

The meeting was called to order at 7:10 PM.

**MEMBERS PRESENT:** Doug Dubitsky (Chair), Pete Fiasconaro (Vice-Chair), Randy Godaire, Ken Fortier, Dave Garceau (online), Alternate Peter Haines.

**MEMBERS ABSENT:** Helen Weingart, Eric Beer, Alternate Bill Ireland, Alternate Dan Pearce.

**ALTERNATES SEATED:** Seat Peter Haines for Helen Weingart.

**ALSO PRESENT:** Zoning Enforcement Officer (ZEO) Jay Gigliotti and Recording Clerk Kathleen Scott.

There will be no continuation of the Public Hearing or site walk held for application SP21-161-242 Tower Hill Rd for Limited Farm due to application withdrawn by the owners (letter includes photos).

**APPROVAL OF MINUTES 12.09.21 PUBLIC HEARING:**

**Motion to approve by R. Godaire, seconded by K. Fortier. All in favor, motion carried.**

**APPROVAL OF MINUTES 12.09.21 REGULAR MEETING:**

**Motion to approve by P. Fiasconaro, seconded by P. Haines. All in favor, motion carried.**

**CITIZENS HAVING NEW BUSINESS:** None

**OLD BUSINESS:**

**A. SP21-161-242 Tower Hill Rd – Liz & Shawn Hunter – Special Permit Application for Limited Farm:**

**Application Withdrawn**

P. Haines asked if there is any outreach to the applicants who were very disappointed in the comments from their neighbors. D. Dubitsky responded that it is the job of the Commission to allow everyone to be heard whether for or against the application. The Commission did not have the opportunity to weigh the options and public comment as the applicant chose to withdraw the application and not see the process through to the end. P. Haines suggested defining the number of animals per acre in the regulations as the ZEO is frequently questioned about what is allowed for farms (was removed from the regulations and created a limited farm designation with special permit that allows for farm animals on a smaller piece of property in certain situations – special permit allows neighbors to speak for or against the application).

**Motion to accept withdrawal of application SP21-161-242 Tower Hill Rd-Liz & Shawn Hunter-Special Permit Application for Limited Farm, by P. Haines, seconded by R. Godaire. All in favor, motion carried.**

**NEW BUSINESS:**

**A. SP22-163-64-66 Willimantic Road – Mehak Realty, LLC – Special Permit Application for Gasoline filling station and convenience store per section 5.3.B.m:**

P. Fiasconaro recused himself from the discussion of Item A and left the table.

ZEO J. Gigliotti reviewed the process for this special permit application in the Business Zone (previous application was withdrawn in 2020 with a resubmission by the same applicant with a different firm). A Public Hearing must be held within 35 days from receipt of application and a decision made within 65 days from the close of the Public Hearing. The site is located within the Corridor Overlay District on 3 acres and

not in the Aquifer Protection District. The property is surrounded by residential zones except the side on Route 6. The Commission will be provided with a review comparing documents to the zoning regulations (any action taken on this application needs to be stated with reason why for the record). The application is complete and all fees have been paid.

Tristan Wallace (representative for the applicant) presented overview of proposed Gasoline filling station and convenience store at 64-66 Willimantic Road. The plan includes: 4,960 sq. ft (slightly smaller than previous plan), 10 fuel pumps with 2 diesel pumps, parking along the rear, a drive-thru window, previously approved septic, subsurface retention, landscaping plan that keeps most of the existing trees and adds more at different heights for better screening for enhanced buffer, one-way in and one-way out, parking along the rear (similar to previous submission), radius set to accommodate big trucks (approved by DOT), arc chambers for the stone water system (made of hard plastic that creates a void space).

- K. Fortier asked about the following: describe the underground system (arc chambers are under the paved area with stone water that discharges to Route 6 in the front and discharges into a small basin in the back that trickles into the wetlands); would the water in the system freeze (the chambers are about 5-1/2 ft. below the surface, doesn't hold water for too long with great soil and shouldn't freeze); are there any surface grates (there are inspection ports that are checked annually for any sediment buildup); does the canopy drain into the system (the canopy and the roof drain into the system); is there light protection for neighbors for cars driving in (light protection will be addressed with enhanced tree cover and vegetation at different heights and fencing along the edges interior to the trees); concerns regarding where rodents would go with demolition of the old building - discussed previously with owner who agreed to bring in exterminator prior to demolition (will check with owner).
- D. Garceau asked about the following: what is the square footage footprint (will check the stone water report); what is the separation distance from the drainage system to the leaching system (over 25 ft. to the leaching field that is within Health Department requirements); has this system been used in other sites with similar climates (system is standard and used regularly in similar climates); would there be any charging stations for electric vehicles (not planned for this site - will check with the owner).
- D. Dubitsky asked about the following: are there any elevation drawings including the drive-thru (presented drawings that are part of the plan); what is the timeline for construction (eager to transition to construction pretty quickly and start with demolition as soon as possible).

**Motion to accept application SP22-163-64-66 Willimantic Road-Mehak Realty, LLC – Special Permit Application for Gasoline filling station and convenience store per section 5.3.8.m, made by R. Godaire, seconded by D. Garceau. All in favor, motion carried.**

**Motion to set Public Hearing for February 10<sup>th</sup> prior to the regular meeting for application SP22-163-64-66 Willimantic Road, made by P. Haines, seconded by R. Godaire. All in favor, motion carried.**

**Motion to submit application SP22-163-64-66 Willimantic Road- Mehak Realty, LLC – Special Permit Application for Gasoline filling station and convenience store per section 5.3.8.m to engineer for third party review, by R. Godaire, seconded by P. Haines. All in favor, motion carried.**

P. Fiasconaro rejoined the table.

**B. Planning and Zoning Commission 2022-2023 Budget:**

J. Gigliotti presented the 2022-2023 Budget with no changes (salaries handled by the Board of Selectmen).

**Motion to approve the Planning and Zoning Commission 2022-2023 Budget by P. Fiasconaro, seconded by K. Fortier. All in favor, motion carried.**

**C. Election of Officers:**

**P. Fiasconaro nominated D. Dubitsky for PZC Chair, seconded by P. Haines. Motion to close nominations by R. Godaire, seconded by D. Garceau and carried with one abstention by D. Dubitsky. The vote to elect D. Dubitsky for PZC Chair carried with one abstention by D. Dubitsky.**

**P. Fiasconaro nominated K. Fortier for PZC Vice-Chair, seconded by D. Garceau. Motion to close nominations by D. Garceau, seconded by R. Godaire and carried with one abstention by K. Fortier. The vote to elect K. Fortier for PZC Vice-Chair carried with one abstention by K. Fortier.**

**P. Fiasconaro nominated E. Beer for PZC Secretary, seconded by D. Garceau. Motion to close nominations by R. Godaire, seconded by P. Fiasconaro. All in favor, motion carried. The vote to elect E. Beer for PZC Secretary carried with one abstention by P. Haines.**

**CORRESPONDENCE:**

The ZEO received a draft copy of the Bylaws emailed from H. Weingart.

**REPORT OF THE ZONING OFFICER:**

ZEO J. Gigliotti presented monthly report that is available at the Town Hall. Items requiring direction or action are as follows:

- 2 permits were issued for signage on 187 Willimantic Road. The building official will check on LED lighting in the canopy that appears to have changed.
- 268 Phoenixville Road – The First Selectman received an anonymous complaint (2<sup>nd</sup> complaint on this issue) regarding a person residing in a camping trailer on the property that was connected to the septic system and well (approved by the Health District) and cutout on Route 198 (approved by DOT). The Commission previously determined the first complaint was not a zoning violation (updated information from the first complaint to the First Selectman who is handling this complaint). D. Dubitsky reported that there is a new zoning statute coming that affects the Commission’s ability to prevent trailers.
- 153 Chewink Road – The clean-up is complete and the Commission agrees on issuing a Certificate of Compliance. Discussion was held regarding waiving the back fees which is up to the Board of Selectmen. **Motion to instruct the ZEO to issue a Certificate of Compliance for 153 Chewink Road, by R. Godaire, seconded by P. Fiasconaro. All in favor, motion carried.**
- Joshua’s Trust – Tower Hill Road – The trust is proposing a Free-Split of one four-acre parcel with a house on it from a 50-acre parcel. The Commission was asked if the trust needs to come in and make a presentation (not necessary with legal documentation for title research that shows the property has not been previously subdivided).

**ITEMS PRO RE NATA:**

P. Haines expressed concerns with an offensive flag on private property on Route 198 and asked if there is a regulation or ordinance that prohibits it. D. Dubitsky responded that it is outside the jurisdiction of the Commission regarding content on flags and signs on private property.

**ADJOURNMENT:**

**Motion to adjourn (9:30 PM) by P. Haines, seconded by P. Fiasconaro. All in favor, motion carried.**

Respectfully submitted by,  
Recording Clerk Kathleen Scott