



Town of Watertown Connecticut

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Planning and Zoning, Zoning Board of Appeals, Conservation Commission/Inland
Wetland Agency

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Town of Watertown Planning and Zoning Commission Regular Meeting Minutes

Time: 6:30 P.M.
Date: Wednesday, February 3, 2010
Place: Watertown High School
Lecture Hall
324 French Street
Watertown, CT

1. Call meeting to order

Chairman, Mr. David Minnich called the meeting to order at 6:35 P.M.
Chairman, Mr. David Minnich seated Alternate, Mr. Duane George for absent
regular member Mr. Jim Blais.

2. Roll Call

Land Use Secretary, Mr. Chuck Bezio executed the roll call.

Present: Chairman, Mr. David Minnich
Vice Chairman, Mr. Gary Martin
Mr. Ronald Russ
Mr. Carl Mancini
Mr. Jim Blais (6:36 P.M.)
Mr. Glen Duplissie
Alternate, Mr. Ken Demirs
Alternate, Mr. Duane George
Ms. Marie Genovese
Mr. Richard Rossi

Absent: None

Also Present: Land Use Administrator, Ms. Ruth Mulcahy
Town Engineer, Mr. Charles Berger
Land Use Secretary, Mr. Chuck Bezio

3. Oath of Office for new and re-appointed members – Oath of Office administered by Lisa Dalton, Town Clerk

Commission made no motions.

4. Election of Officers
a. Chairman

MOTION: Russ nominated Mr. David Minnich.

SECOND: Martin.

DISCUSSION: No other nominations were made.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Duplissie, George, and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

Mr. Blais arrived at 6:36 P.M.

b. Vice Chairman

MOTION: Duplissie nominated Mr. Gary Martin.

SECOND: Mancini.

DISCUSSION: No other nominations were made.

VOTEAYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie, and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

c. Secretary

MOTION: Duplissie nominated Mr. Carl Mancini.

SECOND: Martin.

DISCUSSION: No other nominations were made.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Duplissie, George, and Rossi.

NAYS: None.

DISCUSSION: No other nominations were made.

MOTION UNANIMOUS PASS 7-0.

d. Recording Secretary

1. Recording Secretary for motion sheets and attendance at Commission meetings: Carol Allen

MOTION: Duplissie nominated Carol Allen as the Record Secretary for motion sheets and attendance at Commission meeting.

SECOND: Martin.

DISCUSSION: No other nominations were made.

MOTION: Duplissie moved to close nominations.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

On the main motion of approving the nomination of Carol Allen.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

2. Recording Secretary for meeting minutes: Susan King

MOTION: Mancini nominated Susan King as the recording secretary.

SECOND: Martin.

DISCUSSION: No other nominations were made.

MOTION: Duplissie moved to close nominations.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

On the main motion of approving the nomination of Susan King.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

e. Commission Attorney

1. Commission Attorney: Paul Jessell

MOTION: Duplissie nominated Paul Jessell as the Commission Attorney.

SECOND: Martin.

DISCUSSION: No other nominations were made.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

2. Special Counsel: Dov Braunstein and Warren Hess

MOTION: Duplissie nominated Dov Braunstein and Warren Hess as Special Counsel.

SECOND: Martin.

DISCUSSION: No other nominations were made.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

f. Commission Committee appointments

1. Budget and Administrative Committee

Mr. Minnich asked Commission members who would like to be on the committee. All other Commission members will receive the agenda they are welcome to attend and to speak but cannot vote. This committee usually meets during the day.

Hearing no objections, by unanimous consent members of the Budget and Administrative Committee are Chairman, Mr. David Minnich, Mr. Ronald Russ, Mr. Jim Blais, and Mr. Glen Duplissie.

2. Liaison to Town Agencies Committee

Mr. Minnich emphasized the importance in keeping dialogue with other town agencies and asked if anyone else would like to be on this committee.

Hearing no objections, by unanimous consent members of the Liaison to Town Agencies Committee are Vice Chairman, Mr. Gary Martin and Secretary, Mr. Carl Mancini.

3. Parking Committee

Mr. Minnich asked Mr. Martin if he would like to continue with this committee. Mr. Martin replied yes and that he was close to an end. Mr. Minnich asked other members if they would like to help to share ideas.

Hearing no objections, by unanimous consent members of the Parking Committee are Vice Chairman, Mr. Gary Martin, Mr. Glen Duplissie, and Mr. Ken Demirs.

4. Public Participation

Judy Wick - Northfield Road

Ms. Wick expressed concern about the undersized lot for DG & P Realty with a professional building, parking and driveways. Ms. Wick asked if they received any variances.

Mr. Minnich replied they have received one variance for lot size. The preference was to look at the two lots together as single unit.

Mr. Duplissie requested an item be added to the agenda as item 13k titled Subcommittee discussion.

MOTION: Duplissie moved to add item 13k. Subcommittee discussion on the agenda.

SECOND: Mancini.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

5. **Communications and Bills**
 - a. **Mulcahy Letter re: proposed cell tower at 936 Linkfield Road, Watertown**
 - b. **The Habitat, Fall, 2009**
 - c. **Notice of Permit Applications Braxton Manufacturing company dated December 16, 2009**
 - d. **Pedestrian and Bicycle Safety in the CNVR – An Assessment of Existing Conditions**
 - e. **Memo dated January 12, 2010 from Parks and Recreation re: continued support for the building of the new Indoor Recreational Facility at Veterans Memorial Park, Watertown**
 - f. **Letter dated December 28, 2009 from James & Gloria Gomperts Re: false statement to the Commission regarding New Millennium Development.**
 - g. **Slavin Stauffacher & Scott attorney bill for services rendered in the amount of \$690.00**
 - h. **Letter dated January 15, 2010 from Martin Cobern, RPC to Chairman Tom Dunn, COG Re: action on Waterbury Transportation Center without waiting for a recommendation from the RPC.**
 - i. **Council of Governments Minutes September 15, 2009**
 - j. **Council of Governments Minutes December 11, 2009**

Board Member Concerns

Ms. Mulcahy said she will now have one bucket for communications for better organization.

Mr. Minnich asked about item c Braxton, if that included any additions to the buildings or is that just equipment that they needed to install?

Ms. Mulcahy replied to her understanding there are no additions for Braxton and it was before this commission for a storage building.

Mr. Minnich asked Ms. Mulcahy to confirm that with the state and see what they require.

Mr. Minnich asked on the status of Waterbury Transportation.

Ms. Mulcahy replied many people on the Regional Planning Council felt that was not the route by which a facility of that magnitude should be presented therefore COG did not support it.

Hearing no objections, approved by unanimous consent the Communications and Bills are to be placed on file.

6. Meeting Minutes

- a. Continuation of Public Hearing December 16, 2009 Site Plan/Special Permit #287 of EMF Towing for Approval for a Used Car Sales and Service located at Rockdale Avenue, Oakville, CT**
- b. Special Meeting December 16, 2009**
- c. Regular Meeting January 6, 2010**
- d. Budget and Administrative Meeting January 20, 2010**

Hearing no objections, the Meeting Minutes are approved by unanimous consent.

7. Staff Report

- a. Status of zoning district for Echo Lake Road medical facilities**

Ms. Mulcahy said they were interested in the BG zone for all type uses and needed some input from the Commission with the next step.

Board Member Concerns

Mr. Minnich said it was to look at this more comprehensively rather than a single site. They are doing a lot in terms of a medical facility and having a greater need for parking. Mr. Minnich asked Ms. Mulcahy if she contacted the surrounding land owners to see if they were interested in this topic.

Ms. Mulcahy replied the neighboring owners were interested only in a BG zone.

Commission made no motion.

b. Status of P&Z site plan approvals

Ms. Mulcahy handed out copies of the completed report for site plan approvals with an added category on status and has given an overview of where we are with the different applications.

Commission made no motion.

c. Status of incentive housing

Ms. Mulcahy said the state has awarded the grant for \$20,000.00. The office of Policy and Management will be starting the process for paying the grand reward and monitoring the project. Ms. Mulcahy has spoken to the consultant and they are ready to go.

Board Member Concerns

Mr. Minnich asked Ms. Mulcahy to inquire from the Town Finance Director regarding \$5,000.00 encumbered for the attorney.

Ms. Mulcahy replied we have the purchase order and it does not expire until we have spent the money or tell them we are not going to spend the money.

Mr. Minnich asked Ms. Mulcahy to check again to make sure it does not expire June 30, 2010.

Commission made no motion.

d. P&Z Budget (current year and next year)

Ms. Mulcahy passed out copies of the report with the revisions according to P & Z recommendations from the Finance Office.

Board Member Concerns

Mr. Minnich asked Mr. Berger if he was comfortable with the arrangement with the comp time rather than the salary.

Mr. Berger replied he is.

Commission made no motion.

e. Other

Toyota - 162 Commercial Street

Ms. Mulcahy asked if this was a minor modification to be voted by the Commission:

The new building approved on 162 Commercial Street for Toyota, Ms. Mulcahy showed plans for a roof top unit for air conditioning.

By unanimous consent the HVAC is a minor adjustment and can be handled administratively.

Candee Hill Junction - 1300 Main Street

Ms. Mulcahy asked if this was a minor modification to be voted by the Commission:

Ms. Mulcahy showed plans for a roof extension for an additional dormer on Candee Hill Junction to accommodate a sign.

Board Member Concerns

Mr. Duplissie asked if it would stay within the square footage.

Ms. Mulcahy replied yes.

MOTION: Russ moved that a third dormer to be installed on the small building as a minor adjustment and can be handled administratively.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

61 Sylvan Lake Road

Ms. Mulcahy said an applicant received a zoning permit several years ago to put in a pool and they showed their lot lines differently. The zoning permit was issued in 2005 and a variance granted for setback. Mr. Cavanaugh has asked for a follow up on the pool, shed and propane tank and additionally a rail fence that has been added in the town right of way. A notice of violation has been written and sent. Ms. Mulcahy asked if there is no response she would like authorization to go further with a cease and desist order with the Town Attorney's input to pursue this enforcement.

MOTION: Duplissie moved to authorize a cease and desist order for zoning violation at 61 Sylvan lake Road be issued and the Commission authorizes the use of the Town Attorney for this purpose.

SECOND: Mancini.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

Watertown High School

Ms. Mulcahy did a follow-up with the complaints received for the traffic light and snow drifts. Ms. Mulcahy met with O &G, the Superintendent of Schools and Bob Porter. It was decided they would explore the idea of adding additional plantings in the spring and the snow fence could not be done at this time.

Board Member Concerns

Mr. Minnich asked Ms. Mulcahy to contact the neighbor and to follow up with the solutions from the meeting.

Ms. Mulcahy received a report from the Police Commission for the traffic light and the matter is closed.

37 Echo Lake Road

Ms. Mulcahy said environmental trailers and tanks were parked adjacent to a residential property. They belonged to The Green Hornet owned by Mike Mahan and have been removed.

Swift School

Mr. Duplissie asked about the four trailers placed in the temporary parking in back of Swift School and asked how long they are going to be there.

Mr. Minnich asked Ms. Mulcahy to inquire from the Superintendent what the trailers are there for.

Getty Gas Station

The Getty signs are going to be changed and they are going to remain the same size and they will be refacing the free standing sign.

Board Member Concerns

Mr. Minnich asked Ms. Mulcahy to check on the status of the two lights out front for removal.

8. Chairman's Report

a. Economic Development Strategy

Chairs from the Town Council, Economic Commission, Planning and Zoning, and Mr. Frigon are meeting next week and will discuss Economic Development Strategies for the town.

CCPW lawsuit

The P & Z received notice from the state court stated they denied certification for the CCPW lawsuit that was filed in the Supreme Court.

Route 262

Mr. Minnich has been subpoenaed to a pre-trial conference at the appellate court level for Route 262 and will meet with the judge and see what terms of discussion would resolve this issue.

March Regular Meeting

For the next meeting in March Mr. Minnich would like to invite the Commission Attorney to inform the Commission on changes of the law for 2009 legislative session, also inviting someone from Water and Sewer to understand from the business areas of town about public sewers and water.

Commission made no motion.

b. Other

Commission made no motion.

9. Old Business

a. Text amendments initiated by Commission members:

1. Zoning Regulations – Parking: G. Martin

Mr. Martin asked if the Commission would like to incorporate parking regulations for the entire town or to separate the fire district and the town due to the way the line is delineated on the map.

Board Member Concerns

Mr. Minnich said the concept was to make downtown Oakville and downtown Watertown regulations separate from the rest of the town because of the existing buildings and structures.

Mr. George agreed.

Mr. Martin and Mr. Hess are ready to go and will have verbiage written.

Commission made no motion.

10. New Business

a. Healthcare Needs Analysis – Proposal from Buxton Company

Buxton would do a complete analysis of what kind doctors and facilities that we would have a need for.

Board Member Concerns

Mr. Martin asked would they identify best suited locations.

Mr. Minnich replied they would do that.

MOTION: Duplissie moved to recommend to the Town Council they appropriate \$23,500.00 for the Buxton Company to do a Healthcare Needs Analysis.

SECOND: Russ.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

b. Request for 90 day extension for Townview Development to file mylar map and other document

Board Member Concerns

Mr. Minnich commented on the number of extensions they have taken.

Mr. Demirs asked about the documents to be filed.

Ms. Mulcahy replied they have to file the required documents that go with the affordability plan for the affordable housing application.

MOTION: Russ moved to approve 90-day extension for the Town View Development to file the Mylar map and other documents.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

c. Bond release, Bassett Hollow Subdivision, Hollow Road

MOTION: Mancini moved to approve bond release for Bassett Hollow Subdivision, Hollow Road in the \$39,990.35.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

d. Acceptance of Public Improvements, Bassett Hollow Subdivision, Hollow Road (Curtis Lane)

MOTION: Martin moved to approve Acceptance of Public Improvements on Curtis Lane with the following descriptions as provided by Town Engineer, Charles Berger in a Memorandum dated 1/27/10.

Curtiss Lane- from its intersection with Hollow Road, a distance of approximately 1,280 feet (0.242 miles) to a temporary cul-de-sac, being a 50 foot right-of-way as shown on a subdivision map entitled "Record Subdivision Map showing "Bassett Hollow", Hollow Road, Watertown. CT" dated May 12, 2006 and last revised April 9, 2007 prepared by Riordan Surveying and on file in the Watertown Clerks office as Map #3292.

SECOND: Duplissie.

AMENDED MOTION: Send this to the Town Council for their action on accepting the Public Improvements on Curtiss Lane as part of a town road system.

Hearing no objections, the amendment was added to the motion.

VOTE on the main motion

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

e. Bond release Golden Acres, Litchfield Road

MOTION: Martin moved to approve the bond release Golden Acres, Litchfield Road in amount of \$137,764.50.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

f. Bond release Lakeview Estates, Echo Lake Road

MOTION: Martin moved to approve the bond release in the amount of \$7,225.00.

SECOND: Mancini.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

g. Acceptance of Public Improvements, Balmoral Section 55, Westgate and Whispering Hill Roads

MOTION: Martin moved to approve the acceptance of the Public Improvements, Balmoral Section 55, Westgate and Whispering Hill Roads and the Acceptance of Public Improvements for Cornwall Drive.

SECOND: Duplissie.

Martin and Duplissie withdrew their motion.

MOTION: Martin moved to approve the acceptance of the Public Improvements, Balmoral Section 55, Westgate and Whispering Hill Roads with the following descriptions as provided by Director of Public Works, Roy Cavanaugh in a Memorandum dated 1/27/10; and send this to the Town Council for their action accepting these Public Improvements as part of the town road system.

Whispering Hill Road - from the intersection of Malvern Hill Road, westerly, then northerly to a permanent cul-de-sac, approximately 1117.8 feet (0.21 miles), being a 50-foot wide right-of-way and being further shown on a map entitled "Balmoral Section 55"

prepared by Michael Riordan, R.L.S., and registered in the Watertown Land Records as Map # 2869.

Westgate Road - from the end of the existing, accepted portion of Westgate Road, Highway Volume 1, page 181, southeasterly to a permanent cul-de-sac, approximately 1850 feet (0.35 miles), being a 50-foot wide right-of-way and being further shown on a map entitled "Balmoral Section 55" prepared by Michael Riordan, R.L.S., and registered in the Watertown Land Records as Map # 2869.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

h. Acceptance of Public Improvements Cornwall Drive

Mr. Mancini had concerns that the street light installed 3 months ago on Middlebury Road and Cornwall that it is still not working.

MOTION: Mancini moved to approve the acceptance of the Public Improvements, Cornwall Drive with the condition that the street light is operating at the corner of Cornwall Drive and Old Colony Drive with the following descriptions as provided by Director of Public Works, Roy Cavanaugh in a Memorandum dated 1/27/10 and send this to the Town Council for their action accepting these public improvements as part of the Town road system.

Cornwall Drive - From Middlebury Road westerly to a portion of Cornwall Drive accepted as a public highway on February 9, 1976 recorded in Highway Volume 1, Page 181, a distance of 1,111.35 feet (0.210 miles) and being a 50 foot wide right of way and being further shown on a D;lap entitled "Subdivision Plan, Land of Joseph J. Iagrossi, and Nicholas D. Casertano, Watertown, CT, Feb. 5, 1974, Town Clerk's Office on February 12, 1974 as Map #1743.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

- i. Request for 90 extension to file subdivision documents and the map for Munson Estates subdivision, Linkfield Road and Munson Road, Watertown and Commission review of appraisal prepared by Biondi & Rosengrant to determine fee in lieu of open space for Section 1 of the subdivision**

MOTION: Martin moved to approve the 90-extension to file the subdivision documents and maps for Munson Estates subdivision.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

MOTION: Martin moved.

Mr. Minnich said they received documents from:

Biondi and Rosengrant an appraisal which determined the fee in lieu of open space for Section 1.

Town Accessor's a letter stating that it is acceptable.

Ron Wolf a letter stating that the applicant has accepted the appraisal.

Whereas as the Commission determines that there is not adequate areas in the Munson Estates Subdivision on Linkfield Road and Munson Road which merit preservation with open space as set forth in Section 7.3 of the Watertown Subdivision Regulations.

Whereas the Commission determines that there are other areas in Watertown where preservation of land would be more beneficial to the public health, safety and welfare of the Community.

Whereas the fair market value of the undeveloped lands of said subdivision prior to subdivision approval is \$225,000.00.

As determined by an appraisal prepared by Biondi Rosengrant dated 12/30/09.

Whereas the applicant accepts the said appraisal of land documented, in a letter dated 2/1/10 which reads.

Dear Ms. Mulcahy,

This letter is in reference to the appraisal prepared by Biondi Rosengrant to determine the fee in lieu of open space per section 1 of the Subdivision Regulations.

We agree with the estimated market value \$225,000.00 for section 1 of the subdivision as defined in the appraisal prepared by Biondi & Rosengrant date 12/30/09.

Sincerely,

Ronald Wolff, PE”

Whereas the Commission accepts said appraisal of land and;

NOW IT THEREFORE BE RESOLVED the Commission approves the fee in lieu for open space for the Munson Estates Subdivision, Phase I as 10% of the fair market value of the land to be subdivided prior to the approval of the subdivision which 10% is \$22,500.00 and;

BE IT FURTHER RESOLVED that in accordance to Section 7.1.0 of the regulations that one third of such 10%, fair market value shall be paid to the Town of Watertown at the time of sale of each of the 3 approved lots. The Commission orders that said pavements be deposited in the Town of Watertown Open Space Fund.

This fund should be used as determined by the Commission and be for the purposes of preserving open spaces or acquiring land for open spaces of a recreational or agricultural purposes and;

BE IT FURTHER RESOLVED that payment obligation to fee in lieu of open spaces shall secured by liens on each lot on the Subdivision phase I.

The applicant shall file the liens on the Town Land records not later than the time the final site plan mylars are filed in the Town Clerks office. The liens shall be unencumbered by any mortgage or encumbrance having priority of said liens, by evidence of said Certificate of Title.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

j. Watertown High School bond reduction

Mr. Minnich said we have heard from Ms. Mulcahy there are no remaining on the traffic light.

MOTION: Martin

Whereas the Town of Watertown Planning and Zoning Commission has required a \$150,000.00 cash bond for a traffic light on French Street at the entrance to the Watertown High School as a condition of approval of the Watertown High School site plan/ special permit recently approved; and

Whereas \$79,460.00 has been expensed and approved by the Commission: and

Whereas the Commission accepts the traffic light as complete.

AND NOW THEREFORE be it resolved that Watertown, Planning and Zoning Commission releases the balance of the cash bond in favor of the Town of Watertown in the amount of \$70,540.00.

SECOND: Russ.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

k. Polk Elementary School bond release

Ms. Mulcahy received an e-mail this afternoon and did not make copies for the meeting tonight.

Commission made no motion.

11. Public Hearings

- a. An application for Site Plan/Special Permit #291 of CADS, LLC for a new and used automobile dealership and repair facility located at 832 Straits Turnpike, Watertown, CT in a B-SC Business Center Shopping District.**

Mr. Mancini read the legal notification:

Mr. Minnich read the rules for public hearings.

Mr. Minnich asked for the certification for the notice that was placed and the green cards.

Mr. Pilicy submitted the green cards, avadavat of notice and notice of granting a variance which was approved by ZBA on January 5th and recorded on the land records.

Franklin Pilicy

Mr. Pilicy stated that they have already met with the Commission for a preliminary discussion. Mr. Pilicy asked in view of the time restraints if the Commission would consider closing the public hearing tonight and to vote on it.

Bryan Pollard - Pustola and Associates of Naugatuck

Mr. Pollard said the project consists of demolition on the current showroom facility in the front of the building and the construction of a new showroom including a small service write up area and a small addition in the back which will include the service area. Other site improvements included a dumpster with a chain link fence enclosure and widening the driveway and adding a block retaining wall with a decorative fence along the top. The site lighting will be on 25 foot poles. Mr. Pollard explained the improved traffic pattern.

Board Member Concerns

Mr. Blais asked about the renovations to the back building

Mr. Pustola replied they are just changing the shape of the building with the same use.

Mr. Minnich asked Mr. Berger about lighting on their property.

Mr. Berger referred to his memo and there is some minor light trespass beyond the property line on the east and south side of the property.

Mr. Pollard replied we could modify the poles.

Mr. Minnich asked if sanitary service and well has gone through Torrington Health District.

Mr. Pollard said we will be connected to water & sewer and a letter will be e-mailed to Ms. Mulcahy that it is acceptable.

Mr. Minnich asked them to return when they get the lease for that portion of the property in front from the state.

Mr. Martin was in agreement.

Mr. Pollard brought samples of how the doors would look in the front of the building with a movable glass wall.

Mr. Duplissie asked about the dimensions of the modular blocks on the north side of the building

Mr. Pollard replied the blocks are two by four and the wall is 6 to 7 feet high with a fence similar to Stop and Shop.

Mr. Minnich said the 10 foot strip in the front should have grass or shrubs and prohibiting the display of cars in that grassed area.

Mr. Berger reviewed the storm management control issues.

Recess or adjourn, public hearing must be closed by March 10, 2010

MOTION: Mancini moved to close the public hearing.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

12. Articles on Agenda

a. Applicant:	CADS, LLC, Jim Cummins
Agent:	Stephen Pustola, Pustola Associates
Re:	Site Plan/Special Permit #291 New and Used Automobile Dealership and Repair facility
At:	832 Straits Turnpike, Watertown
Zone:	B-SC
Action:	Decision by May 14, 2010

MOTION: Martin moved.

WHEREAS, the Town of Watertown Planning and Zoning Commission received a Site Plan/Special Permit #291 application from James Cummins CADS LLC, located at 832 Straits Turnpike, Watertown, CT on 2.72 acres for an 8,227 sq. ft. addition to a 22,023 sq. ft. building for an automobile dealership with a repair facility with an existing 40 sq. ft. freestanding sign and a proposed 48 sq. ft. sign in a B-SC Shopping Center Business District which includes Site Layout Plan SP-1 dated 11/20/09 with a final revision date of

12/14/09, Site Grading & Utility Plan SP-2 dated 11/20/09 with a final revision date of 12/14/09, Erosion & Sediment Control Plan SP-3 dated 11/20/09 with a final revision date of 12/14/09, Landscaping Plan SP-4 11/20/09 with a final revision date of 12/14/09, Site Lighting Photometrics Plan SP-5 dated 11/20/09 with a final revision date of 12/14/09, Site Construction Details SP-Det1 dated 11/20/09 with a final revision 12/14/09, prepared by Pustola & Associates, Engineers/Constructors, 185 Meadow Street, Naugatuck, CT for James Cummins, 832 Straits Turnpike, Watertown, CT 06795 owned by CADS LLC, 832 Straits Turnpike, Watertown, CT 06795; and

WHEREAS, the Commission received the application on January 6, 2010 and heard the application on February 3, 2010;

IT IS THEREFORE RESOLVED the Watertown Planning and Zoning Commission **APPROVES** Special Permit #291/Site Plan application for an 8,227 sq. ft. addition to a 22,023 sq. ft. building for an automobile dealership with a repair facility with a freestanding sign in a B-SC Shopping Center Business District subject to the following conditions:

1. All exterior lighting shall be full cut-off fixtures in accordance with Section 61.4 Outdoor Lighting.
2. All light poles shall be a maximum of 20 feet above ground level so that no source of illumination shall be visible beyond the lot line.
3. All non-essential lighting shall be turned off after business hours leaving only the specified lights shown on the plan for site security as approved by the Land Use Administrator/ZEO resulting in approximately one half of all lights turned off.
4. All non-conforming signs shall be reduced by 10% in size when replaced in accordance with Section 52.4 B 1. of the Town of Watertown Zoning Regulations including any changes to the 40 sq. ft. freestanding sign.
5. In accordance with Section 52.4B of the Watertown Zoning Regulations there shall be landscaped island buffers at least 10 feet in width, except for clearly defined lanes of ingress and egress, along the street in front of the dealership. Such buffer shall be measured from the edge of pavement of the road, or such line further back as is required by the highway authority having jurisdiction. Edge of pavement shall mean the outer edge of the shoulder of the street. The buffer shall be planted with an attractive ground cover of grass and shrubs as approved by the Administrator of Land Use/Zoning Enforcement Officer. Only plantings

and shrubs shall be within the buffer. Vehicles shall not be within the buffers.

6. Display cars on the state right of way are not approved at this time. The applicant may apply for a site plan modification with no fee for use of the display area upon receiving permission from the Connecticut Department of Transportation for use of that land for that purpose.
7. Follow the recommendations of the Town Engineer in a memorandum dated 2/2/2010 which are included in conditions #8, # 9 and #10.
8. A narrative storm water management summary shall be provided indicating that there will be no change in impervious area including any minor improvements in water quality due to converting existing parking area to roof top. A 4 foot sump shall be installed in the new catch basin. The final summary shall be reviewed and approved by the Town Engineer.
9. The State Department of Transportation shall be contacted as the new catch basin will tie into the existing State storm drainage system in Straits Turnpike. Details of the existing and proposed extension of the floor drain system shall be included in the submission to CT DOT. A copy of the approval from the CT DOT shall be submitted to the Land Use Office before a zoning permit is issued.
10. Sheet SP-3 Erosion and Sediment Control Plan shall include the proposed limits of site disturbance, a sedimentation barrier along the southern property line and a detailed sequence of construction specific to this site. The timing of pavement removal shall be included in the detailed sequence and steps taken to minimize the amount of time between pavement removal and repaving activities. Any notes referencing 4 inches of topsoil shall be revised to be 5 inches.
11. Prior to Town officials signing a final Mylar map and two paper copies, the final map with a signature block for the Chairman of Planning and Zoning with an expiration date and all the conditions of approval shall be submitted to the Land Use Office for review and approval by the Town Engineer and the Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission.

In accordance with Section 8-3(i) of the Connecticut General Statutes, all work in connection with this Site Development Plan shall be completed within five years after approval of the plan. Said five year period shall expire on February 25, 2015.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

b. Applicant:	Ron Picard
Agent:	Dennis O'Sullivan
Re:	Combining of lots
At:	Caruso Drive, Watertown
Zone:	R-30
Action:	Consider Acceptance

Ron Picard

Mr. Picard purchased the property next door with the intent on having a larger piece of property in which he can build a house with septic and well. He has gotten approval from Torrington Health for the septic system and he has been before wetlands and they have approved the site plan with modifications that require us to certain type of landscaping on the property so we do not have runoffs into the lake with no fertilizers or pesticides.

Ms. Mulcahy passed out the revised plans.

Board Member Concerns

Mr. Minnich commented he was pleased to see that the buildings within the 50 foot setback from the lake are going to be removed.

Mr. Duplissie expressed concerned about getting the proper permits so that there will be silt fences when the property is taken down.

MOTION: Martin moved to approve the merger of the three lots.

SECOND: Duplissie.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

c. Applicant: Antoinette Pelegano
Agent: Edward Fitzpakrick
Re: Modification of subdivision approval
Permit construction of an 18 foot road in
lieu of a 24 foot road
At: Chimney Road, Watertown
Zone: R-90
Action: Decision by April 9, 2010

Edward Fitzpatrick

It was approved in 2007 and reapproved in 2009 at her request we are asking modification of the road width to an 18 foot wide road. The cost involved for a 24 foot roadway is the reason for the request.

Board Member Concerns

Mr. Berger said the 18 foot wide road width was and continues to be acceptable to the Department of Public Works given the low volume of traffic anticipated on this town road.

Mr. Minnich asked if the road is going to be maintained by the town.
Mr. Berger replied yes.

Mr. Minnich asked if the conditions and the conservation easement that has not changed just strictly the roadway issue.
Mr. Berger replied that is correct.

Mr. Mancini said there is a potential cost to the town 10 to 20 years from now if they ever extend it. To check with the Fire Department consultant with the 18 feet instead of 24 with that hammerhead.

Mr. Berger replied he believed there was is a Fire Department sign off in the file saying that is acceptable for 18 feet with the hammerhead.

Mr. Minnich said his reason for voting 24 feet was Mr. Berger had mentioned the issue that we had just recently at the time of our vote regarding Caruso Drive. Mr. Minnich asked for the consensus of the Commission.

Mr. Duplissie to keep the 24 foot
Mr. Mancini he was concerned about the town expense in the future.
Mr. Martin said he would be fine going down to 18 feet.
Mr. Rossi said 24 feet.
Mr. George is in favor of 18 feet.
Mr. Demirs passed.
Mr. Russ said 18 feet is sufficient.
Mr. Blais said 24 feet.
Ms. Genovese passed.

Mr. Minnich suggested 20 feet.

Mr. Martin said 24 feet.

Mr. Rossi said 24 feet.

Mr. George said 18 feet.

Mr. Mancini said 24 feet

Mr. Russ said 18 feet.

Mr. Demirs said pass

Mr. Blais said 24 feet.

Ms. Genovese passed.

MOTION: Duplissie moved to deny.

Whereas the Watertown Planning and Zoning Commission received a subdivision modification application titled Pelegano Estates to modify the condition of approval for a 3 Lot Residential Subdivision located on Thomaston Road, Old Highway Road off Chimney Road on 32.55 acres of land in an R-90 Residence District owned by the applicant Antoninette Pelegano, 83 Chimney Road, Watertown, CT 06795 which includes a Subdivision Map titled Pelegano Estates dated 3/16/06 with a final revision date of 4/29/09, a Site Development And Erosion Control Plan dated 3/16/06 with a final revision date of 4/29/09 and a Construction Details & Notes dated 3/16/06 with a final revision date of 4/29/09 prepared by Land-Data Engineers, 567 Watertown Avenue, Waterbury, CT;

Whereas the Commission heard the application on February 3, 2010;

IT IS THEREFORE RESOLVED that the Watertown Planning and Zoning Commission denies the subdivision modification application titled Pelegano Estates for a 3 Lot Residential Subdivision to reduce the required 24' paved road width to an 18' paved road width located on Thomaston Road, Old Highway Road off Chimney Road on 32.55 acres of land in an R-90 Residence District owned by the applicant Antoninette Pelegano, 83 Chimney Road, Watertown, CT 06795

SECOND: Russ.

VOTE

AYES:

Minnich, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS:

Martin.

Mr. Minnich said the reason for the denial the 24 feet complies with the town road standards and future expansion of this road would be likely that the town would have to widen the road beyond 18 feet if it was to be approved and that it also likely the town would have to bear that cost as the owner of the area.

Mr. Martin said the reason for voting against it is the likely hood of that extension road is slim as stated by the Highway Department witnessed by the people who know that area and say it is all wetlands.

Mr. Duplissie wanted to keep it 24 feet wide as approve previously.

MOTION UNANIMOUS PASS 6-1.

d. Applicant:	Tony & Sons Seafood
Agent:	Robert Green Associates
Re:	Preliminary discussion
	Expansion of commercial building
At:	639 Main Street, Oakville
Zone:	R-30
Action:	Preliminary discussion

Ms. Mulcahy said this is a BG district

Scott Demirs - Robert Green Associates

Mr. Demirs is here for a preliminary discussion on putting a small extension on our building to house a freezer and new refrigeration cooler and more parking for safety reasons.

Board Member Concerns

Mr. Minnich asked if the circulation is one way in and one way out.

Mr. Demirs replied that is what we would like to do.

Mr. Minnich asked about the loading area location.

Mr. Demirs said the loading area would be in the newer side on the way out.

Mr. Minnich asked if the existing building was constructed before 1955.

Mr. Demirs believed it was.

Mr. Minnich said the issue then is that the building is not in conformance and does not meet the setback requirements from the road.

Mr. Demirs replied yes.

Mr. Minnich asked if the new editions with conform to the setback requirements.

Mr. Green replied the existing building is 12 feet from the highway line and the proposed addition runs along the line of the existing building would be 12 1/2 feet. The various areas circled in red do not comply with the regulations and they were going to ZBA.

Mr. Minnich ZBA cannot grant a non conforming project which is going to make it more non conforming. My point you are going to be asked and required to show other scenarios that you can do to make it conforming. If there is a possibility that that can be done even if it means changing the inside you will need to go through that exercise.

Mr. George said you might have room if you redesign your addition if you were to lose some parking spaces.

Mr. Martin said we have no choice but to follow these requirements and we support the plan.

Mr. Minnich asked the Commission if there was any disagreement on the comments made.

Commission made no motion.

e. Applicant:	Neville Barrett
Re:	Preliminary Discussion
	Watertown Mews – 38 Town homes
At:	Colonial Street, Oakville
Zone:	R-G
Action:	Preliminary discussion

Neville Barrett

Mr. Barrett owned this parcel of land for 5 years and put together a project that would develop the land into Watertown Mews. Towns homes with 2 bedrooms 1 1/2 baths each with 2 car garage. Mr. Barrett submitted a rendering of what it would look like and needed direction to move forward.

Board Member Concerns

Mr. Minnich asked if there will be any sidewalks.

Mr. Barrett replied there will be sidewalks.

Mr. Minnich asked for the dimensions of the club house

Mr. Barrett replied 20 ft by 30 ft and that it would be for fitness and table tennis.

Mr. Minnich asked about the foot bridge for the walking trail is that really needed there maybe issues from wetlands.

Mr. Barrett said it is there to support the walking circuit but it is not essential.

Mr. Minnich said the conservation area for open space dedication to leave it natural without the tables.

Mr. Minnich asked about the width of the road and the circulation.

Mr. Barrett said the width of the road is 20 feet and it is two way circulations.

Mr. Duplissie asked about the intention of the remaining 2 acres.

Mr. Barrett replied that side is in Waterbury, we will leave that down the road maybe for homes we are not committed and that the primary use is for the Watertown side.

Mr. Duplissie asked if the 5 acres is in Watertown.

Mr. Barrett replied yes.

Mr. George said even if it is part of Waterbury it would have to be part of the project and you would have to go to Waterbury for this.

Mr. Minnich commented on adequate parking.

Mr. Minnich said the Commission is looking favorably on this project.

Mr. Barrett said he will act upon the guidance from the Commission

Commission made no motion.

f. Applicant:	Karl Czarzasty & James Zappone
Agent:	Paul Buenevich, Land Data Engineers
Re:	Preliminary discussion, Construction of small commercial building for retail or office space
At:	183 Echo Lake Road, Watertown
Zone:	B-GF
Action:	Preliminary discussion

James Zappone

Mr. Zappone explained for the building to fit on that lot is going to require some variances. The lot backs up to residential we would like to encroach on that buffer with the building sloping back in the rear area and using the building as a retaining wall to bring the grade up and to capture the water and also putting the parking in the front alleviating any runoff problems as well.

Board Member Concerns

Mr. Minnich asked about the parking in the front of the building.

Mr. Mulcahy replied the Fire District does allow parking in the front of the building and that loading is not allowed in the front of the building.

Mr. George you are surrounded by residential and you want to exceed the limits it is a problem. This is also very steep with no contours.

Mr. Zappone the building is going to be the retaining wall; and we would keep all the commotion to the front.

Ms. Mulcahy said they would only be going to the ZBA the Fire District regulations do not require a site plan approve and they are coming here as a courtesy.

Mr. Minnich said his only issue was that what you are proposing is out of character for the neighborhood.

Ms. Mulcahy said dwellings are prohibited in the BG zone and they went for retail stores those are permitted without approval.

Mr. Minnich said the residential is a better alternative and you could come here for zone change.

Commission made no motion.

g. Applicant:	D, G And P Realty, LLC
Agents:	Steve Whittaker and Scott Meyers
Re:	Preliminary discussion, revised site Plan, professional office building
At:	5 Bunker Hill Road, Watertown
Zone:	R.T.
Action:	Preliminary discussion

Scott Meyers – Professional Engineer and Land Surveyor

Mr. Meyers said Mr. Perugini has decided not to share the site for access. Being a standalone site we will now have a third of the traffic. DOT comments are allowing entering only on Straits Turnpike. Our traffic engineer looked at it and believed there would be no problem with left and right turn for an exit on Bunker Hill with less traffic and parking. Mr. Meyers wants to go to ZBA for coverage variance for the driveway off of Straits Turnpike and wanted to maximize the parking to the rear of the building due to side and rear yard setbacks. The second issue trying to get a shared access with Apple Hill presented a few issues with the mixed uses of the buildings, ambulances, different employee shifts and flow of traffic.

Board Member Concerns

Mr. Minnich said it appeared that Apple Hill was amendable from the preliminary discussion. They received a report from their insurance company to get rid of the two exit and entrances and to combine it into one in the center, so they were looking to do this very same thing to which you are proposing.

Mr. Minnich did not like along with the Commission the access on that corner which is only going to get busier. It is far safer to have the entrance and exit where it is not up a hill than any other of the scenarios.

Mike Damico agreed that would be the best and safest route for traffic to exit the site and to come in that way. Part of our other concern is if they are willing to have a discussion that is reasonable. The building is at a higher end of the expense range it does not leave us a lot of leeway in terms of paying them something significant for this access way. This has taken months for this project and they are still no closer today.

Mr. Minnich offered the services of staff to help.

Mr. Damico replied he would be happy if Ms. Mulcahy could bring us together for a meeting.

Ms. Mulcahy asked if they could see a proposal of a joint access way and then they would be willing to take a look at a more centralized entrance into the property to make it safer. She will contact them and set up a meeting.

Mr. Martin said he would support the right turn entrance only access from Straits Turnpike.

Mr. Duplissie agreed with Mr. Martin on the right turn only.

Mr. Minnich said this he did not believe that people will obey a right turn only.

Mr. Minnich we have to finish exploring this issue with Apple.

Commission made no motion.

**h. Applicant:
Re:**

Action:

**Planning and Zoning Commission
Proposed By-Law Amendment
Article VII – Meetings
Amend Section 1 and New Section 8
Consider Adoption**

Mr. Minnich said this is change of timing for our regular meeting so we begin at 6:30 in the evening. That other section 8 which is new we want to discourage receiving items of documents here at the meeting because it is impossible to read them, to ask questions, and to comment. It allows them if they do not get it to us on time and to encourage not placing the meeting on the agenda and if needed to come to the meeting during the public participation and ask to have it on the agenda and do whatever the commission wants to do.

Board Member Concerns

Mr. Mancini asked the 6:30 would that mean the special meeting would be at 6:00.

Mr. Minnich said no 6:30 would be the earliest we would start.

MOTION: Duplissie moved to approve the amendments to the By-laws effective upon passage. Text of the Amendments as follows:

PROPOSED AMMENDMENTS TO PLANNING AND ZONING COMMISSION

BY-LAWS, ARTICLE VII - MEETINGS

[Amended]

Section 1 Regular meetings are held on the first Wednesday of each month at 6:30pm, or as determined by the schedule of Regular meetings annually approved by the Commission and reported to the Town Clerk. In the event of conflict with a holiday or other event, no fewer than four (4) favorable votes, or the Chairman, may change the time, date, and place of any upcoming Regular meeting.

The Chairman shall cause the Administrator for Land Use / Zoning Enforcement Officer to notify members of a meeting agenda not less than 48 hours in advance of a Regular meeting and not less than twenty-four hours in advance of a Special meeting.

[New]

Section 8. Commissioners require adequate time to review applications and prepare questions. Documents for agenda items are to be at Commissioners' homes by the Saturday prior to a meeting, and in extraordinary circumstances by the day prior to a meeting. The Commission discourages receipt of documents at a Commission meeting. In such circumstances, Commissioners do not have adequate time to review submittals and prepare questions.

If the Chairman determines it is not likely Commissioners will receive all regulation-required documents prior to the day of a meeting, the Chairman is encouraged (but is not required) to not place that item on a meeting agenda until the documents are received. Applicants shall have the privilege during public participation at a Regular meeting to request the Commission to amend a meeting agenda provided the applicant has: (1) paid planning and zoning fees in full (if fees are required); (2) has submitted all required documents to the Commission; and (3) claims a hardship resulting from this policy. The Commission may waive any of these provisions with no fewer than four (4) favorable votes. The Commission is not required to amend a meeting agenda, and in accordance with Connecticut Freedom of Information laws, may not add an agenda item at a Special meeting.

VOTE

AYES: Minnich, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: Martin.

MOTION UNANIMOUS PASS 6-1.

i. Applicant:	Planning and Zoning Commission
Re:	Proposed By-Law Amendment
	Article VIII–Order of Business at
	Meetings
Action:	Amend Sections 1, 2 & 3 & New Section 6
	Consider Adoption

Mr. Minnich said it was suggested to change the order of having the public hearings as was done tonight. The change for section 2 the clarification of our rules that a negative vote does not mean that it would be approved in the positive so you would have to revote again in the positive in order for it to pass. The other one amended is suggesting another means for helping the public **is requesting not requiring** that when there is a application for a public hearing a few minutes before the meeting Ms. Mulcahy could ask the applicants if they would go out into the hallway and display their drawings so people could see them before they come in and to help answer any questions.

MOTION: Duplissie moved to approve the amendments to the By-laws effective upon passage. Text of the Amendments as follows:

AMMENDMENTS TO PLANNING AND ZONING COMMISSION BY-LAWS

ARTICLE VIII - ORDER OF BUSINESS AT MEETINGS

[Amended]

Section 1 The order of business at REGULAR meetings shall be:

1. Call Meeting to Order
2. Roll Call
3. Executive Session (optional) stating pending litigation, land acquisition, and/or a personnel matter
4. Public Participation
5. Communications and Bills
6. Meeting Minutes
7. Staff Report
8. Chairman's Report
9. Old Business (list items)
10. New Business (list items)
11. Public Hearings (list items)
12. Articles on Agenda (list items)
13. Adjournment

The order of business at SPECIAL meetings shall be:

1. Call Meeting to Order
2. Roll Call
3. Executive Session (optional) stating pending litigation, land acquisition, and/or a personnel matter
4. Communications and Bills (optional)
5. Meeting Minutes (optional)
6. Staff Report (optional)
7. Chairman's Report (optional)
8. Old Business (list items)
9. New Business (list items)
10. Public Hearings (list items)
11. Articles on Agenda (list items)
12. Adjournment

[Amended]

Section 2 A motion is passed with four (4) or more favorable votes unless additional votes are required as provided in these By-laws. Non-approval of a motion to deny and non-approval of a motion worded in the negative, is not approval of the subject matter motion. The order of business on a posted meeting agenda may be amended with four (4) or more favorable votes. An agenda item may not be added at a Special meeting. Agenda items may be added at a Regular meeting with five (5) or more favorable votes.

[Amended]

Section 3 At Regular meetings the Commission SHALL vote whether or not to accept an application for review and establish a public hearing. At Special meetings the Commission MAY vote whether or not to accept an application for review and to establish a public hearing. The Commission may vote not to accept an application for review and to establish a public hearing if the Commission determines the applicant has not paid application fees and/or the application is not accompanied with all regulation-required submittals at the time the Commission votes whether or not to accept an application for review and to establish a public hearing. The Administrator for Land Use / Zoning Enforcement Officer shall request (not require) applicants to display their drawings and answer questions from the public in the hallway outside the Commission meeting room prior to a public hearing. Commission members shall not be present at these displays.

VOTE

AYES: Minnich, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: Martin.

MOTION UNANIMOUS PASS 6-1.

**j. Applicant: Planning and Zoning Commission
Re: Zoning Text Amendments Article VI, Section 64 Removal Of
Earth Materials**

Mr. Minnich said in these two sections when you spend time in reading it there is some language as to what is clean fill and not clean fill. There are some conflicts with how much fill gets qualified to not have a zoning permit and different requirements for when you bring it in vs. taking it out. This needs a little more work and I am expecting comments back from Mr. Berger, Ms. Mulcahy, Mr. Jessell and Torrington Health.

MOTION: Duplissie moved to table the Zoning Text Amendments to the next regularly scheduled meeting.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

1. Article VI, Section 65 Filling of Land (Proposed to be combined with Section 64 and delete Section 65)

MOTION: Duplissie moved to table the Zoning Text Amendments to the next regularly scheduled meeting.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

**2. Article I, Section 5 Definitions:
a. New 5.2.35 Clean Fill
b. Amended 5.2.72 Filling
c. New 5.2.206 Unacceptable Soil**

MOTION: Duplissie moved to table the Zoning Text Amendments to the next regularly scheduled meeting.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

3. References to Article VI, Section 65 proposed to be references to Section 64:

a. Article III, Section 36.4.7.1

b. Article VI, Section 66.13

Action: Establish Public Hearing

MOTION: Duplissie moved to table the Zoning Text Amendments to the next regularly scheduled meeting.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

k. Discussion on Subcommittee

Mr. Dupliesse would like to form a subcommittee that to review standards for the approval process, office procedures and to see if we can speed the application process up.

Ms. Mulcahy responded we act on these immediately and we do not take the 65 days and it is done within 30 days.

Mr. Martin said this is an opportunity for us to streamline and be more business friendly.

Mr. Minnich commented if a guidepost something written out simple and easy when you get a subdivision these are the processes you need to go through in our town and these are the people you need to see.

Mr. Berger responded if there is a way of doing things better I would like to be a part of it.

Hearing no objection, by unanimous consent, the members of the Planning and Zoning Operations Committee are Duplissie, Martin, Demirs, Blais, and Genovese.

No motion

13. Adjournment

MOTION: Duplissie moved to adjourn at 10: 25 P.M.

SECOND: Martin.

VOTE

AYES: Minnich, Martin, Russ, Mancini, Blais, Duplissie and Rossi.

NAYS: None.

MOTION UNANIMOUS PASS 7-0.

Carl Mancini _____
Secretary