

**MINUTES OF PUBLIC HEARING  
HELD BY THE PLANNING AND ZONING COMMISSION  
JULY 2, 2012**

**ROLL CALL:**

Members Present: Joseph Diminico, Chairman  
Kevin Dougan, Vice Chairman  
Andy Kidd, Secretary  
Eric Prause

Alternates: Anthony Petrone  
John Chaput (sitting)

Absent: Horace Brown  
Susan Shanbaum

Also Present: Mark Pellegrini, Director of Planning  
Renata Bertotti, Senior Planner  
Ginger MacHattie, Recording Secretary

The Chairman opened the Public Hearing at 7:05 p.m. The Secretary read the legal notice for the application when the call was made.

RP BUILDING CONTRACTORS, LLC – Special Exception (2012-042) – for outside storage of salt in a carport structure and outdoor storage of snow plows and miscellaneous equipment at 66 Sheldon Road, Industrial zone.

A representative of the applicant was not present at this time.

Ms. Bertotti explained that the applicant's request for a special exception is the result of a situation that was brought to the Zoning Enforcement Officer's attention on April 17, 2012. The applicant filed the application but the materials submitted did not have the information normally required for special exception applications. The request for information from the applicant has gone unanswered. Numerous attempts at communication have been made. Ms. Bertotti recommended the Planning and Zoning Commission denies this application and proceeds with enforcement. There are concrete blocks stored next to the building with a temporary tent containing salt. The outdoor storage is located next to a storm drain. The applicant's proposal included a request to store equipment. There is no landscaping buffer proposed bordering a residential property behind this site. The applicant has not been responsive to requests for further information, she said.

In response to a question from Mr. Diminico, Ms. Bertotti said the applicant leases the property. It is an industrial building with no outside storage. There is buffering on one side and a wooded area on the other. Between this property and the residential area in the back is a large paved area with no landscaped buffer.

Mr. Diminico said he is perplexed. The applicant made the effort to apply to the Commission and is not present. He asked Ms. Bertotti when she last communicated with the applicant and she replied May 21, 2012.

Mr. Pellegrini explained that the applicant has been asked direct questions requesting additional information many times and has never provided any information. Therefore, this application is incomplete and the Commission does not have enough information to render a decision.

In response to a question from Mr. Diminico, Mr. Pellegrini said it is on the agenda because there has been no request for extension. Part of the storage proposed exists already. It is difficult for staff to offer extensions to an applicant that will not communicate.

Mr. Diminico said he is disconcerted with the process. He has a problem with an applicant not making any presentation and then denying the application. Personally, he would like to leave the public hearing open and notify the applicant one last time.

In response to a question from Mr. Dougan, Ms. Bertotti said the public hearing can remain open for 35 days. As long as the applicant provides the information requested staff will be happy to review it.

Mr. Kidd said he agrees with the Chair. He suggested maybe something has happened personally with the applicant that made him unable to respond the Town's requests for information. He would like to give the applicant the benefit of the doubt. He said one more effort to obtain information from the applicant is reasonable.

Mr. Prause said this applicant has an existing violation that is an unapproved use. He would be in favor of continuing the public hearing if someone was here and actively interested, but no one is here regarding the application. He said waiting another 35 days is of no benefit. It is an existing nuisance with no screening to the neighbors behind it.

Mr. Chaput said if giving the applicant another two weeks would strengthen the Commission's position, he would not oppose leaving the public hearing open.

In response to a question from Mr. Prause, Ms. Bertotti thinks that this application is a result of a complaint made to the Zoning Enforcement Officer.

There was a consensus to continue the public hearing to July 16, 2012.

BRUNELLE WOODLAND ST., LLC & BRUNELLE MANCHESTER, LLC – Special Exception (2012-056) – for the construction of two, two-family houses on two smaller lots of record at 123 & 129 Woodland Street, Residence B zone.

Attorney Antoinette Webster, speaking on behalf of the applicant, oriented Commission members to the subject property on the displayed map. The application concerns 123 and 129 Woodland Street, two lots zoned Residence B. Each lot is considered undersized at 0.179 acres each, with 62.5' of frontage each. The applicant is proposing a two family house be constructed

on each lot. The regulations permit two-family houses in this zone; however, because the lots are undersized a special exception is required. Part of the special exception criteria includes the use is suitable for the location. Woodland Street has both single family and two family homes. Attorney Webster displayed photographs of houses around the subject property. The photographs included pictures of single and two family homes, some newer and some older.

Attorney Webster displayed a rendering of what her client is proposing. Each lot will contain a two family house with units separated by garages and separate entranceways. She said there is some landscaping proposed that is not in the rendering. There is a sidewalk and additional trees on each site. The look of the home is considered colonial. The units, style and colors are consistent with the neighborhood. Ms. Webster displayed the same boards showing the shingles and vinyl siding, which will be tan and grey. Architectural shingles will be used in colors to compliment the house color. Within the neighborhood, houses have vinyl siding with a combination of architectural and three tab shingles. The scale and proportion of the proposed homes will be an asset to the area.

Mr. Mark Peterson, engineer, referred to Sheet Two of the submitted plans, which showed the building locations. The site is flat with an open field containing a large oak tree along the front and a cedar tree along the rear property line. There will be a gradual incline up to the driveways. Each unit will have a 12' wide paved driveway. The drainage system is comprised of a yard drain that will be situated between the two buildings. He said plans have been submitted and minor staff comments were made. The sight line was an initial concern, but the 42" oak will be removed from along the street. In turn, oak trees will be planted on the right side of each yard. He said the lots will be served with public utilities, each with its own connection. Due to the size of the property, an erosion and sedimentation control permit is not required.

Mr. Peterson explained that each unit is just over 1,200 square feet with adequate parking and access. Each unit has its own garage with enough space for a car to park in front of the garage. The street will be adequate for this use.

Attorney Webster added that each unit will have landscaping in front of it with the addition of trees on each lot.

Mr. Kidd commented that the applicant listened to the Commission's concerns and made adjustments. He asked if there has been any discussion with neighbors about developing this property. He mentioned driveway encroachment may cause some grief.

Attorney Webster said the applicant has not spoken with the person directly behind this property. The seller of this property lives at 119 Woodland Street. She said the driveway does not impact the development of this property.

Chairman Diminico asked if any member of the public wished to comment either in favor of or in opposition to this application. No member of the public came forward at this time.

Ms. Bertotti relayed two minor staff comments to the Commission and said they can be addressed in the final mylars.

In response to a question from Mr. Diminico, Ms. Bertotti said five abutters were notified.

In response to a question from Mr. Prause, Mr. Peterson explained that the applicant had always intended to remove the 42" oak due to the sight line problem. This has been discussed with the Town traffic engineer, who feels the application meets the requirements.

The Chairman closed the Public Hearing portion of the meeting at 7:56 p.m.

**NOTICE: A DIGITAL RECORDING OF THIS PUBLIC HEARING CAN  
BE HEARD IN THE PLANNING DEPARTMENT.**