

APPROVAL OF MINUTES:

- 2 Approval of Minutes – January 14, 2013 – APPROVED

PUBLIC HEARING:

- 2 1. Special Permit (parking/storage building)/Masonicare/73 Masonic Avenue #409-12 - APPROVED
3 2. Special Permit Revision (outdoor go-kart track)/Tyrrell/984 North Colony Road #401-13 - APPROVED
5 3. Special Permit (display/office building)/Beaumont (Wallingford Historical Society)/180 South Main Street #402-13 - APPROVED
6 4. Special Permit (Retail/Restaurant)/1086 North Colony, LLC/1086 North Colony Road #403-13 – CONTINUED TO MARCH 11, 2013
9 5. Zoning Text Amendment (sign height)/Verna Properties/§6.9 #501-13 – TO BE HEARD MARCH 11, 2013
10 6. Zoning Text Amendment (Application/Review Procedures)/Planning & Zoning Commission #901-13 - APPROVED

BOND RELEASES AND REDUCTIONS:

- 10 7. Donati Contracting (Yalesville Veterinary Clinic)/Site Plan/322 Church Street #246-06 - RELEASED

ROAD ACCEPTANCES:

- 10 8. VW Homes/Padens Court (“The Willows”) #413-07 – NO ACTION TAKEN

REPORTS OF OFFICERS AND STAFF:

- 10 9. Administrative Approvals – APPROVED AS NOTED
a. Change of Use (indoor recreation)/126 South Turnpike Road LLC/126 South Tpke Road #317-12
b. Change of Use (medical office)/Zaki/1257 South Broad Street #301-13
11 10. 2012 Annual Report – Town Planner - APPROVED
11 11. January 22, 2013 & February 19, 2013 ZBA Results - RECEIVED
11 12. February 19, 2013 ZBA Legal Notice - RECEIVED

PLANNING AND ZONING COMMISSION
Town of Wallingford
Regular Meeting
Monday, February 25, 2013

The Special Meeting of the Wallingford Planning and Zoning Commission was held on Monday, February 25, 2013, at 7:00 p.m. in Council Chambers of the Town Hall Municipal Building, 45 South Main Street, Wallingford, Connecticut.

In attendance were Commissioners: Mr. James Seichter (Chairman), Mr. Patrick Birney (Vice Chairman), Mr. J.P. Venoit (Secretary), Mr. Jim Fitzsimmons, Mr. Armand Menard (alternate), Ms. Marci Baxter (arrived at 7:30 p.m.), Mr. Rocco Matarazzo (alternate)

Absent: Ms. Stacey Voss (alternate)

The Town staff persons attending were: Kacie Costello, Town Planner and Recording Secretary Sonja Vining.

Chairman Seichter called the meeting to order at approximately 7:07 p.m. The Pledge of Allegiance was given to the Flag. Chairman Seichter introduced the Commissioners and the Town staff persons to the audience and announced that Mr. Matarazzo would be voting until the arrival of Ms. Baxter.

APPROVAL OF MINUTES:

January 14, 2013 – Regular Meeting

Mr. Birney made a motion to approve the Minutes of the January 14, 2013 Regular Meeting as submitted. The motion was seconded by Mr. Fitzsimmons and passed unanimously.

PUBLIC HEARING:

7:00 p.m.

1. Special Permit (parking/storage building)/Masonicare/73 Masonic Avenue #409-12

Mr. Venoit abstained from voting. Mr. Menard voted in his place.

Mr. Fitzsimmons read the Legal Notice and acknowledged the correspondence received for the record from: Erin O'Hare, Environmental Planner Inter-Departmental Referral dated 12/13/12 (Att. 1A); Carmen Rao, Fire Marshal Inter-Departmental Referral dated 12/13/12 (Att. 1B); Vincent Mascia, Senior Engineer to Kacie Costello, Town Planner dated January 2, 2013 (Att. 1C); Kacie Costello, Town Planner to Bill Dadlani, Masonicare dated January 30, 2013 (Att. 1D); Erin O'Hare, Environmental Planner to Kacie Costello, Town Planner dated January 10, 2013 (Att. 1E).

Presenting the application was Andy Beckwith, ABR Construction and Alan Zacrazewski, Transportation Manager, Masonicare.

Mr. Beckwith stated that the site has an existing Morton steel garage on it. The building is used for Masonicare's vans, trucks and maintenance equipment. They need additional space to park other vehicles. They are proposing constructing a new 48' x 42' enclosed Morton steel garage building to match the existing one.

Mr. Fitzsimmons noted that the Engineering Department did not submit any written comments to the Commission. Ms. Costello indicated that she spoke to the Assistant Town Engineer who requested that the Commission make a condition of approval that the grading be reviewed and accepted by the Engineering Department.

Ms. Costello requested that her letter dated January 30, 2013 be made a condition of approval. She asked if the existing driveway was going to be widened and graveled. Mr. Beckwith stated that there are no proposed changes to the existing gravel area.

Mr. Beckwith stated that there is full electrical service in the existing building. All they need in the new building would be overhead lighting and perhaps some garage door openers. They are proposing to run one or two circuits from the existing panel, underground to the new building. The new building would not have its own service and there would be no plumbing. Mr. Beckwith had no issues with modifying the plans to show the proposed electrical connection to the existing building.

Ms. Costello suggested a \$2,000 S&E bond be added as a condition of approval.

No one from the public spoke in favor of or opposed to the application.

MR. BIRNEY: MOTION TO CLOSE THE PUBLIC HEARING.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

MR. BIRNEY: MOTION TO APPROVE A SPECIAL PERMIT FOR MASONICARE TO CONSTRUCT A 2,016 SQ.FT. VEHICLE/EQUIPMENT STORAGE BUILDING AT 73 MASONIC AVENUE, AS SHOWN ON PLANS ENTITLED “MASONIC HEALTHCARE CENTER, TRANSPORTATION STORAGE BUILDING, 73 MASONIC AVENUE, WALLINGFORD, CONNECTICUT”, DATED 12-OCT-12, SUBJECT TO:

- 1. GRADING TO BE REVIEWED AND ACCEPTED BY THE ENGINEERING DEPARTMENT.**
- 2. ALL CONDITIONS OF APPROVAL CONTAINED IN THE TOWN PLANNER’S JANUARY 30, 2013 CORRESPONDENCE TO THE APPLICANT.**
- 3. A \$2,000 S&E BOND.**
- 4. A MODIFICATION OF THE PLANS SUBMITTED TO THE TOWN TO SHOW UTILITIES CONNECTED TO THE PROPOSED BUILDING.**

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

7:15 p.m.

2. Special Permit Revision (outdoor go-kart track)/Tyrel/984 North Colony Road #401-13

Mr. Fitzsimmons read the Legal Notice and acknowledged the correspondence received for the record from: Kacie Costello, Town Planner to Chris Tyrrel dated January 30, 2013 (Att. 2A); Deputy Fire Marshal Inter-Departmental Referral dated January 17, 2013 (Att. 2B); Vincent Mascia, Senior Engineer to Kacie Costello, Town Planner dated February 1, 2013 (Att. 2C), unsigned letter stamped received February 5, 2013 (Att. 2D); Erin O’Hare, Environmental Planner to Kacie Costello, Town Planner

received February 7, 2013; Chris Tyrrell to the Planning & Zoning Commission dated February 14, 2013.

Presenting the application was Chris Tyrrel and Marty Tyrrel.

Chris Tyrrel is proposing to construct an outdoor, stand alone go-kart track. The outdoor track will be completely separate from the indoor track. Marty Tyrrel stated that his business does not need all of the parking that was originally approved. He stated that on average they have approximately 20 cars at a time at the facility. At peak times there could be 40-50 cars at a time. At most there have been maybe 60 cars in the parking lot at one time. The current proposal would leave 133 parking spaces for the business to operate.

Chris Tyrrel stated that the carts that would be used outdoors are the same types of carts that are used indoors. The cars are not very loud; they are much quieter than your average lawn mower. The outdoor track would also have some smaller electric carts for children. The hours of operation for the outdoor track would be basically daylight hours. At this time they are not proposing to add any outdoor lighting to the area so they would most likely end outdoor racing at dusk. In the summer they generally open at noon during the day. The outdoor track would not be in operation November through March.

Marty Tyrrel guessed that the average customer is at the facility a little over an hour. Chris Tyrrel stated that the outdoor track would be comparable to the indoor track. There would be the same safety barriers as inside and there would be a 5' fence surrounding the entire race track area. All spectators would be outside the fence. Only the racers are inside the fence. Chris Tyrrel stated that they are looking at increasing or changing the signage in the future but that is not included in this application. The track would be in place year round but not in operation from approximately November through March.

Mr. Birney wants to be sure that the fencing and planters, etc. are in place before the track is in operation. Ms. Costello suggested that there be a condition that prior to the issuance of a certificate of occupancy and prior to operation and public use of the outdoor track the site be inspected and approved by the Town Planner. Mr. Birney noted that there were no Engineering comments submitted in writing. Ms. Costello stated that she was told that because the track has been relocated away from the cut thru the Engineering Department does not have any comments or concerns.

Ms. Costello stated that there are 200 parking spaces required for the bowling alley leaving the remaining 133 spaces for the go-kart track after the construction of the outdoor track. She pointed out that if the go-kart facility ever were to leave the site they would be required to remove the outdoor track. Chris Tyrrel indicated that the parking lot is going to be relined and there would be sidewalks along the fence area for spectators. He stated that the outdoor track would have a maximum of 8 karts running at one time. Chris Tyrrel stated that the track would be at least 200 feet from Route 5 so they do not believe there would be any distraction to drivers traveling the road. He has been in contact with the OSTA and there have been no concerns regarding that issue at this time.

Ms. Costello stated that the Applicant can work with her in regards to planters to "landscape" the track area. She stated that the drive aisles have to maintain a 24' wide width. Chris Tyrrel understood and stated that they have some flexibility in that area. Ms. Costello suggested a condition of approval be that the entire area, including a spectator area, not exceed what is shown on the plans.

Mr. Matarazzo questioned the access to the right of way along the side of the building once the track is constructed. Chris Tyrrel stated that he had the Fire Department come to the site and they asked him to install an 11 foot gate so they would have access through the track down the north end of the building. Emergency services would have access around the entire building.

Ms. Costello suggested that if the Commission were to limit hours of operation daylight hours is not specific enough. She would like to see actual times in place.

No one from the public spoke in favor of or opposed to the application.

MR. BIRNEY: MOTION TO CLOSE THE PUBLIC HEARING.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

MR. BIRNEY: MOTION TO APPROVE A REVISION TO A SPECIAL PERMIT FOR TYRREL TO MODIFY THE LOCATION AND LAYOUT OF AN APPROVED OUTDOOR GO-KART TRACK AT 984 NORTH COLONY ROAD, AS SHOWN ON PLANS SUBMITTED WITH THE LETTER TO THE PLANNING AND ZONING COMMISSION FROM CHRIS TYRREL, REGARDING THE SUBJECT APPLICATION, SUBJECT TO:

- 1. WRITTEN CONSENT OF THE OSTA THAT THE PROPOSED ACTIVITY IS ACCEPTABLE.**
- 2. PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY THE APPLICANT RECEIVE WRITTEN AUTHORIZATION OF THE TOWN PLANNER THAT THE OPERATIONS CAN PRECEDE FORWARD.**
- 3. INSTALLATION OF A SIDEWALK AREA AROUND THE TRACK AREA TO FACILITATE PEDESTRIAN SAFETY.**
- 4. THE ENTIRE CONSTRUCTION AREA INCLUDING THE AREA FOR OBSERVORS REMAIN IN THE AREA SHOWN ON THE PLANS.**
- 5. THE APPLICANT WILL NOT OPERATE THE EXTERNAL TRACK AFTER DUSK.**
- 6. TO THE EXTENT THAT THE APPLICANT INTENDS TO OPERATE UNDER LIGHTS HE NEEDS TO OBTAIN APPROVAL BEFORE DOING SO.**

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

(Ms. Baxter arrived and would be voting on the following applications)

7:30 p.m.

- 3. Special Permit (display/office building)/Beaumont (Wallingford Historical Society)/180 South Main Street #402-13**

Mr. Venoit, Secretary, read the Legal Notice and acknowledged correspondence received for the record from: Carmen Rao, Fire Marshal dated January 18, 2013 (Att. 3A); Kacie Costello, Town Planner to

Robert Beaumont dated January 30, 2013 (Att. 3B); Vincent Mascia, Senior Engineer to Kacie Costello, Town Planner dated February 1, 2013 (Att. 3C).

Presenting the application was Bob Beaumont, Vice President, Wallingford Historical Society and Architect Daniel Lyon.

The Wallingford Historical Society is proposing construction an accessory building. The building would be 18' x 32' on the first floor and 18' x 24' on the second floor. The first floor would include a display area, a handicap accessible bathroom and a cedar closet for storage. The second floor would include a small office and storage. Mr. Beaumont indicated that an abutting neighbor requested that the building be moved back approximately 6 feet so it would not obstruct their view. The Historical Society would be agreeable to relocating the building slightly. The plans that are in front of the Commission do not show that change in location. There would only be on street parking for this site.

No one from the public spoke opposed to the application.

Speaking in favor of the application was Jim Gagliardi, 190 South Main Street, who supports the application.

MR. BIRNEY: MOTION TO CLOSE THE PUBLIC HEARING.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

MR. BIRNEY: MOTION TO APPROVE A SPECIAL PERMIT FOR BEAUMONT ON BEHALF OF THE WALLINGFORD HISTORICAL SOCIETY TO CONSTRUCT AN ACCESSORY BUILDING FOR STORAGE/DISPLAY/MINOR OFFICE SPACE AT 180 SOUTH MAIN STREET, AS SHOWN ON PLANS ENTITLED "ZONING LOCATION SURVEY OF LAND OF THE WALLINGFORD HISTORICAL SOCIETY, #180 SOUTH MAIN STREET, WALLINGFORD, CT", DATED 9/21/12, REVISED TO 1/3/13, AND ACCESSORY BUILDING FOR THE WALLINGFORD HISTORICAL SOCIETY, 180 SOUTH MAIN STREET, WALLINGFORD, CT, DATED 11/20/13, SUBJECT TO:

- 1. THE SUBMISSION OF REVISED PLANS TO SHOW THE NEW LOCATION OF THE BUILDING REFLECTING THE REVISED BUILDING LOCATION A MINIMUM OF 6 FEET FURTHER TO THE EAST.**

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

7:45 P.M.

4. Special Permit (Retail/Restaurant)/1086 North Colony, LLC/1086 North Colony Road #403-13

Mr. Venoit, Secretary, read the Legal Notice and acknowledged correspondence received for the record from: Erin O'Hare, Environmental Planner to Kacie Costello, Town Planner dated January 18, 2013 (Att. 4A); Kacie Costello, Town Planner to 1086 North Colony, LLC dated January 29, 2013 (Att. 4B); Carmen Rao, Fire Marshal dated January 18, 2013 (Att. 4C); Vincent Mascia, Senior Engineer to Kacie Costello, Town Planner dated February 4, 2013 (Att. 4D); Site Plan (Att. 4E).

Presenting the application was Attorney Joan Molloy, Shannon Rutherford, VHB Director of Land Development, Mark Grockey and Charles Baker, VHB Engineering.

Attorney Molloy stated that this application is for an addition and renovation to an existing building. The proposed addition is to the rear of the building. There is an existing access easement on to Neil Road. There will be both a retail and restaurant use on this site. Attorney Molloy indicated that she has been in contact with the Engineering Department who stated that the site is compliant with the regulations but they did not issue a written memorandum.

Mr. Grockey reviewed the existing site plan as well as the proposed site plan. There is one curb cut on Neil Road and one curb cut on Route 5. The Route 5 curb cut is right in and right out only access. There are approximately 66 parking spaces currently on site. The current building is approximately 5,000 sq.ft. They are proposing to keep three of the walls that currently exist. The rear wall will be taken down and that is where the addition would be constructed. The combination of the new building is going to be a 3,800 sq.ft. retail space and 3,700 sq.ft. restaurant space. The Route 5 access would be moved slightly to accommodate parking. The lot will be restriped. The Neil Road access would also be moved slightly to accommodate the rear parking. The front parking spaces would be angled with a 13 foot drive isle along the front of the building. There will be a sidewalk along the front of the site to accommodate pedestrian's access. The electrical service will be maintained. The water and sanitary sewer will come off of Route 5. There will be a grease trap for the restaurant. The Water & Sewer Division has not reviewed the revised plan yet. Mr. Grockey requested that Water & Sewer comments be made a condition of approval.

The existing site has 16.1% open space and the proposed site would have 19.9% open space. There would be 1,900 sq. ft. of new landscaping for the site. They are proposing one site lighting pole at the rear of the property. Mr. Grockey requested that all of the parking spaces shown on the proposed site plan remain. Under current conditions there are 66 parking spaces and with the proposed plan there would be 70 spaces. There would be a total of three handicap parking spaces with the proposed plan.

Mr. Birney asked how the Applicant might be able to add even more landscaping along Route 5. Ms. Rutherford stated that since there is a sidewalk being added to the front of the site it would be very difficult to add more landscaping. She suggested that some more landscaping could be added to other areas on site such as around the pylon sign. Ms. Rutherford stated that the Engineering Department suggested that the sidewalk be within the R.O.W. The Applicant has submitted an application to the ZBA to consider that possibility. The DOT has no objection to putting the sidewalk in the R.O.W. If the variance were to be granted they would most likely widen the front drive isle but they might be able to also add some additional landscaping along the front parking spaces. Ms. Rutherford pointed out that the Applicant is requesting approval for the plan that is in front of the Commission this evening. There is an area opposite the loading area where there could be some landscaping added.

Ms. Rutherford indicated that the front vestibule and stairs would be removed from the front of the building. The floor of the building would drop approximately 2 feet so the entrance would be at grade.

Mr. Baker, Traffic Engineer reviewed the plans traffic circulation. Peak hour traffic counts were conducted at both access points and at the signalized intersections at Route 5 and Neil Road. Based on the projections the proposed development is expected to generate approximately 90 more trips than the existing site during the weekday evening peak hour, and 160 more trips during the Saturday mid-day

peak hour. The intersection of Route 5 and Neil Road currently operate with a level of service C or better. The proposed development would allow the intersections to continue to operation at level of service C or better. Both site driveways are expected to operate at level of service C or better once the development is completed. The additional traffic generated by the proposed site would not negatively impact the surrounding intersections.

Ms. Baxter questioned the fact that the Engineering Department did not submit any comments in writing. Ms. Costello stated that she spoke with the Engineering Department and they indicated that they have no comments at this time regarding the traffic circulation or drainage. The only comment that was made was that the Assistant Town Engineer was supportive of the applied for variance for moving the sidewalk. Chairman Seichter directed Ms. Costello to make it clear to the Engineering Department that the Commission would like to see written comments for each application submitted. There is no plan to have the restaurant to have a drive-thru window.

Mr. Fitzsimmons questioned the internal property connections. He asked if there was an access easement for a future driveway to the adjacent property. Attorney Molloy stated that there is a topography difference between the two sites and the connection would be at a fairly sharp grade. If an internal connection were made to the adjacent site they would have to be included in the STC permit for Lowe's. If a connection is made and traffic enters that site and exits from there it could present more problems at that southern intersection. Mr. Fitzsimmons would like to see that access easement put on the plans as "future interconnection". He echoed the concern of the other Commissioners regarding not having any written comments from the Engineering Department.

Mr. Menard would like to see the parking in the front of the building eliminated and replaced with landscaping. Attorney Molloy pointed out that the handicap parking spaces are along the front of the building.

Ms. Costello would like the area across from the loading area being landscaped. She feels that the two parking spaces discussed should be removed. The space on the southeast corner she would like to see removed because it requires further encroachment into existing green space. The space toward the front of the property being eliminated would allow for some more landscaping. Ms. Costello suggested a few conditions of approval. Comments from the Water & Sewer Division should be made a condition of approval along with a \$3,000 S&E bond. Ms. Costello stated that a revised plan should be submitted showing the change from the steps and the sidewalk to it being flush. She stated that should there be the wish to locate a drive-thru window of the restaurant the Applicant would have to appear with a revised traffic study. Ms. Costello made it clear that any signage must comply with the zoning regulations.

No one from the public spoke in favor of or opposed to the application.

Attorney Molloy suggested that some pervious pavers could be added to the site across from the loading zone to create an additional landscaped area.

There was further discussion about the variance that has been filed to relocate the sidewalk. Ms. Costello stated that she would try and get some written comments from the Engineering Department before it comes before the ZBA for approval. She noted that the Planning & Zoning Commission is to vote on the application that is before them. The Planning & Zoning Commission could make comments to the ZBA regarding the application when it comes before them. Attorney Molloy stated that the

application that is in front of the Commission is compliant and that is the application it should be acting on.

Chairman Seichter agreed with Ms. Costello on eliminating the two parking spots that have been discussed and also felt that Attorney Molloy had a good idea when she mentioned adding some pervious pavers to the space adjacent to the loading area.

Mr. Birney feels that there are several unsettled issues on this application. He would like to wait and see what the outcome of the variance request is and how the plan would be modified or not. Mr. Birney agreed with Mr. Fitzsimmons and would like to see the "future interconnection" shown on the plans. He would like to see more landscaping along Route 5. Mr. Birney would also like to see come comments come in from the Engineering Department. He would like to see this application continued to the March meeting. Attorney Molloy indicated that if the ZBA application is such a big issue and is going to prevent the Commission from acting on this application tonight she would withdraw it.

Chairman Seichter feels that there are two outstanding issues that have to be agreed upon and those are the two parking spaces and the interconnection. Mr. Fitzsimmons pointed out that it is highly unusual for the Commission to have not received any written comments from the Engineering Department. He would like to see something from Engineering before acting on the application.

No one from the public spoke in favor of or opposed to the application.

Chairman Seichter formally requested to the Town Planner that a representative from the Engineering Department be present at the March meeting. The general consensus of the Commission is that the "future interconnection" be shown on revised plans. Mr. Birney suggested that if there are going to be revised plans he would like the Applicant to make an effort to increase the landscaping.

MR. BIRNEY: MOTION THAT SPECIAL PERMIT APPLICATION #403-13 BE CONTINUED TO THE MARCH 11, 2013 AT 7 P.M.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

8:00 p.m.

5. Zoning Text Amendment (sign height)/Verna Properties/§6.9 #501-13

Mr. Venoit, Secretary, read the Legal Notice and acknowledged the correspondence received for the record from: Carmen Rao, Fire Marshal dated January 18, 2013 (Att. 5A); Kacie Costello, Town Planner to Verna Properties, LLC dated January 30, 2013 (Att. 5B); Vincent Mascia, Senior Engineer to Kacie Costello, Town Planner dated February 1, 2013 (Att. 5C).

Attorney Molloy appeared to request that the application be heard at the March 11, 2013.

MR. BIRNEY: MOTION TO POSTPONE VERNA PROPERTIES APPLICATION #501-13 TO THE MARCH 11, 2013 AT 7:15 P.M.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

8:15 p.m.

6. Zoning Text Amendment (Application/Review Procedures)/Planning & Zoning Commission #901-13

Mr. Venoit, Secretary, read the Legal Notice and acknowledged the correspondence received: Zoning Text Amendment (Att. 6)

Ms. Costello reviewed Zoning Text Amendment.

Ms. Costello suggested that in Section 7.3I an addition be made to the end of the first sentence to read “and provide a summary of administrative approval request basis”.

No one from the public spoke in favor of or opposed to the application.

MR. BIRNEY: MOTION TO CLOSE THE PUBLIC HEARING.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

MR. BIRNEY: MOTION TO APPROVE AMENDMENTS TO SECTION 7 “SITE PLAN AND SPECIAL PERMIT REVIEW AND APPROVAL” TO MODIFY AND CLARIFY APPLICATION AND REVIEW PROCEDURES, AS PRESENTED AND DISCUSSED AT THIS PUBLIC HEARING, INCLUDING THE AMENDMENTS PROPOSED TO SECTION 7.3I BECAUSE SUCH MODIFICATIONS MODIFY AND CLARIFY THE INTENT AND PURPOSE OF THE REGULATIONS.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

BOND RELEASES AND REDUCTIONS:

7. Donati Contracting (Yalesville Veterinary Clinic)/Site Plan/322 Church Street #246-06 (Att. 7)

Ms. Costello recommended that the bond be released.

MR. BIRNEY: MOTION TO RELEASE THE BOND FOR DONATI CONTRACTING #246-06 AS RECOMMENDED BY THE TOWN PLANNER.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

ROAD ACCEPTANCES:

8. VW Homes/Padens Court (“The Willows”) #413-07 (Att. 8)

Ms. Costello recommended that no action be taken at this point.

REPORTS OF OFFICERS AND STAFF:

9. Administrative Approvals – APPROVED AS NOTED

- a. Change of Use (indoor recreation)/126 South Turnpike Road LLC/126 South Tpk Road #317-12

b. Change of Use (medical office)/Zaki/1257 South Broad Street #301-13

10. 2012 Annual Report – Town Planner (Att. 10)

Ms. Costello briefly reviewed the 2012 Annual Report. Chairman Seichter noted one small correction to be made in the table on the first page.

MR. BIRNEY: MOTION TO ACCEPT THE 2012 ANNUAL REPORT AS AMENDED.

THE MOTION WAS SECONDED BY MR. FITZSIMMONS AND PASSED UNANIMOUSLY.

11. January 22, 2013 & February 19, 2013 ZBA Results (Att. 11)

Ms. Costello briefly reviewed the ZBA results.

12. February 19, 2013 ZBA Legal Notice (Att. 12)

Ms. Costello briefly reviewed the Zoning Violation Log pointing out the items that will be going to court.

The Commission discussed rescheduling the IHZ Workshop. The Workshop was scheduled for March 4, 2013 at 7:00 p.m.

Mr. Birney made a motion to adjourn. The motion was seconded by Mr. Fitzsimmons and passed unanimously by a voice vote. The meeting adjourned at approximately 9:55 p.m.

Respectfully submitted,

Sonja Vining,
Recording Secretary