

Planning and Zoning Commission

April 6, 2021 – 7:30 PM

Meeting Minutes

Please Note: This meeting was held online.

Members Present:

Walter Parsell
Joe Hall
Laurie Semprebon
Doug Roberts
Bob Shabot
Bob Tehan (8:24pm)

Other Members Present:

Michael D'Amato- Zoning Agent
Ashley Stephens- Assistant Zoning Agent

A. Call to Order

W. Parsell called the meeting to order at 7:30pm.

B. Roll Call/ Seating of Alternates

C. Applications to be Received

N/A

D. Public Hearing

- a. **PZ-21-11:** Three Lot Resubdivision Application: 59 Latham Rd, Applicant: Edward Pelletier, Owner: Michael Nogas

E. Pelletier stated he is representing the owner for 59 Latham Rd. 2 new lots are being created and 1 is there already. Wetlands and health have approved the subdivision, it is a total of 6.94 acres.

W. Parsell asked how big the lots are going to be.

E. Pelletier stated Lot 3 is 87,138 sq ft; lot 4 is 187,124 sq ft and lot 5 is 127,756 sq ft. Lot 3 is cleared and the other two have trees on them that will be cleared.

M. D'Amato stated because it is a resubdivision it requires a public hearing. It did go through wetlands in February 2021, and the engineer looked at the resubdivision and has provided comments.

B. Shabot asked how much in open space is buildable?

E. Pelletier stated 302,314 sq ft, which 7,000 sq ft was wetlands (2.5%), which the regulations state how much we needed to have, which is what we followed.

Commission decided they would like M. D'Amato to create a motion for the next meeting.

W. Parsell made a motion to close the public hearing. D. Roberts seconded the motion. All in favor.

- b. PZ-21-13:** Modification of Special Permit to add illumination to signage at 11 Phelps Way Applicant: Greg Bristow Owner: BTV Realty of Willington LLC

G. Bristow stated we want to take what we did last time, but change the building signs and pylon sign, to standard low intenseity illumination like the Dunkin Donuts signs by the road.

W. Parsell asked why the change?

G. Bristow stated it will be a better look, it will keep the signs at a reasonable height, and there wasn't going to be a lot of room for goose neck lighting like the applicant/ owner originally thought.

M. D'Amato stated even though last time we talked about illumination, it wasn't proposed, so today is to add illumination to the property. He then stated a portion of the regulations that are prohibited with lighting on signs.

The commission discussed the lighting for this applicant and everyone agreed as long as it follows the regulations they are okay with it.

W.Parsell made a motion to close the public hearing. B.Shabot seconded the motion. All in favor.

E. New Business

- a. PZ-21-11:** Three Lot Resubdivision Application: 59 Latham Rd, Applicant: Edward Pelletier, Owner: Michael Nogas

M. D'Amato stated he will create a motion for the next meeting. Tabled until next meeting.

- b. PZ-21-13:** Modification of Special Permit to add illumination to signage at 11 Phelps Way Applicant: Greg Bristow Owner: BTV Realty of Willington LLC

D. Roberts made a motion to approve application:

- PZ-21-13:** Modification of Special Permit to add illumination to signage at 11 Phelps Way Applicant: Greg Bristow Owner: BTV Realty of Willington LLC

With the condition to be in accordance with the Zoning Regultions for signs. L. Semprebon seconded the motion. All in favor.

F. Unfinished Business

- a. PZ-21-6:** Special Permit Renewal Section 15 Excavation, Sand & Gravel at 180 Tolland Turnpike Applicant: Diane Becker Owner: Holt Mountain LLC
- b. PZ-21-7:** Special Permit Renewal Section 15 Excavation, Sand & Gravel at 171 Tolland Turnpike Applicant: Diane Becker Owner: Lawrance Becker

- c. **PZ-21-8:** Special Permit Renewal Section 15 Excavation, Sand & Gravel at 9 George Dr. Applicant: Diane Becker Owner: Becker Lawrance
- d. **PZ-21-9:** Special Permit Renewal Section 15 Excavation, Sand & Gravel at 328 Ruby Rd Applicant: Diane Becker Owner: Ruby Associates General Partnership.

L.Semprebon asked why should the applications be grandfathered for sites that are not active.

M.D'Amato stated they are a nonconforming use that is protected under state statute, the use cannot be terminated unless we know the property owner that it's terminated. From a land use perspective, we cant revoke that protection without their agreement.

P.Alter attorney for the applicant, agrees with M. D'Amato and stated unless the owner of a legally nonconforming use abandons the use, then it is allowed to continue. Everytime a renewal comes up, the applicant renews them, so it proves there is no abandonment. While some are less active, it does not mean or show that they are abandoned.

M. D'Amato stated this is a one year renewal request, but they could ask for a longer period of time for renewals next year with a public hearing. He made a suggestion for a condition being that the driveway be paved/improved by October 1st.

P.Alter stated part of that work was completed and it will be finalized in this upcoming construction period.

There was discussion among the commission on what date to give the applicant for the driveway to be complete.

W.Parsell made a motion to approve the following applications:

PZ-21-6: Special Permit Renewal Section 15 Excavation, Sand & Gravel at 180 Tolland Turnpike Applicant: Diane Becker Owner: Holt Mountain LLC

With the condition that the driveway is finished by August 1st.

PZ-21-7: Special Permit Renewal Section 15 Excavation, Sand & Gravel at 171 Tolland Turnpike Applicant: Diane Becker Owner: Lawrance Becker

PZ-21-8: Special Permit Renewal Section 15 Excavation, Sand & Gravel at 9 George Dr. Applicant: Diane Becker Owner: Becker Lawrance

PZ-21-9: Special Permit Renewal Section 15 Excavation, Sand & Gravel at 328 Ruby Rd Applicant: Diane Becker Owner: Ruby Associates General Partnership.

Special permits for a renewal of 1 year. J. Hall seconded the motion. All in favor.

a. PZ-21-3: Section 7.07.02: Livestock and Poultry of the Willington Zoning Regulations.
Application: Willington Planning and Zoning Commission (continued from March 2)

W. Parsell stated he doesn't think the regulations should be too loose to not have a lot of problems in the town.

B. Shabot stated he would like to stay with no free range birds, and these changes will allow more people to be able to keep a few birds, and if someone is upset, that's why we have the regulations to back us up and zoning will have to enforce when its feasible.

M. D'Amato showed a chart indicating the residential properties in town, and those within 80,000 sq ft vs 40,000 sq ft. There has been discussion to reduce the numbers further, but these are the numbers to speak to the issue at hand.

L. Semprebon stated that a few residents stated they thought the regulations should be reduced even further. I think .5 acre is feasible and agree that it is nice for people to be able to do this.

W.Parsell feels that we haven't heard from a lot of people from the community because of the meetings being virtual.

M. D'Amato spoke about the process for how to complete the regulation change.

W.Parsell stated he is interested in keeping it at 40,000 sq ft and revisiting it in a year after we see how it goes.

The commission agreed to keep the changes to 40,000 sq ft.

L. Semprebon made a motion to approve

PZ-21-3: Section 7.07.02: Livestock and Poultry of the Willington Zoning Regulations. Application: Willington Planning and Zoning Commission (continued from March 2)

With an effective date of May 1, 2021. W.Parsell seconded the motion. All in favor. Motion approve.

G. Approval of Minutes

a. March 16, 2021

L. Semprebon Made a motion to approve the minutes from March 16, 2021. J. Tehan seconded the motion. All in favor.

H. Correspondence

N/A

I. Public Comment:

The Commission will hear brief comments at this time from anyone wishing to speak. No business can be conducted here nor can any comments be made about any items on the agenda

J. Staff Report/Discussion

a. South Willington Regs - Update

M. D'Amato stated EDC will hold an outreach/ public information session on the South Willington regulations and try to interface with the businesses and then they will come before the commission to speak with us about the regulations.

In relation to Loves Travel Stop, the request for qualifications for a clerk of the works has been written up and given to the attorney to review and then it will be advertised.

W. Parsell asked if they expressed when they want to start construction?

M. D'Amato stated early Spring, but we don't have permits that have been submitted yet, so potentially mid-May and they want to take advantage of the construction season. We did also get the affordable housing grant extended, so we have until the end of the year to finish that up. The town now has technology to facilitate hybrid meetings. There is a tv, camera and mic in the town hall to accommodate in person and virtual participants. We are limited on space even for the commission to be in the same room so this will benefit the residents and those wanting to attend virtually.

K. Adjournment

W.Parsell closed the meeting at 8:35 pm.

Respefcully Submitted,

Ashley Stephens