
Planning & Zoning Commission

54 East Main Street
Clinton, Connecticut 06413

Regular Meeting
Public Hearing
January 6, 2020
7:00 p.m., Green Room

Minutes

Members Present: Michael Rossi, Chairman; Regular Members Eddie Alberino, Walter Beau Clark, Martin Jaffe, Alan Kravitz, Michael Knudsen and Alternates Will Benoit and Patrick Sheehan

Members Absent: M. Ellen Dahlgren, Adam Moore, Amandeep Singh, Alternate Jeffrey Cashman

Staff Present: Kathleen King, Recording Clerk, Zoning Enforcement Officer in training and Wetlands Enforcement Officer

1. AR & CAM 19-006: Establish High Street/John Street Village District (HJS-VD). Applicant: Clinton Historic District Commission; Agent: Lawrence Ouellette, Jr.

M. Knudsen read all new correspondence into the record as follows: Follow up comment on AR-19-06 Zoning Amendments creating the High Street/John Street Village District (HJS-VD) from Consulting Town Planner John Guskowski dated 12/12/2019, letter from Patricia Ames of 60 High Street dated 1/1/2020, letter from Attorney Howard M. Gould to Priscilla Clark of 62 John Street dated 1/6/2020, letter from Priscilla Clark of 62 John Street dated 1/4/2020 and letter from Steven and Debra Dombrowiecki of 66 High Street dated 1/2/2020.

W. Beau Clark discussed the points that he made at the last PZC meeting that were addressed in the report from J. Guskowski.

L. Ouellette, Chair of the Historic District Commission, and Peggy Adler, Vice Chair of the Historic District Commission, were present. P. Adler stated that the intent of the Village District regulations is to keep the housing style of the homes in harmony and consistent with the historic architecture of the neighborhood.

M. Rossi asked if anyone wished to speak in favor of, in opposition to, or in general about the application.

There were questions about the revised draft village district regulations that were sent to Commission members today. M. Rossi explained exactly what changes were made, and he read them aloud.

L. Ouellette said a letter was sent to each property owner of the district documented by a certified list, and public hearing signs were posted on the property, meeting all applicant requirements.

Taylor Boucher, 29 John Street, said that at the last PZC meeting, J. Guskowski stated that his property was not part of the district. He is concerned that he received a letter when he's not part of the district. He's not sure whether he is in the district or not. He spoke in opposition to the application. He said the application is not in the best interest of the property owners in the district.

Cheryl Yudkin, 55 John Street, stated that she is very concerned about cost to maintain a home according to Village District standards.

M. Rossi explained that the Village District regulations would not apply to routine maintenance.

David Traskos, 50 John Street, spoke in opposition to the application. He also submitted 2 petitions: one with 15 signatures against the application. The other petition, with 14 signatures, is to request a continuance of the public hearing.

Nate Clark, 62 John Street, spoke in opposition to the application. He said he doesn't feel it's right for people who don't live in the area to make changes to the area.

L. Ouellette said the Historic District Commission is concerned about the residents who live in the district. He said if the residents would like additional time to review the plan or to attend a Historic District Commission meeting, he would definitely agree with that. The Historic District Commission meets the 3rd Tuesday of every month. This month that meeting will be held in the Community Room at the Police Station on January 21, 2020.

A. Kravitz **moved** to continue AR & CAM 19-006: Establish High Street/John Street Village District (HJS-VD). Applicant: Clinton Historic District Commission; Agent: Lawrence Ouellette, Jr. to the next Public Hearing of the Planning and Zoning Commission which will be held on Monday, February 3, 2020, 7:00 p.m., Andrews Memorial Town Hall, 54 East Main Street, Green Room, M. Knudsen **seconded** the motion, and it carried unanimously.

In Favor: E. Alberino, W. Beau Clark, M. Jaffe, A. Kravitz and M. Knudsen.
In Opposition: None
Abstentions: None
Not Voting: M. Rossi (Chairman)
The motion carried: 5-0-0.

2. SE & CAM 19-0024: Construct new ice cream café building, mini golf with 10' x 10' mini golf hut, stormwater systems, code complying septic system and parking areas. West Main Street; Map 23, Block 10, Lot 41A, 42 & 43, Zone B-4. Applicant: 3 West Main, LLC; Agent: Thomas A. Stevens & Associates, Inc.

W. Benoit recused himself for this application.

The following documents are in the applicant's file: Zoning Application, application to the Fire Marshal, Ground Coverage Calculation Sheet, List of Professionals, Statement of Use, Application to Design Review Board, Coastal Site Plan Review Application, Engineered Plan Review from the CT River Area Health District approved for septic only on 12/17/2019, Legal Notice of Public Hearing published in the New Haven Register on 11/21/2019 and in the Harbor News on 11/28/2019, Drainage Report dated 11/6/2019 Revised 11/27/2019 prepared by Thomas A. Stevens & Associates, referral sent certified mail to Marcy Balint CT DEEP on 11/7/2019 and referral response dated 11/27/2019, Report from Consulting Town Planner John Guskowski dated 11/27/2019, correspondence and preliminary Natural Diversity Data Base Assessment dated 12/3/2019, memo from Clinton Conservation Commission regarding application dated 11/14/2019, referral response from Jeff Hesel Fire Marshal dated 11/19/2019, referral response from Brian Manware Fire Chief dated 11/18/19, photo of public hearing sign dated 11/15/2019, referral request to DTC Engineering dated 11/6/2019 and referral response from DTC engineering dated 11/18/2019, referral response sent certified mail to Town of Madison dated 11/6/2019 and PZC meeting agendas and minutes dated as follows: 11/18/2019, 12/2/2019 and 12/9/2019. The following plans prepared by Thomas A. Stevens & Associates, Inc., dated 8/30/2019 and revised 11/7/2019, 11/11/2019 and 11/27/2019 are in the applicant's file: C-1 of 5 Site Layout Plan, C-2 of 5 Existing and Proposed Lot Line Revision Plan, C-3 of 5 Site Layout Plan, C-4 of 5 Soil Erosion and Sediment Control Plan and C-5 of 5 Details Plan. Also included is the Proposed Miniature Golf Plan prepared by Harris Miniature Golf sheet 1 of 10 Course Layout dated 7/24/2019 and revised 10/22/2019, sheet 2 of 10 Layout Plan dated 7/24/2019 and revised 10/22/2019, sheet 3 of 10 Grading Plan dated 7/24/2019 and revised 10/22/2019, sheet 4 of 10 Layout and Grading Plan dated 7/24/2019 and revised 10/22/2019, sheet 5 of 10 Lighting Plan dated 7/24/2019 and revised 10/22/2019, sheet 6 of 10 Detail Sheet #1 dated 7/24/2019 and revised 10/22/2019, sheet 7 of 10 Detail Sheet #2 dated 7/24/2019 and revised 10/22/2019, sheet 8 of 10 Detail Sheet #3 dated 7/24/2019 revised 10/22/2019, sheet 9 of 10 Detail Sheet #4 dated 7/24/2019 and revised 10/22/2019 and sheet 10 of 10 Color Rendering dated 7/24/2019 and revised

10/22/2019. Plans were submitted by Architect Lindsay Suter dated 10/11/2019 A-1 Plans and Elevations and dated 10/19/2019 A-2 Plans and Elevations.

Also submitted December 31, 2019 was the Verified Petition to Intervene by Ron Bodinson.

T. Bolduc, P.E., presented for the applicant. He submitted an aerial of the site showing the area of development and location of the intervener property. He discussed the correspondence submitted and received including the intervener letter.

All lighting is dark skies compliant, and the lighting has been reduced. The bollards will be full cut-off LED fixtures. The same lighting will be used throughout the whole development. The height of the lighting poles has been lowered since the first lighting plan was submitted. There will be zero wash when the photometric plan comes back.

Lyndsay Suter, Architect, talked about the ice cream shack. He discussed materials being used, the overall design and use. The café will have 49 seats, and it will have counter service.

John Cunningham, Landscape Architect, reviewed the plantings and landscape. There is a 50-foot buffer line to the wetlands. He said the area buffering the wetlands is heavily wooded and has few invasives. He talked about a conservation seed with a natural look that will be used on part of the property that will only be maintained about once a year. He talked about the kayak launch, waste receptacles, benches and signage.

Ron Bodinson, Madison resident, Intervener for the application, is intervening as an individual not as part of Windermere. He's concerned with the environmental integrity of the Hammonasset River Watershed in both Madison and Clinton. He's asking why the development is being allowed to be built in a flood zone. He expressed concerns regarding lighting. He spoke about the kayak landing and the lack of information regarding the kayak landing and the agreement with the land trust.

T. Bolduc addressed the concerns of the intervener. He said the 50 foot wetlands buffer is not going to be touched. He said the entire surrounding area is in a flood zone. This is not a V (velocity) zone. There is no wave action. The building is not mandated to be built on stilts due to flood. That is being done for aesthetics. The Clinton Conservation Commission submitted a memo dated 11/14/2019 stating that this application is consistent with the Plan of Conservation and Development. T. Bolduc said that the Madison Land Trust is going to send a letter in support as well. M. Rossi said that a conveyance deed may be required for the kayak launch.

J. Cunningham said they would be willing to drop the height of the light poles from 15-12 feet. He said the light will not trespass over the property line, and the lighting will not be visible from R. Bodinson's property.

Owner Lurrae Lupone submitted a request for a waiver of Section 12.34.2 (b) for minimum lot size of 80,000 s.f. for a lot size of 64,497 s.f.

M. Rossi asked if anyone from the public wished to speak in favor of the application.

Fred Bauer, asked about the 12-foot high light poles. He asked how high they are above sea level. He asked how high the lights are at Windermere in Madison. He is in favor of the application.

Taylor Boucher, 29 High Street, spoke in favor of the application. He said he has 3 young children, and he feels this would be a fantastic use of the property.

Phil Sengle, spoke in favor of the application. He said West Main Street needs development, and Clinton needs things that will draw people to town.

Dana Macmillan, 62 Quonnipaug Hill Road, Guilford, spoke in favor of the application. He said he was asked by the applicant to clean the property. There were transients living on the property, and he felt it was a potentially dangerous situation. He said the new development would be an excellent use of the property.

M. Rossi asked if anyone from the public wished to speak in opposition to the application.

Joan Norton O'Neill, Madison resident, had many questions about the application. She was speaking as a private resident not on behalf of Windermere. She said there are 3 entrances to the development, and she asked why 3 entrances are necessary. She asked if the 3 entrances could be reduced to 1. She asked if the number of parking spaces could be reduced. She suggested that the parking area be made of pavers to allow for more pervious surface. She said there should be trees and a vegetated buffer to protect the wetlands. She also asked that the light poles be kept low.

Terry Wilde, resident of Windermere, spoke in opposition to the application. He said a previous mini golf failed. He expressed concerns that there has not been an economic study of the area.

Linda Bauer, Highland Drive, spoke in support of the application. She said in order to pay the taxes, property owners cannot afford to leave the property completely undeveloped. She feels this application has a balance between conservation and development.

Joan Morton O'Neill asked how the property is currently taxed.

In response to J. Morton O'Neill's questions, T. Bolduc said there are 3 entrances because 1 is for the mini golf, 1 is for the ice cream cafe and 1 is for the kayak launch. There are requirements for access for emergency fire equipment. He addressed concerns about the Natural Diversity Data Base. He said nothing in the 50-foot buffer is being disturbed, so those animals and plants mentioned by J. Morton O'Neill are not being impacted. All lighting will be contained within the property.

Chris McKeon, counsel for the applicant, would like to address the lot size at the next PZC meeting.

E. Alberino **moved** to continue the public hearing for application SE & CAM 19-0024: Construct new ice cream café building, mini golf with 10' x 10' mini golf hut, stormwater systems, code complying septic system and parking areas. West Main Street; Map 23, Block 10, Lot 41A, 42 & 43, Zone B-4. Applicant: 3 West Main, LLC; Agent: Thomas A. Stevens & Associates, Inc. until Monday, February 3, 2020, 7:00 p.m., Andrews Memorial Town Hall, 54 East Main Street. A. Kravitz **seconded** the motion, and it passed unanimously.

In Favor:	E. Alberino, W. Beau Clark, M. Jaffe, A. Kravitz and M. Knudsen.
In Opposition:	None
Abstentions:	None
Not Voting:	M. Rossi (Chairman)
The motion carried:	5-0-0.

The Commission took a recess at 9:30 p.m. The meeting resumed at 9:41 p.m.

3. AR 19-0025: Application for Amendment to the Zoning Regulations for Section 23, to apply the Transit Oriented Development Overlay Zone (TODO). 1 John Street; Map 44, Block 26, Lot 19, Zone I-1. Applicant: 1 John Street Clinton, LLC; Agent: Chris Gagnon-BL Companies, LLC.

M. Knudsen read new correspondence into the record as follows: Application for Text Amendment – Section 23, Transit Oriented Development Overlay (TODO) from Chris Gagnon, BL Companies, agent for the applicant, dated 12/23/2019 and follow up planning comment on AR-19-0025 from Consulting Town Planner John Guskowski dated 12/26/2019.

C. Gagnon, agent, presented. He said the John Street Unilever property is the area that the TODO zone was written for. He briefly reviewed the updates and changes to what was originally proposed.

The plans now show more of a Master Plan theme with residential units and septic fields and more detail about future amenities, sidewalks, lighting, patio areas and interconnections. The text amendment shows the zero lot line. The most efficient way to develop the parcels will be to subdivide them. The zero lot line is needed for existing structures. Any new buildings constructed need to be in compliance with the required setbacks.

M. Knudsen asked about the reduced size of residential units. 350 s.f. is very small for an apartment. It's smaller than an average studio apartment. He suggested that the Commission consider reviewing the number and ratio of units in terms of the s.f. of each unit.

C. Gagnon said septic is the limiting factor in terms of the number of bedrooms that can be built.

M. Rossi asked if anyone wished to speak in favor of the application. No one came forward to speak.

M. Rossi asked if anyone wished to speak in opposition to the application.

Taylor Boucher, 29 John Street, lives adjacent to the property. He expressed concerns about the zero property line. He asked about existing buildings being expanded along parallel lines. He's concerned about the extent of construction and renovation that will be happening right next to his house. He also asked about travel access. He would like more information, and until then, he is opposed to the application.

W. B. Clark **moved** to close the Public Hearing for AR 19-0025: Application for Amendment to the Zoning Regulations for Section 23, to apply the Transit Oriented Development Overlay Zone (TODO). 1 John Street; Map 44, Block 26, Lot 19, Zone I-1. Applicant: 1 John Street Clinton, LLC; Agent: Chris Gagnon-BL Companies, LLC., E. Alberino **seconded** the motion, and it passed.

In Favor: E. Alberino, W. Beau Clark, M. Jaffe and M. Knudsen.
In Opposition: A. Kravitz
Abstentions: None
Not Voting: M. Rossi (Chairman)
The motion carried: 4-1-0.

M. Knudsen **moved** to adjourn the meeting at 10:35 p.m. E. Alberino **seconded** the motion, and it passed unanimously.

In Favor: E. Alberino, W. Beau Clark, M. Jaffe, A. Kravitz and M. Knudsen.
In Opposition: None

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Abstentions: None
Not Voting: M. Rossi (Chairman)
The motion carried: 5-0-0.

Respectfully submitted,
Kathleen King, Recording Clerk, Zoning Enforcement Officer in training and Wetlands
Enforcement Officer