

Planning & Zoning Commission
Unapproved Minutes
January 15, 2020

Chairman Graveline called the meeting to order at 7:06 p.m.

Members Present: G. Graveline, S. Duffany, A. Havican and Mike Dreher

Alternates Present: B. Albert, J. Crumb, Ryan Russell

Absent: G. Ploski

Others Present: Land Use Inspector, Mary Barton

Chairman Graveline sat J. Crumb for G. Ploski.

Chairman Graveline welcomed Ryan Russell to the Commission.

Approval of Minutes:

Motion made by S. Duffany, seconded by J. Crumb to approve the amended minutes of 12-4-19. **Unanimous.**

Correspondence:

a. Toll Bros. Acceptance of Bond Renewal - Toll Bros. Phase 5, Letter of Credit 30004435 7th Amendment.

M. Barton explained that it is now 14 years since Toll Bros. began and they are out of extensions. M. Barton and G. McCarthy, the Town's Inspector/Consultant would like to meet with Ted Merchant of Toll Bros. to review the bonds for Phases 5 & 6. M. Barton explained that G. McCarthy would like to review the work and not that all has been completed. G. McCarthy has requested additional drainage and would like a lateral As-built. Chairman Graveline asked for further comments. No other comments were made. **Motion** made by A. Havican, seconded by M. Dreher, to approve Toll Brothers Phase 5, letter of Credit 30004435 7th Amendment, extending the expiration date to January 29, 2021 (note that this date is beyond the site plan expiration date). **Unanimous.**

b.106 Cook Road Associates, Release Ridgewood Club Road Maintenance Bond. Chairman Graveline read into the record the letter from G. McCarthy dated 1/13/2020 advising that the 'site & road work on the Ridgewood Club Rd has been completed per the Town of Prospect regulations. This work included excavation, road base, paving, installation of all drainage and catch basins. Also completed, placing of property pins and monuments, fencing on top of slopes and the cleanup of all catch basins and manholes. G. McCarthy advised that this work occurred between the years 2017 through 2019'. After discussion, **Motion** made by S. Duffany, seconded by J. Crumb to approve the request for a release of the \$9,500.00 maintenance bond for public subdivision improvements within the Ridgewood Club Subdivision provided by 106 Cook Road Associates, LLC as all requirements of Section VI Administration Sections 1a, 1b, 2 and 3 of the Town of Prospect Subdivision Regulations have been completed as required evidenced by the attached memo from G. McCarthy, Town Inspector/Consultant dated January 13, 2020. **Unanimous.**

Public Participation:

a. Patricia Zappone, 247 New Haven Rd came before the PZC with an update of 6 Radio Tower Road. P. Zappone gave the PZC a letter dated 1/15/2020 with pictures of new happenings at 6 Radio Tower Road (Schedule A). P. Zappone stated that at the last meeting of the PZC she was advised that letters would be sent to the owner J. LaMadeline, Jesse Colon of That Guy Services and Steven Ayers of Hoss Services and wondered if anything had been done. P. Zappone commented that other vehicles and equipment have since been moved onto this property that are not the property owners. P. Zappone stated that as of today a 'No Trespassing' sign has been posted on this property facing her home. M. Barton stated that she has contacted J. Colon and S. Ayers of Hoss Services advising them that all vehicles that are not J. LaMadelines' are to be removed. M. Barton continued that today, J. LaMadeline came to the office and he will be cutting down all his trees and posting 'No Trespassing' signs, which is his right to do. P. Zappone stated that she was under the impression that M. Barton will contact Blight. M. Barton advised that there is a number for Blight that P. Zappone could call to file a complaint. P. Zappone commented that she has not trespassed, but she does not want to see sanders, plows or skidsters. Chairman Graveline asked M. Barton to begin enforcement and to include Town's Attorney Jennifer Yoxall. M. Dreher commented that there is no permitting of storage. M. Dreher questioned the length of time that she has been coming before the Commission; to which M. Dreher commented is too long a time for no accomplishment. P. Zappone commented since the summer of 2019. A. Havican advised that M. Barton will be doing something about this. M. Barton commented that this is a neighbor's issue. A. Havican advised P. Zappone to come to the PZC meeting of 2/5/2020.

b. Mike Palmerie, Jr, 19 Amber Court, representing CLRM Properties, LLC; Re: Site Plan for Funeral Home Facility @ 122, 124 & 126 Waterbury Rd asked to be added to the Agenda. **Motion** made by A. Havican, seconded by M. Dreher to add the application of CLRM Properties, LLC; Re: Site Plan for Funeral Home Facility @ 122, 124 & 126 Waterbury Rd to the Agenda under New Business. **Unanimous.**

New Business:

a. Glen Noble, representing Monadnock Properties, LLC 27 Bayberry Dr., appeared before the PZC to request a transfer of ownership for an approved site plan for 31 Industrial Rd. G. Noble advised he just recently purchased the property; the site plan was approved in July of 2016. G. Noble continued there will be no changes to the site plan; no change to the drainage or septic; there will be the same amount of parking and downlit lighting. G. Noble presented the Commission with a set of engineered drawings. G. Noble stated that the building, which is situated on the left-hand side of Industrial Rd, will consist of wood framing with steel sheathing and blend into the rest of the buildings in this area of Industrial Rd. Chairman Graveline commented that the site plan is the exact same thing that was previously approved. G. Noble stated that he had copied the prints from the file; nothing will be changed; he is leaving the site exactly as was approved including the plantings. Chairman Graveline asked for further comments. No other comments were made. **Motion** made by S. Duffany, seconded by A. Havican to approve the transfer of ownership from DKL Properties LLC to Monadnock Properties LLC for a prior approved site plan for 31 Industrial Rd. **Unanimous.**

b. Raed Elahmaed, Special Permit for office and 1 residential unit in the B zone in the Gateway @ 148 Waterbury Rd. M. Barton stated that R. Elahmaed is the owner of a computer business which is SanTek and has purchased 148 Waterbury Rd. R. Elahmaed will be utilizing the building as a residence and have commercial office space where he will be moving his computer business; the house will continue to look like a residence. The house currently has a light post and lights on the building. R. Elahmaed has also received Health District approval. M. Barton advised that trees will be taken down and parking will be increased. M. Barton commented on requiring a right to drain as the abutting property drains onto 148 Waterbury Rd and this may be an issue down the road. Chairman Graveline questioned the residential living unit. M. Barton stated that there are 2 bedrooms; an interior sketch was given. M. Barton advised that the 2-car garage will remain which will be dedicated for the residence; 6 parking spaces will be added for a total of 8 parking spaces. The in-ground pool will remain for the tenants. M. Dreher questioned type of commercial use. M. Barton advised that this is a computer business. G. Noble commented that the business has been in town for 11 years as the owner, Raed Elahmaed rents at his property on 27 Waterbury Rd. M. Barton commented that R. Elahmaed would like to place a sign 'Welcome to Prospect' on his property, but first needs to contact the State for approval. R. Elahmaed stated that he will have the property looking good. Chairman Graveline asked for further comments. No other comments were made. **Motion** made by A. Havican, seconded by M. Dreher to accept the application of Raed Elahmaed, for a Special Permit for 1 residential unit and 1 commercial office unit in the B Zone in the Gateway for 148 Waterbury Road and to set a public hearing on February 5, 2020 @ 7:10 p.m. The meeting will be held in the Town Hall downstairs conference room. **Unanimous.**

c. Paul Macari, 18-20 Matthew St, Home Occupation – Home Office for Advertising & Marketing - 'Steady Habits Company'. M. Barton stated that P. Macari would not be attending the meeting as he was working. M. Barton continued that the property is at 18-20 Matthew St; the residence is known on the Accessors records as 20 Matthew St. The owner on record lives at 20 Matthew, while P. Macari is a tenant at 18 Matthew St. A letter by the owner, giving permission for P. Macari to request a Home Occupation – Home Office permit was sent via email to M. Barton. M. Barton continued that the applicant will have a desk in the front room; no additional parking or signage will be necessary. There will be no clients coming to the home and there will be no noise issues. The home occupation will be advertising and selling. The applicant is looking to acquire a trade name certificate. The fee has been paid. Chairman Graveline commented that this business would be truly invisible. Chairman Graveline also commented that the Commission has the option for a public hearing, but in this case does not feel it is necessary. **Motion** made by J. Crumb, seconded by S. Duffany to accept and approve the application for Home Occupation for a Home Office of Paul Macari, 18-20 Matthew St. for advertising. B. Albert commented on requiring the applicant to come to the meeting. Chairman Graveline commented that he did not feel that would be necessary. No other comments were made. **Unanimous.**

d. David Primus, 23 Scott Rd – Accessory Living Unit. M. Barton stated that David Primus was not in attendance as his ex-wife is ill and he is helping assist her. M. Barton continued that the accessory living unit had been approved in July 2016. The septic system was repaired and meets requirements. The accessory living unit had been built but not finished interiorly as monies were depleted. M. Barton stated that there is only 1 meter; there may be a need for an external entrance. No new additions will be made. M. Barton stated that the owner is aware that the unit could not be rented. M. Barton advised that D. Primus would like to finish the interior to assist his ailing ex-wife. Chairman Graveline asked to forward the application to the Building Department. No other comments were made. **Motion** made by A. Havican, seconded by S. Duffany to accept and approve the Application of David Primus, 23 Scott Rd – Accessory Living Unit as presented. **Unanimous.**

e. CLRM Properties, LLC, 72 Waterbury Road, Prospect CT – Re: Site Plan Application for a proposed Funeral Home @ 122, 124, & 126 Waterbury Rd. M. Barton stated that approval was received from Chesprocott; the application is currently before Wetlands; a Site Walk is set for February 1st. M. Barton continued that this is a permitted use within this zone; no public hearing is required. M. Barton continued that upon PZC approval, M. Palmerie would like to split the 3 parcels into 2. Jim Jones of Jones Engineering Southington came before the PZC with a site plan for 122, 124 & 126 Waterbury Rd. J. Jones commented on the 2.2 acres (122 Waterbury Rd) for the Funeral Home and the remainder of 2.827 acres as 126 Waterbury Rd. J. Jones commented on 122 Waterbury Rd being the most reconfigured; with a retention easement and a shared access easement to 126. M. Palmerie commented that 126 Waterbury Rd may be sold at a future date. There will be two driveways as access to the funeral home. J. Jones continued that there are proposed utility plans, grading, erosion control and implementation of a swale. There will also be a drainage basin at the end of the driveway toward 126

Waterbury Rd across the entrance and into the retention pond. M. Barton advised that the Town's Inspector/Consultant, G. McCarthy has been involved. M. Palmerie commented the plan is before Wetlands as an unattached garage will be built at a later date into the bank within the upland review area. M. Palmerie stated that his intension is to beautify this area in the gateway. M. Palmerie continued that it is also his intention to create a bridge with a Gazebo and prayer walking area. J. Jones commented that the property will drain into the State's drainage system. J. Jones stated that the 2 driveways have good site distances; the driveways are approximately 180' apart. M. Barton stated that she had asked about sidewalks, to which it has been noted there was no reason for sidewalks in this area. M. Barton stated that within the site, there is safe pedestrian access. J. Jones and M. Palmerie commented that they had met with the Town's staff, M. Capanna, T. Muniz, G. McCarthy and M. Barton for a review of the site plan to which the staff found no issue. Chairman Graveline questioned what would be seen from the road and requested a site rendition as to site elevation. Questions were raised as to parking spaces and M. Palmerie commented that he will be providing double parking spaces @ 75 spaces. J. Crumb questioned where the snow would be plowed to. J. Jones commented to the rear of the property and M. Palmerie also commented toward the empty lot if necessary. Questions were raised to how far off the road the building would be to which J. Jones commented would be 86' from property line; 50' or 60' off road. The site will have water and septic; CT Water has been contacted; Chesprocott approved septic; on site natural gas and electric. The site will have 9 poles for lighting of the parking lot; 16 ft area; all building recessed lighting; no off-property illumination. There will be a dumpster enclosure. The property will have plantings with low lying junipers; several sugar maples, flowering pear trees; 6' high vinyl fence on the southside of the property. There will be vegetation plantings around the retention pond. A Havican stated that this will be a nice addition to the area. Chairman Graveline requested a picture of the end of the building. J. Jones commented on a drawing to show the catch basin before the entrance and at the swale. Questions were raised as to traffic to which M. Palmerie commented that an officer would be in attendance if there was a large funeral. M. Barton stated that the plan is still before Wetlands and they will not meet until February 10th. J. Jones commented that he is waiting on the engineered drawings for the retention pond. M. Barton stated that she will have a review by the 5th of February for discussion and the Commission could make a decision by the 19th of February. M. Barton stated that the site plan for a funeral home is a permitted use and the application meets the regulations; a public hearing is not required for a funeral home. Questions were raised as to the parcel in the B zone to which M. Barton replied that the entire parcel is within the B zone. Chairman Graveline asked for further comments. No other comments were made. **Motion** made by A. Havican, seconded by M. Dreher to accept the application of CLRM Properties, LLC, 72 Waterbury Road, Prospect CT – Re: Site Plan Application for a proposed Funeral Home @ 122, 124, & 126 Waterbury Rd. **Unanimous.** This application will be added to the Agenda for February 5th, 2020.

Public Hearing:

a. 7:10 p.m. Text Amendments cont'd

Article 5 and Article 2 – Section 2.2 Definitions: Chairman Graveline cont'd the public hearing on Text Amendments until the February 5, 2020 meeting of the PZC. The meeting will be held at the Prospect Town Hall, 36 Center Street in the downstairs conference room. The time has been changed to 7:20 p.m. to accommodate Raed Elahmaed, Special Permit for office and 1 residential unit in the B zone in the Gateway @ 148 Waterbury Rd @ 7:10 p.m. on 2/5/2020.

Old Business:

a. Text Amendments – to continually be reviewed.

Land Use Inspector's Report:

-Ricchezza Enterprises, LLC 21 Gramar Ave., 2,500 sq ft addition

-25 Royal Crest – inquiries to purchase

-16 Old LogTown – on going – M. Barton is proceeding with enforcement

Motion made by A. Havican, seconded by S. Duffany to place the Land Use Inspector's verbal report on file. **Unanimous.**

Public Participation: None

Adjournment:

Motion made by A. Havican, seconded by S. Duffany to adjourn the meeting. **Unanimous.** The meeting adjourned @ 8:46 p.m.

E. Gil Graveline *EGG*

Chairman

Thomas J. Duffany
TOWN CLERK

2020 JAN 17 PM 3:42

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