

February 25, 2014

**Call to order:** The monthly meeting of the Sterling Planning and Zoning Commission was called to order at 7:32 p.m.

Roll was called: Dana Morrow-present, Frank Bood-present, Ross Farrugia-present, Chris Turner absent, Cindy Donall-present, and Alternate Paul Ezzell-absent. There are still two alternate vacancies on the Commission.

Staff present-Russell Gray, Jamie Rabbitt, and Joyce Gustavson.

**Audience of Citizens:** None

**Approval of Minutes:** F. Bood made a motion, seconded by R. Farrugia, to approve the meeting minutes of 1/28/2014 as written and presented. All voted in favor of the motion.

**Correspondence:** None.

**Unfinished Business:**

**a. Referral of Excavation Ordinance Revisions:** Town Planner, J. Rabbitt spoke to First Selectman, R. Gray, and reported that the Board of Selectmen at their 2/19/2014 meeting authorized staff to enter into discussion with Attorney Zizka to review draft changes and final language to the Excavation Ordinance. Table to the next meeting.

**c. Meeting Procedures:** Discussion was held regarding the wording of "Audience of Citizens". It was decided that it should be changed to "Audience Comments" and also be added after any "Any Other Business" on the Agenda.

F. Bood made a motion, seconded by D. Morrow to change Agenda Item II to Audience Comments and to also add Audience Comments as Item VIII, moving Adjournment to Agenda Item IX and amend the by-laws, if necessary. All voted in favor of the motion.

D. Morrow asked J. Rabbitt to explain what constitutes a meeting quorum. J. Rabbitt explained that the Commission needs three (3) members and that an alternate member can be seated and participates in voting if a regular member is absent. The Selectman can participate in a meeting, but does not make a quorum and cannot vote. J. Rabbitt reminded the Commission that you need a quorum to conduct business and to make motions.

**New Business:** D. Morrow made a motion, seconded by F. Bood to add under New Business, Item a. 8-24 review for consideration of the sale of Lot 2 in the Sterling Industrial Park and Item b. 8-24 review for consideration of the sale of Town owned land located at 1110 Plainfield Pike. All voted in favor of the motion.

**a. 8-24 Referral on the Potential Sale of Lot 2 in the Sterling Industrial Park:** J. Rabbitt explained that CERRETO Associates, LLC is an electrical company and the premises would be used as a warehouse for the storage of inventory, office space, and a garage for equipment and vehicles.

R. Farrugia made a motion, seconded by C. Donall, that the sale of Lot 2 to CERRETO Associates, LLC is consistent with the Town's Plan of Conservation and Development. All voted in favor of the motion.

**b. 8-24 Referral on the Potential Sale of Town Owned Land Located at 1110 Plainfield Pike:** J. Rabbitt explained that Kristy and Brandon Barth owners of Salon 41 are requesting consideration of an Option-to-Buy approval for Town owned property located at 1110 Plainfield Pike in the amount of \$75,000. They are currently leasing the property. The Town acknowledges and recognizes that selling this property will limit the access to the Town's rear property. There is an easement in place for access that the Barth's are aware of and are in complete agreement.

D. Morrow made a motion, seconded by C. Donall, that the sale of Town owned property located at 1110 Plainfield Pike is consistent with the Town's Plan of Conservation and Development. All voted in favor of the motion.

**Any Other Business:** J. Rabbitt explained that staff is looking for approval to proceed with billing for services rendered associated with processing applications and the Zoning Board of Appeals has verbally requested an increase in fees to process applications.

F. Bood made a motion, seconded by C. Donall, to add under "Any Other Business" Item a. costs for services rendered and under Item b. request from the Zoning Board of Appeals to increase their fees. All voted in favor of the motion.

**a. Corner Properties:** J. Rabbitt explained that all applications have fixed costs associated with processing the applications. The Planning and Zoning Commission at their 11/27/2012 meeting approved Application #PZS-12-02 for a two lot subdivision for property located at 874 Gibson Hill Road. The Town Engineer has submitted an invoice for services rendered from 7/30/2012 through 7/31/2013 in the amount of \$5,151.25 and the Town Planner has submitted an invoice for services rendered from July 2012 through June 2013 in the amount of \$1,919.50 for a total amount of \$7,070.75.

- F. Bood made a motion, seconded by D. Morrow to authorize staff to send an invoice to Corner Properties for services rendered in the amount of \$7,070.75. All voted in favor of the motion.
- b. **Weidele's:** The Planning and Zoning Commission at their 1/28/2014 meeting approved Application #PZ-13-02 for the construction of a free-standing restaurant, pub, and seasonal ice cream shop for property located at Sterling Road (Route 14). The Town Engineer has submitted an invoice for services rendered from 8/01/2013 through 1/31/2014 in the amount of \$448.75 and the Town Planner has submitted an invoice for services rendered from November 2013 through January 2014 in the amount of \$683.90 for a total amount of \$1,132.65.
- F. Bood made a motion, seconded by D. Morrow to authorize staff to send an invoice to Weidele's for services rendered in the amount of \$1,132.65. All voted in favor of the motion.
- c. **Timberwolf Enterprises, LLC:** Charlie Corson of Timberwolf Enterprises, LLC will be resubmitting an application to the Planning and Zoning Commission for a subdivision located on Main Street at the next meeting. This application had been previously withdrawn on 1/26/2010 and C. Corson is asking for a credit from the unused funds from the 2010 application. On 2/23/2010 a check was submitted in the amount of \$4,160 for application fees; \$1,500 subdivision flat fee; \$900 three (3) lot subdivision fee, \$60 State of Connecticut Fee and \$600 for review fees. It was determined that the three (3) lot subdivision fee and the review fees for this application could be applied to a future submittal of an application.
- F. Bood made a motion, seconded by D. Morrow to notify Timberwolf Enterprises, LLC that the Commission requests in writing a letter asking for the balance of their unused application fee from the original application.
- d. **Zoning Board of Appeals Fees:** Due to the fact, that the Zoning Board of Appeals fees are included in Section 9.03 of the Planning and Zoning Commission's Zoning Regulations, Diane LeDuc, Vice Chairperson, Zoning Board of Appeals, has made a verbal request to D. Morrow and J. Rabbitt about increasing the application fees. Presently the application fee is \$250 plus \$60 for the State and the cost of publishing the three (3) legal notices are approximately \$150 each. It was decided that the Zoning Board of Appeals should put their request to increase application fees in writing to the Commission who will then bring it before the Board of Selectmen.
- Adjournment:** A motion was made by F. Bood, seconded by D. Morrow, to adjourn at 8:35 p.m. All voted in favor of the motion.

Attest:

  
 Joyce A. Gustafson, Recording Secretary

Attest:

Christopher Turner, Secretary