

## Wallingford Planning & Zoning Commission

Monday, April 9, 2018

7:00 p.m.

Room 315

Town Hall – 45 South Main Street

### MINUTES

**PRESENT:** Chair James Seichter; Vice-Chair J.P. Venoit (arrived at 7:40 p.m.); Commissioners Rocco Matarazzo, Secretary; Jeffrey Kohan; James Fitzsimmons; James Hine, Alternate; Kacie Hand, Town Planner.

Chair Seichter called the Meeting to order at 7:06 p.m. and the Pledge of Allegiance was recited. Chair Seichter announced the following items would not be heard tonight: Items #1 – Special Permit (Location of Use)/S. Brosnan/ 43 Capital Drive - **#403-18**; #2 – Special Permit (Fill & Excavation)/Wallingford Industrial Improvement Co./10-20 Toelles Road - **#404-18**; #3 Special Permit (Location of Use)/E. Ringstrom/71 South Turnpike Road - **#406-18**; #5 – Special Permit (Location of Use)/Scrubbin Bubbles III/448 North Colony Street - **#407-18** and #8 under NEW BUSINESS – Subdivision (1 lot)/Wallingford Industrial Improvement Co./528 S. Cherry Street (new lot to be known as 10-20 Toelles Rd. - **#102-18**

Chair Seichter noted that several Commission members didn't receive any staff comments and comments from various departments. He said these items will be heard at the May PZC meeting.

**Approval of Minutes** - January 10, 2018; February 4, 2018; March 12, 2018 – **TABLED**

### OLD BUSINESS

8. Site Plan (2 retail buildings, Tractor Supply)/NERP Holding & Acquisitions Co.801 North Colony & 6 Beaumont Roads - **#203-18**

Mr. Matarazzo noted all correspondence into the record: Letter from Erin O'Hare, Environmental Planner, to Kacie Hand, Town Planner, dated April 5, 2018; Memorandum dated April 6, 2018 from Rob Baltramaitis, Town Engineer, to the Planning & Zoning Commission.

Appearing in front of the PZC was Atty. Dennis Ceneviva, Ceneviva Law Firm, representing NERP Holding & Acquisitions Co.; Jim Cassidy, Project Engineer and Kevin Solli, Traffic Engineer.

Atty. Ceneviva said the Applicant wishes to develop the properties into a Tractor Supply operation. He said the store will encompass 19,097 sq. ft. with 81 parking spaces. Atty. Ceneviva said there will also be a truck delivery area, and fenced outdoor sales area of approximately 15,000 sq. ft. to the rear of the proposed Tractor Supply building.

Atty. Ceneviva said a number of the Town Planner's comments have been addressed. He noted the Inland Wetlands Commission granted approval of this project on April 4. He also said the Applicant would accept the comments of Town Engineer Rob Baltramaitis.

Atty. Ceneviva said he wanted to discuss the bond before the PZC took action on the application. Mr. Cassidy went over the site plan. He said the property consists of approximately 4.63 acres in an RF-40 zone. He noted off to the north is the Walmart property and a watercourse which runs on the northerly boundary. Mr. Cassidy said the proposal is to remove the existing structure on 6 Beaumont Rd., and redevelop it as a Tractor Supply store. He said there are also a 15,000 sq. ft. concrete pad display area and a propane dispensing unit. Mr. Cassidy said along the front of the store there will be a concrete sidewalk displaying seasonal items such as lawnmowers and snow blowers and in the front of the building, there will be parking with single access through Beaumont Rd to the front parking area which will accommodate 73 parking spaces.

He added there will be an additional display area to the north for landscape trailers. Mr. Cassidy pointed out a second access to the rear of the building, which will primarily be used for truck access for loading and unloading. Mr. Cassidy noted an additional eight parking spaces in this area will be used for employee parking. He pointed out the building itself will be a one-story concrete block building with the front painted a taupe color on bottom and a beige color on top with a continuous galvanized awning which will hang out four ft. from the building.

Mr. Cassidy said there will be a storefront which bumps out about 12 ft. and the traditional Tractor Supply logo. He said the outside display area will be circumferenced by an 8 ft. high fence. Mr. Cassidy went over some of the changes as a result of the Inland Wetlands meeting. He said originally at the northwesterly corner of the site, the steep slope was to be protected with rip-rap because the slope was in excess of 2:1. He said because of this, the proposal was modified to erect a modular block retaining wall. Mr. Cassidy said the Town Engineer suggested a structural engineer come up with a design. He said there is also erosion at the brook in the area near N. Colony Rd. He said the area will be graded back and a Gabion wall will be installed. He said there is also a detailed restoration plan for the area near Padens Brook.

Mr. Cassidy said the invasives will be removed and shrubbery installed and the tree canopy will be trimmed back and the bittersweet removed. He also mentioned there will be landscaping around the bio-retention swale. He said he believed all staff comments have been addressed. Mr. Cassidy addressed the Town Planner's concern regarding protection of the detention basin. He said the guardrail to be installed in this area will be extended to include Beaumont Road and wrapping around the edge of the sidewalk.

Mr. Fitzsimmons said he had recently walked the site with the map looking at the revised plan and asked what trees would remain. He said he was concerned about the visual aspect from Rt. 5. Mr. Cassidy said there is a 30 inch cottonwood and a series of 12 inch and a cottonwood lying down at a 45 degree angle hanging over the parking lot which must be cut. Mr. Cassidy said there are other maples which will be saved and noted there will be more deciduous trees preserved in the area than are required by regulation. Mr. Fitzsimmons asked if the trees were marked. Mr. Cassidy said the trees on the far north end were marked. He said this is in conjunction with the level spreader. He said the other trees being taken down besides the invasives is the willow tree which has already fallen. Mr. Cassidy said the clearing line is at the top edge of the embankment and anything down the embankment will be saved excepting the willow tree.

Mr. Fitzsimmons asked about building signage. Mr. Cassidy said there will be a 10 ft. high monument sign at the front corner of the building near the intersection. Mr. Fitzsimmons asked about the sidewalk terminus which the Town Engineer said was undesirable. Mr. Cassidy explained the sidewalk is being extended from the easterly property line, across the entire frontage down to the intersection. He said per the Town Engineer, the Applicant will extend the sidewalk to the west. He noted the Applicant received a sidewalk variance along the frontage because of the grade which drops off to the brook.

Mr. Fitzsimmons asked the Town Planner about the traffic study regarding on street parking and no parking signs at the intersection. He noted there was a restaurant across from this site that received a variance to use this site for employee parking. Ms. Hand pointed out the Town Engineer's comments reflect the same thing-no parking on this side of the road. She said at the time of the variance application, the comment was made that the site could be developed and would not be available for parking. She said there isn't a lot that can be done now that the variance was approved, but move forward with the appropriate recommendation for this development. She said to keep the siteline clear, parking must be prohibited in this area. She said the variance was granted for the diner across the street and the representation made that this be used. She said the response was that this site could be developed in the future, but the variance was still granted.

Mr. Fitzsimmons said a plan is being presented where street trees are being proposed where people could park. He said he preferred the trees and it would be up to the Town to install the no parking signs. Ms. Hand said if directed, she would pursue the no parking signs through the Police Dept. Mr. Kohan said he looked at the Inland Wetlands memo for approval and noticed there was a proposal for a small meadow. Mr. Cassidy pointed out this area on the site plan which is in the northern part of the property. He said the pavement will be pulled and meadow grass which will be mowed to keep the knotweed under control. He said a sidewalk will be installed on the shoulder to keep people from parking in this area.

Mr. Hine said he liked the project from the beginning. He said he was concerned about traffic flow and that right where the project is, Rt. 5 goes down to two lanes. He asked if this would

create a traffic issue. Mr. Solli, Traffic Engineer, explained that traffic counts were done at the intersection of Beaumont Road and N. Colony Rd. He said Tractor Supply traffic generation is much lower conventional retail establishments. He said traffic counts were done weekday afternoon peak period and on Saturday mid-day peak period. He said in the afternoon, there will only be 27 trips generated, with 13 entering and 14 exiting and on Saturdays, during mid-day, there will be 61 trips, with 30 coming in and 31 going out. He said from a traffic standpoint there won't be an adverse operating condition on the roadway. Mr. Hine asked if a stop sign which is currently in place, will be sufficient once the building is there, or will there be a need for a traffic light.

Mr. Solli said a stop sign at Beaumont Rd. is sufficient given the current traffic volumes and once the building is constructed. Mr. Hine asked if the Applicant needed DOT approval. Mr. Solli said this site doesn't meet the requirements of a major traffic generator so there was no need for DOT approval. Mr. Hine asked where the majority of traffic would be entering. Mr. Solli said the majority of traffic would enter from Rt. 5 and 5% from Beaumont Rd. Chair Seichter asked about acceptable levels of service at Beaumont and N. Colony Rds. Mr. Solli noted that along Beaumont the level of service is "A" and is a "C" during weekday peak periods and an "E" during Saturday peak periods. He said these are standard and acceptable to the DOT. Mr. Hine asked if the building was technically on Rt. 5 or Beaumont Rd, noting there is a preference that the entrance of the building should face the road it is on. He noted the entrance will be from Beaumont Rd. and asked if this complied and said this could potentially be an issue.

Ms. Hand said the PZC believed it would be appropriate to have the buildings facing the road they are on. He said this is a corner lot and the provision doesn't speak to the requirements of a corner lot. She noted the driveway enters from Beaumont, but the design is intended to be seen from Rt. 5 and is perceived of being on Rt. 5. Mr. Hine said he sees the main entrance being from Beaumont Rd. Mr. Matarazzo noted the front entrance is facing towards Rt. 5 and he believed the requirements were met. He said a lot of the overgrowth will be taken down and there will be a visual element from Rt. 5 and doesn't have a problem with this. Mr. Kohan said he was fine with this and said this was the best solution. He said if the entrance was from Rt. 5, the wetlands and bridge would have to be crossed and this could be an issue with the Inland Wetlands Commission.

Chair Seichter said he would prefer to see the building the way it is and have the front of the building facing Rt. 5 than Beaumont Rd. Ms. Hand said she wanted a requirement to review the final landscaping plan because she was not clear what trees were staying.

### **Public Comment**

Tim Ryan, Economic Development Commission, told the PZC that Tractor Supply is an excellent brand and the Applicant has been extremely cooperative. He said this has been a two-year quest and recommended approval.

Atty. Ceneviva discussed the bond. He noted the PZC prefers to have its own S&E bond. He said the IWWC required the Applicant to post a \$20,000 erosion control and performance bond. He said this would probably be a lesser amount than what Ms. Hand was proposing. Atty. Ceneviva noted the IWWC has a separate bond for work being done near Padens Brook. He said the Applicant was hoping for relief where this is treated as a joint bond or the bond not released without joint approval of the PZC and the IWWC. Ms. Hand said the Wetlands bond was \$20,000 and her bond was going to be \$18,500. Chair Seichter asked Ms. Hand about the bonds and if the PZC was double counting.

Ms. Hand said the PZC requires an S&E bond for the entire site. She said the IWWC has a tendency to bond for all of this work instead of just limiting it to wetland related factors. Ms. Hand said this is two Commissions requiring a bond. She said in this case there is an additional bond for brook improvements for \$10,000. Atty. Ceneviva noted that Engineering had a \$22,000 bond for the driveway and the sidewalk. Chair Seichter said if we are requiring two bonds for the same item, this is possible, but may be for some items that are different in addition. Ms. Hand noted both these bonds are for sedimentation and erosion control and are including the majority of S&E work on the site. Chair Seichter made it clear that the IWWC is talking S&E and the PZC is talking S&E.

Mr. Kohan noted that IWWC is concerned with the brook and the wetlands and the PZC concern is just S&E on other areas of the property. Ms. Hand said she assumes Ms. O'Hare makes a recommendation to the IWWC about the bond amount but said she didn't know how Ms. O'Hare came up with those numbers. She pointed out Ms. O'Hare inspects the same elements she also inspects. Ms. Hand said she didn't have an objection to holding one bond and requiring that both Commissions release the bond. Mr. Fitzsimmons asked what the Applicant's request was of PZC. Atty. Ceneviva said the Applicant is requesting the PZC treat the \$20,000 erosion and control bond for Inland Wetlands as a PZC bond, but not requiring it to be funded twice and be allowed to use the same funds.

Mr. Fitzsimmons said everyone should have their own bonds, but suggested the PZC lower its bond slightly. Atty. Ceneviva said he agreed but said his point is that this is their bond at \$20,000 and can't be released without PZC authority. He asked why the bond needed to be funded twice. He said if Wetlands releases it and PZC hasn't, there is still a \$20,000 bond. Ms. Hand said there is a lot of significant wetlands related work being done on this site i.e., the area around the bank. She said if this is taken out and one looks at the rest of the site, there isn't a lot to bond.

Ms. Hand said she could reduce her bond requirement by \$4,500 and go down to \$14,000, and still be comfortable that the other site work would be covered, knowing it was covered by Inland Wetlands. Chair Seichter asked Commissioner Members how they felt about having a joint bond; one bond with Inland Wetlands and the PZC and the bond not being able to be released unless both parties released the bond. He said if the Commission agrees to this, the only issue is the amount. Mr. Kohan said he would be in favor of the joint bond; he said that

Inland Wetlands is careful with their bonds. Mr. Venoit said he was fine with the joint bond and looked at the joint bond as another layer of oversight and asked why everything was being separated out so much. Ms. Hand said it comes down to whether the bond has to be called and who would own the money. Mr. Venoit pointed out that one bond could be released and there could still be a problem on the other bonds. Ms. Hand said she didn't have an answer now to what the bond covers. Mr. Fitzsimmons said he was concerned that this bond was being decided without the Inland Wetlands Commission present at this meeting.

Mr. Fitzsimmons said in theory he agreed with the joint bond, but noted the motion and approval would have to be contingent upon approval by the Inland Wetlands Commission that we agreed to share the bond. He said conceptually, would this bond only be for the \$20,000 and asked Ms. Hand what the recommended shared bond would be. Ms. Hand recommended the \$20,000 total for PZC and IWWC. Ms. Hand suggested including a condition of approval that included a regular bond amount, so as not to hold up the action and then possibly between now and next month, there can be a proposal to the Commission as to how this bond is to be accomplished. She said she would meet with Ms. O'Hare, Atty. Janis Small and Atty. Ceneviva to work out a proposal on how to post the bond.

Chair Seichter entertained a motion on the application.

**Mr. Fitzsimmons: Motion to approve, based on the totality of the record, a Site Plan Application for NERP Holding & Acquisitions Company to construct a 19,097 sq. ft. retail building at 801 North Colony Road and 6 Beaumont Roads (to be merged into one parcel) and make associated site improvements, as shown on plans entitled "Proposed Retail Building for Tractor Supply Co., for property located at 801 North Colony Rd. (Rt 5) and 6 Beaumont Rd, Wallingford, CT" dated Jan. 10, 2018, updated to 04.03.18, subject to:**

- 1. Posting of an S&E bond of \$18,500 as recommended by the Town Planner;**
- 2. Comments of the Environmental Planner dated April 5, 2018;**
- 3. Comments of the Town Engineer dated April 6, 2018; Comments of the Town Planner dated March 1, 2018;**
- 4. Comments of the Wallingford Water & Sewer Divisions Sr. Engineer dated March 1, 2018; Final sign-off from the Wallingford Fire Marshall on hydrant placement from memo dated February 20,2018;**
- 5. Final landscaping plan to be submitted for approval by Town Planner and include on Final Plan all trees to remain as discussed at this meeting.**

**Mr. Kohan – Second**

**Vote: Hine – yes; Kohan –yes; Fitzsimmons – yes; Matarazzo – yes; Seichter – yes**

**Application approved**

6. Site Plan (construction of loading area & associated site changes)/Ferti Management Corp./155 East Street - #201-18

Chair Seichter noted that Mr. Venoit would be voting on this application in the place of Mr. Hine (alternate).

Mr. Matarazzo noted all correspondence into the record: Stormwater Management & Maintenance Program dated March 6, 2018; Memorandum dated April 5, 2018 from Erin O'Hare, Environmental Planner to Kacie Hand, Town Planner; Memorandum dated Feb. 1, 2018; Correspondence dated March 6, 2018 to Kacie Hand, Town Planner from Larry Edwards; Memorandum dated March 1, 2018 from Erin O'Hare, Environmental Planner to Kacie Hand, Town Planner; Memorandum from Planning & Zoning Commission dated Feb. 9, 2018 from the Engineering Dept.; Inter-Departmental Referral dated January 3, 2018 from the Fire Marshal.

Appearing in front of the PZC was Larry Edwards, P.E., design engineer representing Ferti Corp. He told the PZC there is an existing manufacturing facility at 155 East Street which is proposed to be converted to a fertilizer processing facility, taking bulk fertilizer which will be delivered to the facility, bagging it, warehousing it and shipping it out to retailers who will sell it off-site. He said there will be no actual sales at 155 East Street, just a wholesale operation.

Mr. Edwards said existing access comes off of East Street and everything is existing on the site except for a proposed section of driveway which he showed on the site plan. Mr. Edwards also showed the loading and parking areas and the area where the existing driveway will be widened, which would be the bulk unloading area. Mr. Edwards said the curbs will be flared out in various areas to provide easier truck access. He showed where the bulk materials would be unloaded and the location of the warehouse on the site plan. Mr. Edwards said there will be two stormwater treatment areas, one located in front of the building which will handle the runoff from the new driveway and a second stormwater treatment area which will handle runoff from the loading area and the additional pavement area. Mr. Edwards said the Applicant is also proposing to eliminate some of the blacktop pavement area because some of the parking is not needed and this area will be turned into grass. Mr. Edwards said the office area in the front of the building will be eliminated to provide the offset distances as part of the Regulations and to bring in a loop road for the tractor trailers.

Mr. Edwards noted that a permit was granted from the IWWC and noted there will be three towers to house the bulk materials. He said there has been correspondence from the Planning Office and the Sewer Dept. which he said has been addressed. He said there were a few minor changes requested by the IWWC which had to do with additional wording changes to the maintenance plan and the installation of a two-stage area in one of the basins.

Ms. Hand commented there is a portion of the designated flood plain in the northeast corner of the building. She said this gets incorporated into the larger site plan approval. She said there will be additional paving installed and the Applicant has adequate compensatory storage. Ms. Hand noted that one of the benefits of this application is the removal of unnecessary parking which will result in additional green space. She said when the application for the special permit for the towers was approved there was discussion regarding the wet and dry material. Ms. Hand said at the time, it was explained there wouldn't be any liquid materials. She said her understanding of this has changed but doesn't have any impact on the application. Ms. Hand said there is spraying of the fertilizers with pesticide. She asked if DEEP permit was needed for the pesticide application. She also asked if DEEP would need to be contacted if there was a spill. Ms. Hand also asked what would happen if there was a spill outside in the loading area, and how this would be accommodated in the plan.

Mr. Edwards said this has been researched and the only issue for permitting would be a registration under the industrial activity which is a general permit. He said there would probably be some monitoring of the water. He also said there was a spill plan. Mr. Edwards said the IWWC went through in great detail regarding the treatment of spills outside. He said part of what was presented to them, was the maintenance and spill prevention plan which he said was detailed. He said the Applicant would comply with this plan. Mr. Edwards noted that anything to be spilled will take place during the loading process and the product will be dry. He pointed out that during normal operating times, that dry spill would be swept up, put into a trash can and brought back into the plant.

Mr. Edwards said that when there is bulk unloading, there will be staff on hand. He said a spill could happen, but again, this will be a dry product. He said in the case of rain, the product cannot be loaded if there is any moisture and there will be no delivery. He said the product will be palletized and plastic wrapped and would be swept up and cleaned up if there was a spill. He said any runoff will go into the water quality basin which will be two-stages and noted there is a two to two and a half foot sump in the basin.

### **Public Comment**

Tim Ryan, Economic Development Commission, urged approval. He said Ferti is an international firm from Quebec. He said the EDC has been working with them for nearly two years. He noted that Wallingford would be Ferti's fifth facility. He also pointed out they are the turf consultants for the Master's Golf Tournament at Augusta National. He said this is a blending, not a manufacturing facility and the product is used at golf courses. He said he believes they have done their due diligence to ensure that there will be no noises or smells that would be deemed offensive to neighbors.

Chair Seichter entertained a motion on the application.

**Mr. Fitzsimmons: Motion to approve a site plan for Ferti Management Corp., to make site improvements including creation of a loading area, changes to traffic circulation, changes to parking areas, and stormwater improvements, for a warehouse/production/office building, as shown on plans entitled "Ferti Management Corp., Wallingford, CT, 155 East Street", dated December 7, 2017, updated to 3/1/18, subject to:**

- 1. Comments of the Town Engineer dated Feb. 9, 2018;**
- 2. Town Planner's letter of Feb. 1, 2018;**
- 3. Comments of the Environmental Planner dated April 5, 2018;**
- 4. Response of Applicant dated March 6, 2018;**
- 5. Applicant to post a \$6,5000 S&E bond**
- 6. Comments of the Town of Wallingford Public Utilities Commission dated Feb. 1, 2018.**

**Mr. Kohan: Second**

**Vote: Kohan-yes; Fitzsimmons – yes; Venoit-yes; Matarazzo –yes; Seichter – yes**

**Application approved**

#### **EXTENSIONS**

**9. Limited Special Permit/J. James (Meacham, LLC)/249 Dudley Avenue - #408-08**

Ms. Hand said this application is for long-term material storage approval to 6/9/2020.

**Mr. Venoit: Motion to approve the extension of a limited special permit J. James (Meacham, LLC) 249 Dudley Avenue, to June 9, 2020.**

**Mr. Fitzsimmons: Second**

**Vote: Unanimous**

#### **BOND RELEASES AND REDUCTIONS**

**10. Site Plan/M. Rocha (Dunkin Donuts)/682 South Colony Road - #239-15**

Ms. Hand said this bond is ready for release.

**Mr. Venoit: Motion to approve the bond release for Site Plan/M. Rocha (Dunkin Donuts)/682 South Colony Road.**

**Mr. Fitzsimmons: Second**

**Vote: Unanimous**

## **RECOMMENDATION FOR ROAD ACCEPTANCE**

11. Portion of Docker Drive servicing the Knollwood Place Subdivision - **#103-08**

Ms. Hand said she believed this was ready, but didn't have verification from the Engineering Dept. – **TABLED**

## **ELECTION OF OFFICERS**

12. 2018 Election of Officers

Chair Seichter entertained a nomination for Chair.

**Mr. Venoit made a motion that James Seichter be elected Chair of the PZC for 2018.  
Mr. Fitzsimmons: Second**

**Vote: Unanimous**

Chair Seichter entertained a motion for a nomination for Vice-Chair

**Mr. Matarazzo made a motion that J. P. Venoit be elected Vice-Chair of the PZC.**

**Mr. Kohan: Second**

**Vote: Unanimous**

**Mr. Venoit made a motion that Rocco Matarazzo be elected Secretary of the PZC.**

**Mr. Kohan: Second**

**Vote: Unanimous**

## **REPORTS OF OFFICERS AND STAFF**

13. ZBA Decisions of March 19, 2018

Ms. Hand went over the ZBA decisions of March 19, 2018, noting there was one variance for a porch which was approved.

14. ZBA Notice for April 16, 2018.

Ms. Hand noted that Item #1 is an appeal of a decision that was signed by herself and Amy Torre, Zoning Enforcement Officer. She said a related variance application was on the ZBA agenda a few months back for a greenhouse that is approximately 3,000 sq. ft. in size in a residential R-18 zone. She said the variance was for the setback which was denied and since then the Applicant has made modifications to the proposed location. Ms. Hand said the Planning Office's determination was that the application was compliant with the PZC's definition of an accessory structure in that it is not subordinate to the primary use because the greenhouse is

larger than the primary residence and the alternative option that it be a primary use would require 30 acres. She said the building permit was denied based upon these determinations. Ms. Hand said the PZC could make a determination if they desired. Chair Seichter said the actions that Ms. Hand and Ms. Torre are taking is long overdue and is supported. The Commissioners concurred.

Ms. Hand said she will issue a report on behalf of the PZC which supports the denial of the building permit based upon Zoning Regulations. Ms. Hand spoke about Items #2, #3 and #4 and noted there is resurgence in large garage sizes. She noted #3 which is 2.6 ft. from the property line, and pointed out it seems we are moving back in the wrong direction in seeing people who seem to have wants not needs. Mr. Fitzsimmons spoke about Items #2 and #4 and noted this seems to be a pig pile. He said he understands the role of the ZBA, but this is exactly what we used to see and asked Ms. Hand to comment on Items #1-5. He noted on Items #2, #3, and #4, the fees should be appropriately charged. Chair Seichter concurred with this.

Ms. Hand said she will issue a report that the PZC has concerns in that there is not a hardship ion that these requests are people just wanting. Chair Seichter said it is not just one variance, there are multiple variances.

#### 15. Zoning Enforcement Log

Ms. Hand said there has been a lot going on. Mr. Kohan asked about the cemetery issue and the item with 60 Prince Street. Ms. Hand said she believed there was still some minor violations that needed to be addressed. Mr. Fitzsimmons asked about Mountain Brook. Ms. Hand said nothing happened and she closed it because she followed up with Atty. Small. Mr. Fitzsimmons asked about the Pearson Drive dumpster violation. He said he has received several complaints regarding an increase in dumpster violations. Ms. Hand said dumpster pods and metal containers are not allowed on residential property. She said if someone has the dumpster for a few days or weeks to clean up their property or because they are moving, nothing usually happens because it is on the property for a short time.

Chair Seichter asked about the used car dealership near Ricks on Five, and the parking lot not being lined. Mr. Fitzsimmons noted that someone had a dumpster near Pat Wall field which has been there for over a year. Ms. Hand said there is no provision which allows for a temporary dumpster, but if one is using the dumpster to clean out their house, by the time it is an issue, the dumpster has been removed. Ms. Hand said where there is an issue, is when the dumpster stays on the property for a long period of time. Ms. Hand said a dumpster is allowed on a commercial piece of property but must be in the back. She said if it is long term, the dumpster can be approved as a building.

#### **ADJOURNMENT**

Mr. Venoit made a motion to adjourn the Meeting at 8:50 p.m. Mr. Fitzsimmons seconded the motion which passed unanimously.

Respectfully submitted,

Cynthia A. Kleist

Recording Secretary