



PLANNING AND ZONING COMMISSION

MINUTES
Regular Monthly Meeting
Monday, June 12, 2023
7:00 p.m. via Zoom

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; Eddie Alberino, Michael Florio, Martin Jaffe, Alan Kravitz, Cinzia Lettieri, Adam Moore and Alternate Members: Jay Mandell and Zach Plourde

Members Absent: Mary Ellen Dahlgren, Secretary; Walter "Beau" Clark and M. Knudsen

Also present: Abby Y. Piersall, AICP, Town Planner; and Kathy King, CZEO

M. Rossi seated Jay Mandell for Mike Knudsen, and Zach Plourde was seated for Mary Ellen Dahlgren.

2. MINUTES
PZC - May 15, 2023

J. Mandell moved to accept the minutes of May 15, 2023 as submitted. C. Lettieri seconded the motion. Members voted on the motion, and it carried unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde
In Opposition: None
Abstentions: None
The motion carried: 8-0-0

3. CHAIR COMMENTS

M. Rossi read the procedures for the public hearings and the rules of conduct.

4. RECEIPT OF APPLICATION

- a) PZC-23-13 for 23 West Main St. New business. Converting former medical office into tea lounge and retail (1st floor) Plus adding salt therapy room(s) in basement. Interior

renovations only, no exterior renovations needed. (Map 44 Block 29 Lot 9). Owners: Gary and Felicia Grippo. Agent: Peter Lucchese

M. Jaffe moved to accept application **PZC-23-13**. E. Alberino seconded the motion. Members voted on the motion, and it carried unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

**b) PZC-23-14** Proposed Text Amendments of Section 14, Vendors. Applicant: PZC

A Kravitz moved to accept application **PZC-23-14** and schedule it for a public hearing at the next regularly scheduled PZC meeting which will be held on July 10, 2023 at 7:00 p.m. J. Mandell seconded the motion. Members voted on the motion, and it carried unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

**c) PZC-23-15** Proposed Text Amendments of Section 27.2, Non-Residential Schedule of Uses. Applicant: PZC

C Lettieri moved to accept application **PZC-23-15** and schedule it for a public hearing at the next regularly scheduled PZC meeting which will be held on July 10, 2023 at 7:00 p.m. J. Mandell seconded the motion. Members voted on the motion, and it carried, unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

**d) PZC-23-16** Proposed Text Amendments of Section 33, Parking. Applicant: PZC

J. Mandell moved to accept application **PZC-23-16** and schedule it for a public hearing at the next regularly scheduled PZC meeting which will be held on July 10, 2023 at 7:00 p.m. E. Alberino seconded the motion. Members voted on the motion, and it carried unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

**5. PUBLIC HEARINGS (continued from 5/15/23 meeting)**

- a) **PZC-23-8** Proposed Text Amendments of Section 5, “Zoning Enforcement Officer”. Applicant: PZC

There were no comments from the Commission or from the public.

M. Florio moved to approve **PZC-23-8** Proposed Text Amendments of Section 5, “Zoning Enforcement Officer” effective August 1, 2023. Applicant: PZC. A Kravitz seconded the motion. Members voted on the motion, and it carried unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

- b) **PZC-23-9** Proposed Text Amendments of Section 4, “Application Requirements, Procedures, and Design Process.”. Applicant: PZC

There were no comments from the Commission or from the public.

M. Florio moved to approve **PZC-23-9** Proposed Text Amendments of Section 4, “Application Requirements, Procedures, and Design Process” effective August 1, 2023. Applicant: PZC. E. Alberino seconded the motion. Members voted on the motion, and it carried unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

- c) **PZC-23-10** Proposed Text Amendments of Section 3, “Definitions.”. Applicant: PZC  
Link to PZC-23-10

There were no comments from the Commission or from the public.

M. Florio moved to APPROVE **PZC-23-10** Proposed Text Amendments of Section 3, “Definitions” effective August 1, 2023. Applicant: PZC. M. Jaffe seconded the motion. Members voted on the motion, and it carried unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

## 6. APPLICATION REVIEWS

- a) **PZC-23-8** Proposed Text Amendments of Section 5, “Zoning Enforcement Officer”. Applicant: PZC

M. Florio moved to APPROVE **PZC-23-8** Proposed Text Amendments of Section 5, “Zoning Enforcement Officer”. Applicant: PZC. A Kravitz seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

- b) **PZC-23-9** Proposed Text Amendments of Section 4, “Application Requirements, Procedures, and Design Process.” Applicant: PZC

M. Florio moved to APPROVE **PZC-23-9** Proposed Text Amendments of Section 4, “Application Requirements, Procedures, and Design Process.”. Applicant: PZC. E. Alberino seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

- c) **PZC-23-10** Proposed Text Amendments of Section 3, “Definitions.”. Applicant: PZC

M. Florio moved to APPROVE **PZC-23-10** Proposed Text Amendments of Section 3, “Definitions.”. Applicant: PZC. M. Jaffe seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

- d) **PZC-23-13** for 23 West Main St. New business. Converting former medical office into tea lounge and retail (1st floor) Plus adding salt therapy room(s) in basement. Interior renovations only, no exterior renovations needed. (Map 44 Block 29 Lot 9). Owners: Gary and Felicia Grippo. Agent: Peter Lucchese

No one was in attendance to present the application.

E. Alberino moved to have **PZC-23-13** for 23 West Main St. New business, converting former medical office into tea lounge and retail (1st floor) Plus adding salt therapy room(s) in basement. Interior renovations only, no exterior renovations needed. (Map 44 Block 29 Lot 9). Owners: Gary and Felicia Grippo. Agent: Peter Lucchese continued to the next regularly scheduled Planning & Zoning Commission on July 10, 2023 at 7:00 p.m. J. Mandell seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde  
In Opposition: None  
Abstentions: None  
The motion carried: 8-0-0

## 7. ADMINISTRATIVE REVIEW

- a) **11 Lindera Lane** – discussion of conservation/wetlands boundary

Andrew Randi, owner of 11 Lindera Lane was present. Attorney Ed Cassella represented the property owner. He explained the history of the property which included details about the conservation easement. The owners purchased 11 Lindera Lane in 2010. After the purchase, the owners learned that their rear lawn encroached into the required conservation easement which had been in place since 2002. Attorney Cassella and A. Randi, stated that the builder installed rock walls to delineate the edge of lawn, however, the edge of lawn was in the required 50-foot conservation easement that was established as a buffer to wetlands throughout the subdivision. Attorney Cassella described past attempts to remedy the encroachment issue, including recording a new conservation easement boundary on the land records. Attorney Cassella explained that a previous Zoning Enforcement Officer verbally agreed to a modified conservation easement boundary in 2012.

M. Rossi stated that the Zoning Enforcement Officer would not have had the authority to modify the conservation easement. Any modification would need to be done by the PZC.

In 2013, the owners applied for a permit to put in a generator, retaining wall, and a play scape. There was a proposed pool on the plan, but the pool was not approved. The Zoning Enforcement Officer approved the generator, retaining wall, and play scape, which were outside of the boundary of the original 50-foot conservation easement.

M. Jaffe and A. Kravitz both stated that it's the property owner's responsibility to do a title search before they purchase a property. Conservation easements would be found through a title search.

M. Rossi said the conservation easement was an integral part of the approval of this subdivision, and he was hesitant to approve any modification to it.

The PZC discussed amending the conservation easement and requested that Attorney Cassella draft language modifying the conservation easement for the PZC for review at their next meeting on July 10. The PZC requested that the language amending the easement be approved by Town Attorney Kari Olson. A. Piersall emphasized any potential modifications to the easement should include very specific findings about this property and the reasons for an amendment, as conservation easements are intended to be permanent.

A. Piersall also noted that the Redwing Foundation and the Town Council held interest in the 2002 easement, and need to approve a modification in addition to the PZC. The Redwing Foundation's approval letter was attached to the staff memorandum on this topic. A. Piersall reiterated that if an amended easement is approved, the owners would still need to seek approval from the Inland Wetlands Commission to install an inground pool in the upland review area.

## 8. CORRESPONDENCE

- a) The PZC received an email from Marion Martinez, of 91 Commerce Street, regarding her complaints about 89 Commerce Street. The letter was dated 6/11/23. It was received on 6/12/23.

K. King prepared a memo in response to M. Martinez's letter. The PZC requested that discussion be continued to the 7/10/23 PZC meeting.

## 9. ADJOURNMENT

In Favor:	E. Alberino, M. Florio, M. Jaffe, A. Kravitz, C. Lettieri, J. Mandell, A. Moore and Z. Plourde
In Opposition:	None
Abstentions:	None
The motion carried:	8-0-0

Respectfully submitted,

Kathleen King, CZEO  
Zoning Enforcement Officer