



PLANNING AND ZONING COMMISSION

MINUTES

**Regular Monthly Meeting
Monday, September 11, 2023
7:00 p.m.
Town Hall
Green Room**

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; Michael Knudsen, Vice Chair; Ellen Dahlgren, Secretary; Eddie Alberino; Michael Florio; Martin Jaffe; Cinzia Lettieri; Adam Moore; and Alternate Members: W. “Beau” Clark and Zach Plourde

Members Absent: Alan Kravitz and Jay Mandell

Chair Rossi seated Zach Plourde for Alan Kravitz.
Chari Rossi seated W. “Beau” Clark for Jay Mandell.

2. MINUTES- Review and Approval of the July 10, 2023 and August 14, 2023 meeting minutes

This matter was continued to the October 16, 2023 meeting.

3. CHAIR COMMENTS

Chair Rossi explained that because PZC-23-18 for a text amendment to the Zoning Regulations to add Multifamily Adaptive Reuse Zone (MARZ) was not on this agenda, the Commission will need to table this application until the October 16, 2023 Planning & Zoning Commission meeting.

A. Piersall advised the Commission that the Public Hearing for PZC-23-19 can proceed, and she recommended that deliberations pertaining to PZC-23-18 and PZC-23-19 be tabled to the October 16, 2023 meeting, subject to the applicant’s approval.

The Commission will not be voting tonight on either application PZC-23-18 or PZC-23-19.

Commissioner Kravitz arrived via Zoom at 7:04 p.m. Commissioner Plourde was unseated. Chair Rossi stated that PZC-23-21 for 88 W. Main St. can be added to tonight’s agenda, under Application Reviews, by a 2/3 majority vote.

Application PZC-23-22, which is a CAM application, can be added to tonight's agenda, under Application Reviews, by a 2/3 majority vote.

Application PZC-23-21 for 88 West Main Street, can be added to tonight's agenda as Item b under Application Reviews, by a 2/3 majority vote.

E. Dahlgren motioned to **ADD PZC-23-21** for 88 W. Main St, Site Plan. 1st floor, a restaurant and on 2nd floor, a 2 (two) bedroom apartment. (Map 45 Block 13 Lot 26). Owner: West Main LLC. Agent: Atty. Jeffrey Beatty, to tonight's agenda. M. Jaffe seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition: None
Abstentions: None
The motion carried: 9-0-0

E. Alberino motioned to **ADD PZC-23-22** (CAM application) 44A Morgan Park, demolition and expansion of a deck within 100' of tidal wetlands. (Map 56 Block 64 Lot 15A). Owner/Applicant: Karen Warhit. at the end of Application Reviews for tonight's Agenda M. Florio seconded the motion. Members voted on the motion and it carried, unanimously.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition: None
Abstentions: None
The motion carried: 9-0-0

4. RECEIPT OF APPLICATIONS

- a) **PZC-23-22 (CAM application)** for 44A Morgan Park, demolition and expansion of a deck within 100' of tidal wetlands. (Map 56 Block 64 Lot 15A). Owner/Applicant: Karen Warhit [Link to PZC-23-22](#)

Karen Warhit, applicant, was present.

Chair Rossi advised the Commission that comments from LWRD DEEP have been received and added to the attachments of this application.

E. Alberino moved to **RECEIVE PZC-23-22 (CAM application)** for 44A Morgan Park, demolition and expansion of a deck within 100' of tidal wetlands. (Map 56 Block 64 Lot 15A). Owner/Applicant: Karen Warhit. E. Dahlgren seconded the motion. Members voted on the motion and it carried.

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In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition: None
Abstentions: None
The motion carried: 9-0-0

- b) **PZC-23-23 (CAM application)** for 59 Shore Rd, proposing to add a partial 2nd story and 2 additional bedrooms onto the existing 3-bedroom year-round dwelling (5 bedrooms total). Replace the existing septic system and other associated improvements. (Map 79 Block 72 Lot 64). Owner: John Welna. Agent: Joe Wren, P.E. [Link to PZC-23-23](#)

E. Alberino moved to **RECEIVE PZC-23-23 (CAM application)** for 59 Shore Rd, proposing to add a partial 2nd story and 2 additional bedrooms onto the existing 3-bedroom year-round dwelling (5 bedrooms total). Replace the existing septic system and other associated improvements. (Map 79 Block 72 Lot 64). Owner: John Welna. Agent: Joe Wren, P.E. E. Dahlgren seconded the motion. Members voted on the motion and it carried.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition: None
Abstentions: None
The motion carried: 9-0-0

5. PUBLIC HEARINGS

- a) **PZC-23-19 Zoning Map Amendment** to rezone subject property to MARZ for 345 E. Main St., (Map 88 Block 69 Lot 126). Owner: Victorian Village, LLC. Agent: Atty. Andrea Gomes. [Link to PZC-23-19](#)

Attorney Scott MacNeil was present on behalf of the applicant. He reviewed the application. He referenced the 8/28/23 Memo from Atty. Gomes, which outlined her responses to some of the concerns raised by the Commission Members during the August 14th meeting. He reviewed the following points from her memo precedent to land MARZ elsewhere would be created by the approval of this application. The Commission will be exercising a legislative function, and each application stands on its own. When acting on a proposed zoning map amendment, per CT State law, the Commission should consider 1) if the map amendment is in accord with the comprehensive plan of zoning; 2) if the map amendment accomplishes the goals of the Plan of Conservation and Development (POCD); and 3) if the map amendment is reasonably consistent with the Commission's authority under General Statutes § 8-2.

Lastly Atty. MacNeil spoke about the existing Victorian Village residents. He pointed out that the concerns regarding displacement of existing residents have no bearing on the application before the Commission. He reiterated the applicant's commitment and intention to work with the existing residents to the extent possible and within the restrictions of the

Fair Housing Act to ensure that all residents have the option to remain at the site as it is redeveloped.

M. Jaffe asked how many dwelling units are at the existing Victorian Village. Atty. MacNeil responded that there are 8 buildings which contain 14 dwelling units. There are 2 dwelling units in the building that is going to be demolished. D. Ackerman, property owner, confirmed that the building to be demolished there are 2 dwelling units, plus a garage.

E. Dahlgren advised Chair Rossi that correspondence was submitted prior to the meeting by residents of Victorian Village. E. Dahlgren then read the letter into the record. Chair Rossi asked the Commission Members if anyone had any further questions regarding any of the supplemental materials since last month's meeting. E. Dahlgren wanted to verify that the hearing is concerning the rezoning of the property, which is contingent upon the action of PZC-23-18. Chair Rossi confirmed that is correct.

Hearing no other questions from the Commission, Chair Rossi opened up the Public Hearing. He requested that members of the public identify themselves for the record and specify if they were in support or in opposition of the application or if they were neutral and just had a question. No one came forward.

E. Alberino motioned to **CLOSE PUBLIC HEARING PZC-23-19 Zoning Map Amendment** to rezone subject property to MARZ for 345 E. Main St., (Map 88 Block 69 Lot 126). Owner: Victorian Village, LLC. Agent: Atty. Andrea Gomes. C. Lettieri seconded the motion. Members voted on the motion, and it carried.

In Favor:	M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition:	None
Abstentions:	None
The motion carried:	9-0-0

b) **PZC-23-20 (Special Exception to permit an accessory apartment)** for 88 W. Main St. 1st floor, a restaurant and on 2nd floor, a 2 (two) bedroom apartment. (Map 45 Block 13 Lot 26). Owner: West Main LLC. Agent: Atty. Jeffrey Beatty [Link to PZC-23-20](#)

Atty J. Beatty spoke on behalf of the applicant. He stated the site has already been developed. They are not proposing any new construction. The exterior of the building will be painted, a new roof will be added, and the only construction they are proposing is for an enclosure of the garbage container in the back of the building. The building will remain as is. The proposed plans are consistent with POCD.

Chair Rossi asked if the proposed accessory apartment will be deed restricted as an affordable housing unit. Atty. Beatty advised the Commission that it will not be a deed restricted apartment. E. Alberino then asked if the applicant has met with the Fire Marshal. Atty. Beatty advised the Commission that they have met with the Fire Marshal.

Architect for the project Wayne Gerrick spoke. He advised the Commission that they are not required to have sprinklers. He stated that the apartment will not share the same egress as the restaurant or basement, which actually provides safer egress to the residents of the apartment. They have also increased the number of exits to the building. The former drive-up window for the bank has created a unique access to the trash receptacle in the back of the property. C. Lettieri wanted to clarify that this apartment will not meet the POCD goal of Affordable Housing. Atty Beatty responded she was correct, however, it will increase the amount of housing.

The Public Hearing was opened to the public for comment.

Frank Stone, 14 Maple Ave. asked how many square feet the restaurant was going to be, how many people will it hold and if there enough parking there. W. Gerrick advised that the restaurant is 3,500 square feet. It is only required that they have 27 parking spaces for the restaurant, but they have provided 29 parking spaces, plus a loading space. The restaurant, per the Town of Clinton's Regulations cannot have more than 60 (sixty) patrons at any one given time. F. Stone is concerned with the number of parking spaces. W. Gerrick went over the Site Plan to demonstrate compliance with the Zoning Regulations. F. Stone stated he was concerned about traffic and people who will be congesting their street because they are trying to turn around.

Commissioner Clark advised F. Stone that the public hearing before the Commission is for the accessory use, which will be for the addition of an apartment on the second floor. E. Alberino motioned to **CLOSE PUBLIC HEARING for PZC-23-20 (Special Exception to permit an accessory apartment)** for 88 W. Main St. 1st floor, a restaurant and on 2nd floor, a 2 (two) bedroom apartment. (Map 45 Block 13 Lot 26). Owner: West Main LLC. Agent: Atty. Jeffrey Beatty. M. Jaffe seconded the motion. Members voted on the motion and it carried.

In Favor:	M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition:	None
Abstentions:	None
The motion carried:	9-0-0

6. APPLICATION REVIEWS

- a) **PZC-23-19 Zoning Map Amendment** to rezone subject property to MARZ for 345 E. Main St., (Map 88 Block 69 Lot 126). Owner: Victorian Village, LLC. Agent: Atty. Andrea Gomes [Link to PZC-23-19](#)

The agent requested that this application be tabled to the October 16, 2023 PZC meeting.

E. Dahlgren motioned to **TABLE PZC-23-19 Zoning Map Amendment** to rezone subject property to MARZ for 345 E. Main St., (Map 88 Block 69 Lot 126). Owner: Victorian Village, LLC. Agent: Atty. Andrea Gomes, to the next PZC meeting scheduled for October 16, 2023. E. Alberino seconded the motion. Members voted on the motion and it carried.

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In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition: None
Abstentions: None
The motion carried: 9-0-0

- b) PZC-23-18** for 345 E. Main St., Zoning Regulation Amendment to add Multifamily Adaptive Reuse Zone (MARZ) (Map 88 Block 69 Lot 126). Owner: Victorian Village, LLC. Agent: Atty. Andrea Gomes. [Link to PZC-23-18](#)

E. Dahlgren motioned to **CONTINUE PZC-23-18** for 345 E. Main St., Zoning Regulation Amendment to add Multifamily Adaptive Reuse Zone (MARZ) (Map 88 Block 69 Lot 126). Owner: Victorian Village, LLC. Agent: Atty. Andrea Gomes, to the next PZC meeting scheduled for October 16, 2023. M. Florio seconded the motion. Members voted on the motion and it carried.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition: None
Abstentions: None
The motion carried: 9-0-0

- c) PZC-23-21** for 88 W. Main St, Site Plan. 1st floor, a restaurant and on 2nd floor, a 2 (two) bedroom apartment. (Map 45 Block 13 Lot 26). Owner: West Main LLC. Agent: Atty. Jeffrey Beatty. [Link to PZC-23-21](#)

A. Moore motioned to **APPROVE PZC-23-21** for 88 W. Main St, Site Plan. 1st floor, a restaurant and on 2nd floor, a 2 (two) bedroom apartment. (Map 45 Block 13 Lot 26). Owner: West Main LLC. Agent: Atty. Jeffrey Beatty, finding that the application met the requirements of the Zoning Regulations. E. Alberino seconded the motion. Members voted on the motion and it carried.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark
In Opposition: None
Abstentions: None
The motion carried: 9-0-0

- d) PZC-23-20 (Special Exception to permit an accessory apartment)** for 88 W. Main St. 1st floor, a restaurant and on 2nd floor, a 2 (two) bedroom apartment. (Map 45 Block 13 Lot 26). Owner: West Main LLC. Agent: Atty. Jeffrey Beatty. [Link to PZC-23-20](#)

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E. Alberino motioned to **APPROVE PZC-23-20 (Special Exception to permit an accessory apartment)** for 88 W. Main St. 1st floor, a restaurant and on 2nd floor, a 2 (two) bedroom apartment. (Map 45 Block 13 Lot 26). Owner: West Main LLC. Agent: Atty. Jeffrey Beatty, as shown on plans titled “Improvement Location & Topographic Survey for Michael Chen” 88 West Main Street Clinton, Connecticut, prepared by Anderson Engineering and Surveying Associates, dated July 5, 2023 and revised through July 12, 2023 with the following findings and condition:

Findings:

1. The proposed 2-bedroom accessory apartment is permitted in the B-4 Zone District by Special Exception pursuant to Section 27 of the Clinton Zoning Regulations.
2. The application, as conditioned, has met the criteria for approval of a Special Exception pursuant to Section 11 of the Clinton Zoning Regulations.
3. The proposed 2-bedroom apartment is an accessory use to the proposed restaurant on the first floor of the building.
4. The application complies with the required on-site residential parking spaces to accommodate the proposed accessory apartment.
5. The proposed project has met the public notice requirements of the Clinton Zoning Regulations and C.G.S. Chapter 124 § 8-7d.

Condition:

1. Prior to issuance of a Certificate of Occupancy, and Emergency Access System (EAS) box be installed on the building.

E. Dahlgren seconded the motion. Members voted on the motion and it carried.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark

In Opposition: None

Abstentions: None

The motion carried: 9-0-0

- e) **PZC-23-23 (CAM application)** for 59 Shore Rd, proposing to add a partial 2nd story and 2 additional bedrooms onto the existing 3 bedroom year-round dwelling (5 bedrooms total). Replace the existing septic system and other associated improvements. (Map 79 Block 72 Lot 64). Owner: John Welna. Agent: Joe Wren, P.E. [Link to PZC-23-23](#)

E Alberino questioned how tall the building was going to be. Phil Hayes, builder for the project, advised that the building would be less than 35’ (thirty-five feet) tall.

E. Alberino motioned to **APPROVE PZC-23-23** for a second story addition to the existing single family home at 59 Shore Road, Clinton, CT as shown on plans titled: “Coastal Site Plan Prepared for Joseph B. Welna, 59 Shore Road, Map 79, Block 72, Lot 64, Clinton Connecticut” prepared by Indigo Land Design, LLC, dated August 15, 2023 with the following findings and condition:

Findings:

1. The proposed second story addition conforms to dimensional standards in the Clinton Zoning Regulations.
2. As conditioned, the project is not anticipated to cause any adverse impacts to coastal resources or preclude the future of any water dependent development activity.
3. The proposed application, as conditioned, is consistent with CGS Section 22a-92.

Condition:

1. Construction materials and debris shall be staged and secured on the landward side of the project.

W. Clark seconded the motion. Members voted on the motion and it carried.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark

In Opposition: None

Abstentions: None

The motion carried: 9-0-0

- f) **PZC-23-22 (CAM application)** for 44A Morgan Park, demolition and expansion of a deck within 100' of tidal wetlands. (Map 56 Block 64 Lot 15A). Owner/Applicant: Karen Warhit

Chair Rossi advised the Commission that the applicant/owner was present and ready to answer questions, if needed.

E Alberino motioned to **APPROVE PZC-23-22 (CAM application)** for 44A Morgan Park, demolition and expansion of a deck within 100' of tidal wetlands. (Map 56 Block 64 Lot 15A). Owner/Applicant: Karen Warhit with the condition that the deck will be constructed with galvanized connectors and appropriate building materials to withstand potential future flooding, and finding that :

1. The proposed deck construction conforms to dimensional standards in the Clinton Zoning Regulations.
2. As conditioned, the project is not anticipated to cause any adverse impacts to coastal resources or preclude the future of any water dependent development activity.
3. The proposed application, as conditioned, is consistent with CGS Section 22a-92.
M. Florio seconded the motion. Members voted on the motion and it carried.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark

In Opposition: None

Abstentions: None

The motion carried: 9-0-0

7. ADMINISTRATIVE REVIEW

- a. Staff update on status of development within the Transit Oriented Development Overlay District (TODO).

A Piersall advised the Commission that she has conducted a site walk at 9-15 John Street. She reviewed the current site conditions and outstanding issues related to zoning, including confirmation from the owner that the site lighting meets the photometric plan standards from the Commission's approval. She noted that the number of parking spaces provided complies with the requirements in the Zoning Regulations, but is slightly less than the original number of spaces approved on the site plan. The Building Official approved a Temporary Certificate of Occupancy, and residents have started moving in. The owner has indicated that updated plans for the next phase of development are being drafted by the project team and that another application for the sports complex and next residential phase will be submitted in the coming months.

Chair Rossi asked A. Piersall if there has been any discussion about Route 81. She responded that there have been very preliminary discussions about a possible roundabout at that location. The owner has received early feedback from Town staff, including Emergency Management, DPW, Police Chief, Town Manager and herself. If the project moves forward, plans will be re-drafted to address feedback from Town Staff and will need to receive State approval. Commissioner Alberino asked A. Piersall if John Street is a one-way or two-way street. A. Piersall advised the Commission that it is one-way.

Commissioner Jaffe announced that the Town's Coastal Resiliency Task Force is hosting a mini-workshop to support the Regional Coastal Resiliency Plan. They will be collecting information at the Carter Hull Library on September 21, 2023 at 6:00 p.m. from residents who would like to share their experiences with flooding, erosion, or other coastal resiliency issues. Information collected at this event will be shared with the regional project consultants.

Commissioner Alberino announced that he has been appointed to represent the Town of Clinton to the CT Water Company's Water Advisory Board.

8. ADJOURNMENT

At 7:55 p.m., E. Alberino motioned to **ADJOURN**. A. Moore seconded the motion. Members voted on the motion and it carried.

In Favor: M. Knudsen; E. Dahlgren; E. Alberino; M. Florio; M. Jaffe; A. Kravitz; C. Lettieri; A. Moore; and W. Clark

In Opposition: None

Abstentions: None

The motion carried: 9-0-0

Respectfully submitted,

Cristi Alvarado

Cristi Alvarado (Planning and Zoning Clerk)