

**MINUTES OF BUSINESS MEETING  
HELD BY THE PLANNING AND ZONING COMMISSION  
SEPTEMBER 16, 2019**

**ROLL CALL:**

Members Present: Eric Prause, Chairman  
Patrick Kennedy, Vice Chairman  
Michael Stebe, Secretary  
Jessica Scorso  
Timothy Bergin

Alternate Members: Julian Stoppelman  
Teresa Ike  
Bonnie Potocki

Also Present: Gary Anderson, Director of Planning  
Matthew Bordeaux, Senior Planner  
David Laiuppa, Environmental  
Planner/Wetlands Agent  
Nancy Martel, Recording Secretary

**MOTION:** Mr. Bergin moved to continue business past 11 P.M. Mr. Kennedy seconded the motion and all members voted in favor.

The Chairman opened the Business Meeting at 11:05 P.M.

KENNETH BOYNTON – Proposed 44-lot residential cluster subdivision served by sanitary sewer and public water at 426 Wetherell Street. – Inland Wetlands Permit (2019-036); Subdivision (2019-037); Special Exception (2019-088); Erosion & Sedimentation Control Plan (2019-089)

Inland Wetlands Permit (2019-036)

**MOTION:** Mr. Kennedy moved to approve the inland wetlands permit for a regulated activity associated with the construction of the proposed 44-lot residential cluster subdivision served by sanitary sewer and public water at 426 Wetherell Street. Ms. Scorso seconded the motion and all members voted in favor.

The reason for the approval is that the measures proposed to create and enhance productive wetlands on site as compensation for the impacts to Wetland D satisfy the provisions of Section 5.3 of the Inland Wetlands and Watercourses Regulations.

The approval is valid for 5 years. The work in the regulated area must be completed within one year of commencement.

Mr. Bergin stated that he had struggled with this portion of the application, given the changes to Wetland D.

However, he believed that the testimony by the environmental scientist was compelling and, when considering the enhancements to existing wetlands and the restructuring of the water management area, it will come to a place where he feels comfortable supporting it.

Mr. Prause commented that it will be an impact that will affect the wetlands. He stated that he was happy they are working to enhance Wetland C to make it a more viable wetland in the future. Mr. Prause felt the applicant has done their due diligence to look at feasible alternatives.

#### Subdivision (2019-037)

**MOTION:** Mr. Kennedy moved to approve the subdivision plan at 426 Wetherell Street including lots with reduced frontage in accordance with Article II, Section 3.01.01(c), with the condition that commitments related to the individual water booster pumps made by the applicant in the letter from LEI Engineering, Inc., dated September 11, 2019 are part of the application, and with modifications as specified in the memoranda from:

1. John DiBiasi, Assistant Town Engineer, dated September 12, 2019;
2. John DiBiasi, Assistant Town Engineer, dated August 29, 2019;
3. David Laiuppa, Environmental Planner, dated August 28, 2019.

Ms. Scorso seconded the motion and all members voted in favor.

The reason for the approval is that the proposal meets the Subdivision Regulations criteria.

Mr. Stebe restated his concerns.

Mr. Anderson explained that the Commission is responsible for deciding whether there is a proper provision for water and sewer as presented during the public hearing.

Mr. Kennedy expressed his opinion that, if the Water & Sewer Department does not think that their regulations are adequate, they will have to write different regulations. At this point, the Commission must abide by the current regulations, which the applicant meets.

Mr. Anderson referred to Mr. Kennedy's motion regarding the memo from Lenard Engineering and explained that the memo was written prior to the addition of three houses to the pump station. Mr. Anderson and Mr. Kennedy discussed the wording to be included in the motion.

Mr. Prause reminded the Commission that, when the application first came up in December, they had to rule on a zone change related to the cluster subdivision. He had opposed it because he was concerned about the density of what was going in. He reported frustration that, even with an increase in the density, there is still the issue of being able to spread out the cost of the additional pumps that would be required to service the entire subdivision. Mr. Prause acknowledged that the applicant has proposed an alternative, though it is not ideal and would put a significant burden on the Water Department.

#### Special Exception (2019-088)

**MOTION:** Mr. Kennedy moved to approve the Special Exception under Art. II, Sec. 3.02.04 for a municipal utility structure (water pump house) in connection with the proposed Bayberry Crossing cluster subdivision at 426 Wetherell Street with the condition that the applicant is required to submit for approval detailed plans and specifications for the proposed pump station to the Town and with modifications as specified in a staff memorandum from:

1. John DiBiasi, Assistant Town Engineer, dated September 12, 2019.

Mr. Bergin seconded the motion and all members voted in favor.

The reason for the approval is that the proposal meets the Special Exception criteria.

Mr. Prause sought clarification on the conditions within the approval and a general discussion was held regarding the requirements.

Erosion & Sedimentation Control Plan (2019-089)

**MOTION:** Mr. Kennedy moved to certify the Erosion and Sedimentation Control Plan for construction of a 44-lot subdivision with modifications as specified in a staff memorandum from:

1. John DiBiasi, Assistant Town Engineer, dated September 12, 2019.

Ms. Scorso seconded the motion and all members voted in favor.

URBAN LODGE BREWING – Request a Special Exception per Art. II, Sec. 15.02.04 to allow outdoor entertainment (bands/musicians) at 45 Purnell Place. – Special Exception (2019-090)

Special Exception (2019-090)

**MOTION:** Mr. Kennedy moved to approve the special exception under Art. II, Sec. 15.02.04 to allow outdoor entertainment (bands/musicians) at 45 Purnell Place. Mr. Bergin seconded the motion and all members voted in favor.

HARIHARAN KUPPURAJ – Request a zone change from Rural Residence to Business II zone at 30 Bidwell Street. – Zone Change (2019-091)

Zone Change (2019-091)

**MOTION:** Mr. Kennedy moved to deny the application. Ms. Scorso seconded the motion and all members voted in favor.

The reason for the denial was the requested zone change from Rural Residence to Business II is not consistent with the Plan of Conservation and Development, it is a proposed spot zone, is not contiguous to other Business II zoning, is not consistent with the Traditional Suburban character area outlined in the land use plan and did not have an adequate traffic analysis to establish that the area could handle the increased traffic generated by Business II uses.

Mr. Stebe acknowledged that the property is a difficult one. He recognized that there is a need for such a facility, but the location is not acceptable.

Mr. Bergin noted that the area is made up of several zones, but in a tract of residential housing, it does not make sense to add spot zoning.

**ADMINISTRATIVE REPORTS:**

Mr. Bordeaux reported that a lot line revision was approved administratively for Michael and Brenda Lynch at 630 Bush Hill Road and 109 Rushforde Drive. The area is mostly wetlands and the revision will provide the applicant with more open space.

**APPROVAL OF MINUTES:**

September 4, 2019 – Public Hearing/Business Meeting

**MOTION:** Mr. Kennedy moved to approve the minutes with modifications. Mr. Bergin seconded the motion and all members voted in favor.

**RECEIPT OF NEW APPLICATIONS:**

**PLAZA AT BUCKLAND HILLS, LLC – Resubdivision (2019-094)** – Resubdivision to create one additional parcel for outbuilding out of 27.63-acre Plaza at Buckland Hills Shopping Center at 1524 Pleasant Valley Road.

**THOMAS MIRANTE – Inland Wetlands Permit (2019-095)** – To grade and excavate for a new garage, breezeway and front patio at 24 Trevor Court.

**JON KEANE – Inland Wetlands Permit (2019-096)** – To build a berm to divert water runoff at 4 Fir Grove Road.

The Chairman closed the business meeting at 11:55 P.M.

I certify these minutes were adopted on the following date:

October 7, 2019

\_\_\_\_\_  
Date

\_\_\_\_\_  
Eric Prause, Chairman

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