



Town of Griswold



28 Main Street
Griswold, CT 06351
Phone (860) 376-7060, Fax (860) 376-7070

GRISWOLD PLANNING & ZONING COMMISSION

SPECIAL PUBLIC HEARING & SPECIAL MEETING MINUTES

NOVEMBER 1, 2011

GRISWOLD TOWN HALL

I. PUBLIC HEARING (6:30 P.M.)

1. Call to order:

G. Rooke-Norman called this special public hearing to order at 6:35 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Secretary Courtland Kinnie, Members Daniel DeGuire, Lawrence Laidley, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Alternates Erica Bevis, Heather Edge, ZEO Peter Zvingilas,

3. Determination of Quorum:

There was a quorum for this special public hearing.

4. Matter Presented For Public Comment

A. SRC 02-12 Griswold, Town of, 28 Main Street, Griswold, CT 06351. Text Amendments to Town Zoning Regulation Sections 6.2.1, 7.3.22 and 8.4.18 allow by Special Exception for retail businesses other than package stores to obtain a to sell beer and/or wine in the C-2 and Business Park Districts; and Text Amendments to Borough Zoning Regulations Section 8.1.9 and 8.2.4 ft. to allow by Special Exception retail businesses other than package stores to sell beer and/or wine not for consumption on the premises in an Industrial District.

G. Rooke-Norman asked C. Fontneau to explain the changes to the regulations. He explained section 6.2.1 that included new language to include that liquor stores are permitted by special exception as long as there is no consumption of liquor on the premises as long as there are no other liquor store located on the lot within 500 feet of a lot contain another liquor store parcel any other retail business selling alcoholic beverages, house of worship, public or private school parcel or public library. He stated that a special exception is required for anew liquor store and for a retail business selling alcoholic beverages such as convenience stores and wineries. He stated that the language of 500 feet will be added to borough regulations.

He explained Section 13.7 for the Performance Guarantee to contain new language for a Zoning Permit, or in the case of a special exception before the final site plan is endorsed by the Chairman or Secretary and filed on the land records with a special exception document. He explained that when the signatures are to be put on the Mylars for zoning permits and special exceptions and filing a cash bond. G. Rooke-Norman asked if this was in conformance

based on the Public Act 11-79. C. Fontneau stated that that has not happened yet. He stated that this clarifies what we have been doing.

G. Rooke-Norman asked to see the regulations. She asked that as long as there is no consumption of alcohol on the premises as long as there are no other liquor stores on a lot within 500 feet. She stated that it is confusing that it is for those two conditions only. C. Fontneau stated that the zoning permit words are being deleted. G. Rooke-Norman had a question whether house of worship public or private school parcel or public library should be taken out. There was discussion of this matter including that state law requires that no alcohol is to be consumed on the premises.

G. Rooke-Norman stated that Section 7.3.22 Retail businesses which are not package stores and which are permitted to sell beer and/or wine, not for consumption, on the premises. There was discussion of this matter including that approvals can be given conditional on getting the appropriate permits by the state. G. Rooke-Norman stated that Section 7.3.22 should read: Retail businesses which are not package stores and which are permitted to sell beer and/or wine, not for consumption on the premises, and which receive subsequent state permits.

G. Rooke-Norman asked if there were questions from the commission for Section 6.2.1, 13.7, 7.3.22, 8.4.18. L. Laidley had a question about Borough Section 8.1.9 and between Section 11.13. He read those sections for the record.

G. Rooke-Norman stated that the new language for book, stationery, magazine, candy and tobacco shops. And a new paragraph Liquor stores are permitted by special exception as long as there is no consumption of liquor on the premises and as long as there are not liquor stores or retail business selling alcoholic beverages located on a lot within 500 feet of a lot containing a liquor store and any other store selling alcoholic beverages. She asked which this was under 8.1.9 when section 8.2 is the section for Section 8.2. C. Fontneau stated that it was his mistake and it probably should have been under section 8.2. G. Rooke-Norman suggested creating a new paragraph for Liquor stores are permitted by special exception; and that this should be moved in its entirety in the next go round to move it from 8.1.9 to section 8.2. There was discussion of this matter.

G. Rooke-Norman suggested creating two paragraphs for Section 6.2.1 at Liquor stores are permitted and to add it to section 6.3 under special exceptions.

G. Rooke-Norman asked for public comment on the town of Griswold zoning regulations for 6.2.1, 7.3.22 and 8.4.81 for a retail business other than a package store selling beer and/or wine. Doris Wood, 194 Popple Bridge Road asked why it shouldn't remain as its. G. Rooke-Norman explained that this new language is so that convenience stores can automatically sell beer without coming before the board for approvals so that we are not selling beer on every street corner.

M. McKinney asked if we are addressing the performance guarantee only in the town or also in the borough. C. Fontneau stated he would have to see the wording in the borough regulations.

C. Kinnie asked if Section 11.13 is a town regulation or a borough regulation. He stated that 11.13 is a town regulation. He stated that in the borough regulation change to 8.1.9 does not have to be removed because the language referencing house of worship, public or private school or public library; so that it can stay as it is written. There was discussion of this matter. G. Rooke-Norman stated that Section 6.2.1 removed houses of worship etc and to add See Section 11.13.

G. Rooke-Norman asked if there were questions for changes to the borough and town regulations. She asked about Section 13.7 Performance Guarantee. M. McKinney asked if it should be added to the Borough regulations. C. Fontneau looked through the Borough regulations. He stated that there was a need to clarify because of a later item in the agenda regarding when signatures are added to the Mylars before He read the regulations for the bond requirement of the borough and other language. G. Rooke-Norman stated that when there is a change in the town regulations there should be a similar change to the borough regulations. There was discussion of this matter.

G. Rooke-Norman stated that the performance guarantee and that we were not going to allow bonds and that it should be an irrevocable letter of credit or a cash bond. She stated that the word bond should be taken out in the

borough. He stated that the Public Act 11-79 references surety bonds. M. McKinney stated that the cash bond is different from a letter of credit. There was discussion of this matter. G. Rooke-Norman suggested adding: See Section 2.8 to Section 13.7. C. Fontneau read Section 2.8 for the record.

G. Rooke-Norman asked for public comment on Section 13.7. G. Rooke-Norman asked for a motion to close the public hearing.

MOTION: M. McKinney made a motion to close the public hearing. L. Laidley seconded the motion. All were in favor. The ayes carried. The public hearing was closed at 7:15 p.m.

II. SPECIAL MEETING (7:00 P.M.)

1. Call to order:

G. Rooke-Norman called this special meeting to order at 7:20 p.m.

2. Roll Call:

Present: Chairperson Gail Rooke-Norman, Vice Chair Martin McKinney, Secretary Courtland Kinnie, Members Daniel DeGuire, Lawrence Laidley, Town Planner Carl Fontneau, Recording Secretary Donna Szall

Absent: Alternates Erica Bevis, Heather Edge, ZEO Peter Zvingilas,

3. Determination of Quorum:

There was a quorum for this special meeting

4. Matters Presented for Consideration:

A. SRC 02-12 Griswold, Town of, 28 Main Street, Griswold, CT 06351. Text Amendments to Town Zoning Regulation Sections 6.2.1, 7.3.22 and 8.4.18 allow by Special Exception for retail businesses other than package stores to obtain a to sell beer and/or wine in the C-2 and Business Park Districts; and Text Amendments to Borough Zoning Regulations Section 8.1.9 and 8.2.4 ft. to allow by Special Exception retail businesses other than package stores to sell beer and/or wine not for consumption on the premises in an Industrial District.

D. DeGuire left the meeting at 7:20 p.m.

G. Rooke-Norman asked the commission for a motion on this matter.

MOTION: M. McKinney made a motion to approve SRC 02-12 for Tow Regulations Section 6.2.1 to remove house of worship public or privet school or public library and add: See section 11.13; for Section 13.7 adding: See Section 2.8 at the end, the wording on 7.3. 22 to read Retail businesses which are not package stores and which are permitted to sell beer and/or wine, not for consumption on the premises, and which receive subsequent state permits; for Section 8.4.18 to read Retail businesses which are not package stores and which are permitted to sell beer and/or wine, not for consumption on the premises, and which receive subsequent state permits; for Borough regulations Section 8.1.9; for 8.2.4 to read Retail businesses which are not package stores and which are permitted to sell beer and/or wine, not for consumption on the premises, and which receive subsequent state permits. L. Laidley seconded the motion. All were in favor. The ayes carried.

B. ZP 02-12 Wood, John & Doris, 194 Popple Bridge Road, Griswold, CT 06351. Request approval of a Zoning Permit for a residential wind turbine as specified in Section 11.15. The property is zoned R-60.

G. Rooke-Norman stated that this item cannot be acted upon tonight since there is a pending wetlands permit application. She read the planners report for the record from this item.

G. Rooke-Norman asked Mr. Waldo to give his presentation.

Mark Waldo, of Waldo Renewable Electric, LLC stated that he brought information and literature for the commission members. He explained 11.15.1 that the location is at 194 Popple Bridge Road and is a 59,000 sq. ft. lot, he stated that the maximum tower height is 35 feet with the rotor diameter at 12 feet for a total height of 41 feet. G. Rooke-Norman asked about the fall zone. C. Fontneau explained that the fall zone is 41 feet for the tower. M. Waldo explained that the support tower for the turbine will be located 41 feet from the nearest property line.

He stated that the turbine will be attached to a monopole ARE Tilt up tower and will not be attached to the dwelling. M. Waldo explained that the breaking system for the rotor is an electromagnetic stalling device. He stated that the harder the wind blows the lower the turbine can spin. He stated that the Skystream turbine is extremely quiet and makes a small amount of operating sound and does not interfere with TV reception. He stated that there is a radio control of 2.4 Giga hertz that transmits data from the turbine to a computer.

M. Waldo stated that the noise is 4 mm per second for background noise with a standard deviation of 5 dB based on USDA Sound Testing Research Service based on a 10 mph. G. Rooke-Norman asked if at 28 miles per hour what it would be. M. Waldo stated that he had that information with him. G. Rooke-Norman asked that the decibel information be submitted at varying wind speeds. She asked what the regulations stated for noise. C. Fontneau stated that it is 45 dB levels in the regulations. There was discussion of this matter. C. Fontneau stated that we need an estimate of the sound level at the nearest property line should get this information from Skystream for the ground level sound. M. Waldo will contact Skystream for the sound level at ground level the next meeting. John Wood, 194 Popple Bridge Road stated that the property line is the edge of the pond and that the nearest property is at 300 feet away. C. Fontneau stated that M. Waldo should send the regulation to the Skystream engineer to get the needed decibel levels. G. Rooke-Norman stated to have this information for the November 14th regular meeting.

M. Waldo explained that it is a tilt down tower and there is no means to climb the tower. The tower is only used for the wind turbine and he stated that the UL listing for the inverter and installation manual are in your packet. G. Rooke-Norman stated that it is not designed to be climbed. M. Waldo stated that there are no pegs and it can only be tiled by a winch and pole. G. Rooke-Norman asked if it would be an attractive nuisance. He stated that teens and kids cannot climb it; it would be like climbing a light pole in a parking lot. There was discussion of this matter.

M. Waldo stated that the energy from the turbine will be on a net meter which the Woods will contract with the utility company. M. McKinney asked if there would be a battery for energy storage. M. Waldo stated no storage and output is 240 volt so there is no storage. G. Rooke-Norman asked about the braking system for turbine. M. Waldo stated that it is an electromagnetic stalling devise. There was discussion of this matter.

G. Rooke-Norman asked if there was anything that stated it did not interfere with TV reception. M. McKinney stated that most people have cable or satellite TV now. G. Rooke-Norman asked the members for any other questions. C. Kinnie stated that he was good other than the sound issue. L. Laidley asked if the tower will be a different town when it needs to be replaced. M. Waldo explained that the towers are engineered for that turbine and that Skystream uses the same hub for the turbine and that the age of the turbine needs to be taken into account.

M. McKinney asked if there should be a letter in the file for a waiver for an A-2 survey. C. Fontneau read the Regulations regarding the need for an A-2 survey. He recommended that they ask for a waiver of the A-2 survey. There was discussion of this matter. C. Fontneau will help the applicant with the waiver request and to put as much detail on the site plan as possible.

G. Rooke-Norman asked for other questions. M. McKinney stated that M. Waldo submit a letter for a waiver request, and to work with the Skystream engineer on the speed sound decibels and to put the dimensions from the tower to the property line of the abutters and the distance from the dwelling to the pole. G. Rooke-Norman asked for a motion to table.

MOTION: L. Laidley made a motion to table this to the next regular meeting on November 14. M. McKinney seconded the motion. All were in favor. The ayes carried.

- C. E 03-11 GC of Taftville, LLC. 2 Business Park Way, Griswold, CT 06360 Letter dated October 11, 2011 from Demian Sorrentino, Boundaries, LLC regarding GC of Taftville, LLC requesting to have the special exception site plans signed prior to the submittal of the performance guarantee and a request per the Connecticut General Statute Public Act No 11-79 to accept a surety Bond in lieu of a passbook originally stipulated in the Special Exception Approval SE 03-11 in Condition #1.

C. Fontneau stated that Gaston Cyr is not here and that Gaston was concerned that he does not have a tenant for his site a 2 Business Park Way; Gaston want to have a different deal than his conditions of approval and not to have to put the \$18,300 up before the site plans are signed by the Commission Chair or Secretary. C. Fontneau stated that the deadline for this approval is mid January when the 270 days are up. He suggested that the commission table this matter to the next regular meeting. C. Fontneau stated that the October 1 was the effective date of Public act 11-29 and this application was approved in May, 2011 prior to the new law. There was discussion of this matter. G. Rooke-Norman stated that we could vote on the surety bond from a cash passbook. C. Fontneau recommended that the surety bond is not an option because the law did not go into effect until October 1.

MOTION: L. Laidley made a motion to table SE 93-11 to the November 14, 2011 meeting. M. McKinney seconded the motion. All were in favor. The ayes carried.

G. Rooke-Norman stated that the BOS has been accepting bids for new legal services. She stated that the Land use attorneys currently used should be maintained and that Branse, Willis and Knapp would be the land use attorneys; and that C. Fontneau should write a letter requesting that Branse, Willis and Knapp should be retained. There was discussion of this matter.

MOTION: M. McKinney made a motion to send a letter to the BOS to reconsider their all in one law firm to retain Branse, Willis and Knapp for all land use matters and authorize G. Rooke-Norman to sign the letter. L. Laidley seconded the motion. All were in favor. The ayes carried.

G. Rooke-Norman made her farewells to the commission.

5. Adjournment:

C. Kinnie made a motion to adjourn. M. McKinney seconded the motion. All were in favor. The meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Donna M. Szall
Recording Secretary