

The meeting was called to order at 7:18 PM.

MEMBERS PRESENT: Chair Doug Dubitsky (online), Vice-Chair Ken Fortier, Helen Weingart, Peter Fiasconaro, Randy Godaire, Dave Garceau, Alternate Peter Haines, Alternate Dan Pearce.

MEMBERS ABSENT: Eric Beer, Alternate Bill Ireland.

ALTERNATES SEATED: Seat Peter Haines for Eric Beer.

ALSO PRESENT: Zoning Enforcement Officer (ZEO) Jay Gigliotti, First Selectman Juan Roman, Selectman Joe Pinto and Recording Clerk Kathleen Scott.

APPROVE OF MINUTES 05.12.22 PUBLIC HEARING:

Motion to approve by R. Godaire, seconded by D. Garceau. Motion carried with abstentions by P. Fiasconaro and D. Dubitsky.

APPROVAL OF MINUTES 05.12.22 REGULAR MEETING:

Motion to approve by H. Weingart, seconded by D. Garceau. Motion carried with abstention by P. Fiasconaro.

CITIZENS HAVING NEW BUSINESS: None

OLD 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 and left the table. D. Pearce seated for P. Fiasconaro.

ZEO J. Gigliotti presented the process for special permit application for a gas station in the Business Zone. Inland Wetlands approved the application in November 2021, the PZC accepted the application in January 2022 followed by the opening of a Public Hearing at the February meeting (with 2 extensions) that continued until the May meeting with Public Hearing closed. The decision needs to be made tonight (statute requires decision within 65 days – this Sat. would be the 65th day). Reviews have been completed by the ZEO and third-party consultant with all comments addressed after many revisions. No negative comments have been received from the Fire Marshall or Fire Department. Eastern Highland Health District (plan, well, septic) and the Department of Public Health (well) have signed off on this application. The Commission can approve, deny or approve with conditions with the reason for the vote cited for the record (specific concerns, consistency with the POCD or the regulations). The Commission was presented with third party review dated May 12, 2022 from Towne Engineering with recommended conditions (not including Town Fees and Consulting Fees that have been paid in full) plus an additional condition recommended by the ZEO to Provide As Built Drawing.

- P. Haines suggested moving forward with the vote on this application that given the conditions of the POCD and regulations, the application is complete and has satisfied all requirements including: health, safety, engineering, and water.

- H. Weingart commented on the importance of including the conditions recommended by Towne Engineering including: Stormceptors, Site Cleanup and Catch Basins.
- K. Fortier referred to statements in the newly completed POCD that allows the Commission some discretion on how to control certain areas to promote diversity of business types and prevent over development of one type of use (would need to consider that this gas station would be between the 2 gas stations that are close to each other).
- D. Dubitsky referred to many strategies in the POCD that tells the Commission to promote diversity and avoid the overdevelopment of a single use (the town is already dominated by 2 large businesses of the same use). If the application is approved, there would be significant violation of several provisions in the approved POCD (statute requires the decision state compliance with the POCD). Need to make sure single use doesn't dominate with 3 gas stations within a ½ mile in the Business District.
- D. Garceau asked when the POCD was finalized (adopted November 18, 2021 - application was applied for and accepted in January 2022). There is nothing in the regulations that states there can't be multiple businesses and understands the POCD to be a guideline (not law if not in the regulations).
- R. Godaire commented about encouraging diversity with the POCD as a guide (the application is allowable in the business zone and has met all health and safety issues). The state doesn't regulate the number of gas stations and 3 gas stations should survive on Route 6 where the largest need is for fuel (doesn't look at as dominating).
- ZEO Gigliotti commented about the POCD not regulations and would encourage the Commission to look through the POCD and cite areas that this application is consistent with. State statute Section 8-3C regarding special permits states that any decision made by the Commission shall state the reason for their decision (no reference to the POCD – understands that it is only for regulation amendments or map amendments).

Motion to approve application 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, with conditions (a – e) in Towne Engineering Report dated May 12, 2022 in addition to condition f. Provide As Built of the Development by P. Haines, seconded by H. Weingart. Motion carried with the following vote:

YES: R. Godaire, D. Garceau, P. Haines, H. Weingart, D. Pearce.

NO: D. Dubitsky.

Reason for Decision: Application is compliant with zoning regulations, is an approved use, comments have been addressed and meets all state agency requirements.

B. SP22-170-238 Willimantic Road-Charles River Laboratories – Special Permit Application for Laboratory use per section 5.3.B.o:

K. Fortier reported that the Public Hearing was closed this evening and the policy is not to vote on the same night as the Public Hearing. ZEO Gigliotti spoke about the voting policy for most situations and about dealing with this applicant for 6 months (the Commission should be well versed on what is being proposed). D. Dubitsky is opposed to voting tonight and asked the Commission to continue with the standard policy by voting next month. R. Godaire expressed concerns with meeting cancelled last month and that there is nothing further to review (additional concerns raised tonight regarding an Evacuation Plan have been addressed). H. Weingart commented about everything being laid out clearly.

- P. Fiasconaro returned to the table and rejoined the meeting. D. Pearce stepped down.
- P. Fiasconaro asked if the Commission is out of time with this application (deadline was met tonight to close the Public Hearing).
- K. Fortier asked if there are any conditions (the use is governed by the new regulations and other state agencies). ZEO Gigliotti recommends a condition – Final approval from the Department of Public Health.

Motion to approve application SP22-170-238 Willimantic Road-Charles River Laboratories-Special Permit Application for Laboratory use per section 5.3.B.o with condition of Final Approval by Department of Public Health, by H. Weingart, seconded by D. Garceau. All in favor, motion carried.

Reason for Decision: Approved use that is governed by the new regulations and other state agencies.

NEW BUSINESS: None

CORRESPONDENCE: None

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:

- 1 permit was issued for a storage shed on Tower Hill Road.
- There will be 2 "Welcome to Chaplin" signs (both on Route 6) on state property with permits and complies with the POCD.

ITEMS PRO RE NATA

H. Weingart (member of the Arboretum Team) asked the Commission to support the Arboretum with a small contribution.

ADJOURNMENT:

Motion to adjourn (8:35 PM) by P. Haines, seconded by D. Garceau. All in favor, motion carried.

Respectfully submitted by,
Recording Clerk Kathleen Scott