

TOWN OF VOLUNTOWN
PLANNING AND ZONING

JULY 13 2016

DEC 15 2016
@ 2:30 PM
Dal'ell

AMENDED

The Regular meeting of the Voluntown Planning and Zoning Commission was called to order at 7:00 P.M. by Chairman Carl Grenier. Members present were: Tom Sweet, Arthur Nieminen, Patricia Wray, Scott Davidson, Ronald Millovitsch. Also present was Peter Zvingilas the Building and Zoning Officer and Attorney Michael Carey. First Selectman Robert Sirpenski was also present. At 7:14 James Hutchins arrived.

Review and Amend minutes from the previous meeting dated June 8 2016: The minutes from June 8, 2016 were read and it was decided by the board to amend the minutes. Arthur made a motion to correct the minutes, Tom seconded the motion, all in favor, so moved.

Zoning Enforcement Officer Report: Nothing to report

Visitors: Wendy Gauthier, Belinda Weise, Debbie Maynard, Mary Ann Nieminen, Edward Grenier. Land Attorney Mr. William Sweeny for the Board of Selectmen. Kyle Haubert and Bob Mullen from CLA Engineers, Inc.

Old Business: First on the list CLA plans for the town garage. Attorney Sweeny stood up and introduced himself as the Land Attorney (see attached credential) hired by the Board of Selectman to discuss any issues that have arisen from deciding on approving the site plan for the garage. He stated that the grant money has been sitting idle since March and is hoping that the commission could come together and approve the site plan after he talks about his legal advice on his investigating. Second on the list was discussing on the 8-24 review/Town Garage. Attorney Sweeney stated that back in 2010 when the 8-24 came before the commission it was approved. He also stated that if no changes or modifications has been applied the approval is still in effect. The Chair Carl Grenier stated that there were trees added, a salt shed, and solar panels. Attorney Sweeney stated that there is a state statute that prohibits any person on a commission that has a conflict of interest cannot stand into the decision process in which the Chair Carl Grenier had to step out now. A member of the audience Debbie Maynard stated that Ronnie Millovitsch should be excused too because in 2010 he was the first selectman who presented the site plans. Attorney Carey felt it best to have Ronnie Millovitsch step out of the meeting. The commission appoints James Hutchins to stand in for the Chairman for this discussion. Attorney Sweeny presents his report and the minutes (see attached) from 2010 planning and Zoning on his findings for the site plans for the garage. He noted back in 2010 the site plan was approved and since then nothing has been added. This was phase one of the project. Then there was phase 2 of the project of the same site plan but it was just shifted a few feet. Phase 2 of the project just needs the

commission's approval for zoning regulations. Arthur Neiminen asked about the frontage and Peter Zvingilas said he Ok'd the zoning aspect. 10B2 regulations from 103B1 zoning reg's book states site plan does not congest, meaning that per zoning the use of a shared driveway is permitted if it does not cause congestion. As far as road frontage in the village district, 150 feet is needed on a town approved road. Gate St and Beach dale are town approved roads. The access point is under 150 feet. "Briggs 1929 gave the town the pre-existing driveway'. So that being said, zoning came in after in 1970's so the frontage does meet the zoning. As far as buffer issue's, there are no buffer regulations that adhere to this site plan. As far as multiple uses on the site, it was noted that this is a single use with accessory buildings. Attorney Sweeney thanked the commission for speaking and he has left all information with the commission for review. He also would like a copy of the letter that Mr. Edward Grenier (see attached) wrote to the commission regarding his property line and he will discuss and speak to him as far as his concerns. Attorney Sweeney is hoping the commission will come to a motion to accept the site plans for the garage any other items including the salt shed will need to come before the commission for approval. Arthur Neiminen is afraid of precedent and ask Attorney Carey and Attorney Sweeney about the frontage. Arthur asked CLA Bob Mullen's if they meet the requirement for frontage. Per scale they do meet the requirement. Patricia Wray ask if there would be any repercussions if the town did not own the land. There could be an injunction if the town did not own the land. For the record, if any modifications are added to the site plan (meaning any additions, salt shed, etc.) then the site plan would need to go to the commission for approval. James Hutchins made a motion to approve the site plans, Scott Davidson seconds, Patricia Wray Voted yes, Arthur Neiminen approved and Thomas sweet approves pending that if any modification are to be added then they will need to come in front of the board for any approvals.

NEW BUSINESS- Carl Grenier returns to the meeting as the Chairman. The topic discussion is Raina Spaziani (Farmer's Market/Auction/driveway apron)) and the site plans that was approved and what the status was on the requirements being done as agreed. Peter Zvingilas has not received a letter from DOT for the apron that will need to be finished to conform to the site plan. Peter Zvingilas has noted that she has 7 years to complete what she has agreed to finalize; Attorney Carey agrees as well. Peter Zvingilas will send a letter reminding her of the requirements.

NEW BUSINESS-COG Training for November. The commission agrees to November 14-18 for training, this is key for the Commission.

Discussion- Zoning Review: 06/08/2016 Memo from Attorney Carey. They need to look at making regulations for zoning on salt sheds. Carl asked Peter Zvingilas if any other town has any regulation concerning them. NECOGG might have some information concerning salt sheds. Next discussion-FOI request-concerning signs. Attorney Carey will look into the matter stating that there is a Supreme court case right now concerning the use of signs.

CGS-8-19-Member requirement: It will be up to the Board of Selectman to appoint a new Chairman to fill a vacancy.

Carl made a motion to adjourn the meeting, Tom second the motion, all in favor, so moved. The meeting was adjourned at

Respectfully Submitted:

Barbara Gauthier, Recording Secretary for P&Z



Amended

TCORS

Tobin Carberry, O'Malley • Riley Selinger, P.C.
• Attorneys •

43 Broad Street • P.O. Box 58
New London, CT 06320-
0058

Telephone: 860-447-0335
Fax: 860-444-6710
attorneys@tcors.com
www.tcors.com

July 13, 2016

Hand Delivered

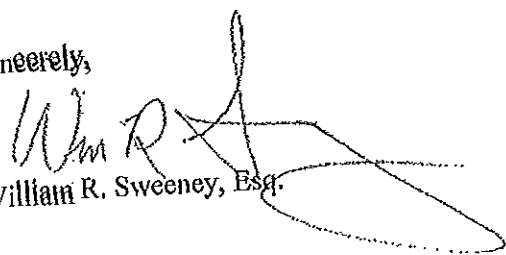
Planning & Zoning Commission
Town of Voluntown
1 15 Main Street
Voluntown, CT 06384

Re: Town Garage 8-24 Review our
File No. 6961.176397

Dear Commissioners:

I serve as special land use counsel to the Town of Voluntown Board of Selectmen in connection with the pending application to construction a Town Garage along Gate Street in Voluntown, Connecticut. Please accept this letter as a formal withdrawal of the previously requested C.G.S. 8-24 review of the project. The Commission previously completed and approved a C.G.S. 8-24 review for the Town Garage facility in July of 2010. This approval is still effective. The project has not substantially or significantly changed since that date nor has the Plan of Conservation and Development been modified. Accordingly, another C.G.S. 8-24 is not required.

Sincerely,


William R. Sweeney, Esq.

Voluntown Planning and Zoning Commission
Wednesday, July 14, 2010

The regular meeting of the Voluntown Planning and Zoning Commission was called to order by Flo Harman at 7:10 P.M. on Wednesday, July 14, 2010 at the Voluntown Town Hall, Voluntown, CT. Members present were Arthur Nieminen, Al Dawley and Flo Harman. Alternates present were David Nieminen and Jarl Pellinen, For the purpose of this meeting, Jarl and David will be full voting members. Also present: Peter Zvingilas, Zoning Enforcement Officer and Town Attorney Mike Carey.

Approval of minutes: The minutes were reviewed and discussed. Arthur Nieminen made a motion to amend the June 9, 2010 minutes in the following places: 1) third line from the bottom on page one—removing "low income" and placing it with "affordable"? and 2) the fourth line on the third page---removing "board members" and replacing it with "audience". Al Dawley seconded it and all were in favor. None opposed.

Zoning Enforcement Officer Report: Peter Zvingilas stated that he has a few cease and desist orders in the process. One is in compliance but there is a mailing address issue with the other one. Other than that, it's quiet.

Visitors: None.

Old Business: None.

New Business:

A. Board of Selectmen-8.24 Review-Town Garage located on Gate Street.

Ronald Millovitsch, First Selectman, brought a map before the Board to look at. The plans showed a new Town Garage and a parking area for school busses. The property is located behind the School on land that the town acquired a few years ago in a land swap with the State of Connecticut. It is fifteen acres and approximately three acres will be used. The Town is getting one grant in the amount of \$250,000 from DECD and needed the 8-24 Review from the Planning and Zoning Commission, so that they could continue on and apply for another grant in the amount of \$500,000. The grants should cover everything, so Town funds will not have to be used. The busses will access from behind the school, but the town trucks will enter from Gate Street through a piece of property the Town purchased from Mr. Niewiarowski a few years ago. The garage will tentatively be 60 x 100 with four bays and will be partially heated, The Board discussed with Mr. Millovitsch security fencing, surveillance cameras, tree buffer between school and the garage, well} septic system, paving and location. The existing garage will be left for recreational use, Pete Zvingilas, ZEO, brought up rip rap on the base of the road and the silt fence, which will be on the plans submitted to him. Atty. Carey stated the board had thirty-five days to act on the review. They can't design the project. If they felt it was an appropriate town project, then they would" approve the 8-24 review, Arthur Nieminen made a motion to approve the 804 review so the

Board of Selectmen can go ahead with the plans. It's a good location and it would be good, to get the busses in there. Al Dawley seconded it and all were in favor, So carried.

241

P & Z meeting of August 11, 2010 continued

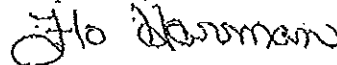
B. Town of Voluntown-Town Garage-located off Gate Street.

Brian Long from CLA Engineers was representing the Town. The application (App. #10-05) was submitted and there will be no fee, since it is for the Town. The site plan shows the entrance over the town owned piece of property from Gate Street to the whole paved area. There will be parking for ten busses and an additional ten spaces for cars. It will be gated at both ends with an eight foot chain link fence. The board requested it be ten feet, The electrical will come off the school building for the buses. Because of funding, the plan only shows the proposed area for the garage. Peter Zvingilas suggested security fencing during construction. The plan shows the parking lot, the grading plan and drainage, The plans show a 100' wetlands buffer, this may be changed to 75', Silt fence will go along the limit. The cleared garage area is 170 x 152—6,000 square feet. Finished floor and finish grade for the garage will be created as a gravel area for now. There was a question concerning the existing house and garage that abut the entrance from Gate Street. This was discussed and the Town will most likely grant access easements. The plan does need to go to Wetlands, which will be the following evening. Pete Zvingilas questioned the volume of water for the catch basins—this will only be from the driveway, Mr. Long will do the calculations, The water from the parking lot will go to a back grass swale. Drainage was discussed further. The length of the driveway to the parking area is 240'. The stock pile area was discussed. Mr. Long will check on calculations, make the few changes that had been discussed with the Peter Zvingilas, and go to Wetlands. Arthur Nieminen made a motion to table the application. Al Dawley seconded it and all were in favor. So carried.

General Discussion: Peter Zvingilas brought up rock outcroppings, It seems he's been getting questions from real estate people asking if it is moveable or non-moveable. Jarl Pellinen read section 2.5-Buildable Area, Peter felt the new definition was not specific. The thought was to leave it up to the surveyors doing the plans, for their interpretation of it.

Flo Haunan made a motion to adjourn the meeting. Art Nieminen seconded it and all were in favor, Meeting adjourned at 7:48 P.M. Next meeting will be September 8, 2010.

Respectfully submitted,



Flo Harman, Secretary

FH/cs copy to ZEO, ZBA,
& EDC

243

P & Z Meeting September 8, 2010 continued

~~B.~~ Town of Voluntown-Town Garage-located off Gate Street.

Brian Long from CLA Engineers was representing the Town. Based on comments from Inland Wetlands the silt fence was extended. The drainage calculations were submitted to Inland Wetlands at their meeting. Per Planning and Zoning's request the security fence will be 10 feet and security lighting will be in the parking area. The board discussed the drainage pipes and went over the flow calculations. A copy of the calculations was submitted. The easements to be granted was noted on the plan and temporary security fences while the work was being done, was added. Althur Nieminen didn't think the pipe size was big enough at Gate Street. He felt there could be issues, Al Dawley stated that was why the calculations were asked for and feels that you have to trust the numbers. The collection system, drainage and pipe were discussed further. Jarl Pellinen made a motion to accept the site plan as is. Bob Millar seconded it. In favor: Bob Millar, Jarl Pellinen, Tom Sweet and Al Dawley. Opposed: Atthur Nieminen, because of size of pipe. Approved.

New Business:

A. Tamarack Lodge-Tom Messina-Parking lot lighting.

Mr. Messina is the general manager of Tamarack Lodge. Maynard Electric is doing the job. They are placing four (4) 250w High Pressure Sodium lights on 20 foot poles and three (3) 100w candescent lights on 12 foot poles. The bases are in and the job was stopped, to come before Planning and Zoning. The board looked at the map that had been presented. The lights will cover the parking lot area and driveway, The power will come from the main building and will be on a timer, to be used only when there ace functions. Peter Zvingilas stated he would like stipulations for hours of operation. Mr. Messina had a letter from the neighbors across the street; they hâd no problem with the lights. This letter was submitted to the board. Althur Nieminen made a motion to approve the site plan with stipulations that the lights are on only during hours of operation. Tom Sweet seconded it and all were in favor. Approved, Mr. Messina will bring the application and check in the amount of \$160,00 on Thursday to the Clerk's office.

B. Charles River Laboratories-Chtïck Mandel

Mr. Mandel submitted the site plans for the board to look at, It is a 26,7 acre site and they will use the existing easement over the Moran property. They may have to grade it for CL&P, They have contacted D.O,T. concei•ning another entrance, which will be no problem, but will need aiproval from them. At this time they will not be using it. Al Gosselin did test holes and will need to #iën off on the testing that was done. The proposed building will be 40x62 with an eight foot chain link fence. It will be exactly like the other building on the property. The access drive will be along the back of the building. They discussed the sheet flow and the distance of the tank locatiiori from the building. They will need to go before Inland •Wetlands and the tank may need to be moved. They will also be loping for approval from Inland Wetlands to fill the pond, which will be done at the same time as cleaning the site and putting up the building. The road will be gravel but paved around the building. It was suggested that drainage calculations be done, They discussed the piping under the road, which was done years before, and felt it was more than

Planning + Zoning Commission

To ~~Board of Selectmen~~ Town of Voluntown CT

I Edward W. Grenier as owner of the parcel bordering the proposed town garage ~~site~~ along the western and northern boundary would like to go on record as being opposed to the further reevaluation of my property by the town of Voluntown.

The town promised a buffer zone when it put bus parking in. Then proceeded to cut all trees right to the boundary not leaving a blade of grass between my property and theirs. My tenant already has to smell diesel fuel and hear backup blaring early in the morning. The town should have to abide by the same zoning laws as private residents. The multiple uses of this property already exceeds what is allowed.

To put another building so close to my border would infringe on my right to hunt or shoot on my property by being within 500 feet of my tree stand.

Also every time the town paves Gates street it raves its bus turnaround a little further into my land. When does it end? I think the time is now. The town should seek alternative sites.

Also a metal building is not attractive in the downtown area and is not a cost effective solution for the town. I strongly suggest you find another solution to the town garage issue. The tax increase to build this should be a concern to everyone.

Edward W. Grenier

TOWN OF VOLUNTOWN
PLANNING AND ZONING
SEPTEMBER 14 2016
Amended

The regular meeting of the Voluntown Planning and Zoning Commission was called to order at 7:05 P.M. by the Chairman Carl Grenier. Members present were: Tom Sweet, Arthur Nieminen. Alternates- Patricia Wray, Scott Davidson, Ronald Millovitsch. Peter Zvingilas Zoning Officer and Attorney Mike Carey. James Hutchins was absent.

Review Agenda:

Approval of minutes from previous meeting: The Board members read the minutes and it is at this time the board all agreed that the minutes from the July 13 2015 will need to be tabled for the meeting.

Zoning Officer report: Peter Zvingilas has stated that there was a house fire on Bailey Pond Rd and he has permitted that a temporary mobile home can be placed there for 6 months; after 6 months if they need more time, he will grant another 6 more months according to the Zoning regulations. Carl Grenier asked Peter if he received feedback from Raina Spaziani; Peter responded he had not sent the letter yet.

Visitors/Citizens comments: No visitors

Old Business: Membership replacement/CT general Statues will need further investigation for filling vacancies.

New Business: General discussion/COG training: Carl Grenier submitted 2 letters for discussion; Wood-Pawcatuck Watershed Association, (see attached) and a letter from Russell Scott concerning the Proposed Town Garage (See attached). The board has read the letter from Mr. Russell. Patricia Wray has recommended to amend the Zoning Regulations to display and to give notice to abutters for

nearby projects in the future. Atty Mike Carey suggested sending certified letters to property owners and to put a public notice for the people to see.

Discussion: Carl Grenier to send FOI to Secretary of the State. Carl Grenier asked Attorney Carey if he reviewed/completed zoning corrections from Jim Larkin? Attorney Carey responded he didn't start.

Adjournment: Carl Grenier made a motion to end the meeting, Ron Millovitsch second, all in favor, so moved. The meeting was adjourned at 7:47 P.M.

Respectfully Submitted:

Barbara Gauthier, Recording Secretary for P&Z

Amended