND APPROVE **PZC-22-21 for 10 West Main St., the proposal includes a change of use to retail (27.2.24), specifically a jewelry store, and accessibility upgrades. The upgrades include, but not limited to, an exterior ramp and stair, vestibule addition, interior lift, new interior stairs, and new restrooms. (Map 45 Block 34 Lot 3 Zone: B-3)** Owner: Clinton D&T Investments. Agent: Josh LaBeau. A. Kravitz seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition: None
Abstentions: None
The motion carried: 7-0-0

- d) **PZC-22-18 for 7 Central Ave (Map 47 Block 27 Lot 12 Zone I-1) and 20 North High St (Map 44 Block 26 Lot 22 Zone I-1) Application to amend the zoning map to change the zone of both properties to Transit Oriented Development Overlay District ("TODO") in order to expand the existing TODO zone and to update the Master Plan for the Station at Clinton.** Applicants: 10 North High Street LLC, R&R Clinton Ventures III LLC, 20 North High Street Associates LLC, and R&R Clinton Ventures IV LLC, Agents: Robert Berchem, Esq. and Stephen Studer, Esq.

E. Dahlgren moved to APPROVE **PZC-22-18 for 7 Central Ave (Map 47 Block 27 Lot 12 Zone I-1) and 20 North High St (Map 44 Block 26 Lot 22 Zone I-1) Application to amend the zoning map to change the zone of both properties to Transit Oriented Development Overlay District ("TODO") in order to expand the existing TODO zone and to update the Master Plan for the Station at Clinton.** Applicants: 10 North High Street LLC, R&R Clinton Ventures III LLC, 20 North High Street Associates LLC, and R&R Clinton Ventures IV LLC, Agents: Robert Berchem, Esq. and Stephen Studer, Esq., as it is consistent with the Plan of Conservation and Development. M. Florio seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Moore;
In Opposition: A. Kravitz;
Abstentions: J. Mandell
The motion carried: 5-1-1

11. Correspondence

- a) 11/28/22 letter from the Town of Madison with regards to: 21-19 Regulation Amendment-Moratorium Extension on Recreational Marijuana
- b) 12/6/22 letter from Bonnie Fillion in support of PZC-22-16

12. Executive Session- Litigation- Postponed to 1/9/23 PZC Meeting

13. Adjournment

E. Alberino motioned to adjourn the meeting at 11:33 p.m. M. Florio seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor:	E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; A. Moore; and J. Mandell
In Opposition:	None
Abstentions:	None
The motion carried:	7-0-0

Respectfully submitted,

Cristi Alvarado

Cristi Alvarado
Planning and Zoning Clerk