

April 22, 2014

Call to order: The monthly meeting of the Sterling Planning and Zoning Commission was called to order at 7:35 p.m.

Roll was called: Dana Morrow-absent, 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-Jamie Rabbitt, Russell Gray, and Joyce Gustavson.

Audience of Citizens: Walter Moriarty, 440 Sawmill Hill Road, expressed interest in joining the Commission.

Approval of Minutes: R. Farrugia made a motion, seconded by C. Donall, to approve the meeting minutes of 3/25/2014 as written and presented. All voted in favor of the motion.

Correspondence: None

Unfinished Business:

a. Two-Lot Subdivision Application by Timberwolf Enterprises, LLC, for 352 Main Street: J. Rabbitt read portions of a letter by the law office of Andrea Truppa, dated 4/22/2014 on behalf of Timberwolf Enterprises, LLC, stating that Timberwolf Enterprises, LLC is withdrawing its Two-Lot Subdivision Application for 352 Main Street. The applicant is also asking that the fees associated with the withdrawn application be waived and any portion that is returnable be applied for future submittal. Staff will review and work with the applicant as they move forward.

b. Zoning Board of Appeals Proposed Application Fee Increase: J. Rabbitt spoke with First Selectmen, Russell Gray regarding the proposed Zoning Board of Appeals application fee increase. He would like the opportunity to reach out to the other two Selectmen, L. Cooper and J. Firlik, to discuss the proposed increase. J. Rabbitt will attend the Board of Selectmen meeting scheduled for Wednesday, 5/7/2014. F. Bood made a motion, seconded by C. Donall, to table to the next meeting. All voted in favor of the motion.

c. Referral of Excavation Ordinance Revisions: J. Rabbitt reported that Attorney Zizka has not had a chance to review the Excavation Ordinance. It is in his queue to review and he is trying to move it up in priority. Table to the next meeting.

b. Meeting Procedures: Each Commission member would like a copy of *Robert's Rule of Order*. J. Gustavson will look into placing an order. F. Bood made a motion, seconded by R. Farrugia to move Unfinished Business, Item d. to a new agenda item to be placed as Item a. under Any Other Business to Come Before the Planning and Zoning Commission. All voted in favor of the motion.

New Business:

a. 8-24 Referral for Conservation Easement by Falls Creek Farm, LLC for 368 Bailey Road: J. Rabbitt explained to the Commission that Falls Creek Farm, LLC is required under a consent decree in *U.S. v. Snowden et al.* and Environmental Protection Agency (EPA) to do a dedicated conservation easement on the property. J. Rabbitt stated that under 8-24 any property to be sold, accepted, easement to be granted or accepted, the Board of Selectmen have to refer it to the Planning and Zoning Commission for an opinion in regards to compliance with the Plan of Conservation and Development. There are two items that EPA would like revised in the easement language; 1) the easement language clearly referred to the consent order, in essence, that this easement is being placed on the property due to a consent decree relating to the following case; and 2) EPA wants the metes and bounds of the easement referenced and shown. F. Bood made a motion, seconded by C. Donall, that the proposed easement at Falls Creek Farm, as shown on a map review attached to correspondence dated 4/15/2014 is consistent with the goals and objectives with the Town of Sterling's Plan of Conservation and Development. All voted in favor of the motion.

b. Change of Use Application by Plainfield Industrial Properties, LLC for 51 Industrial Park Road (Lot 3A): No one was at the meeting to present the application. J. Rabbitt has a letter, dated 4/22/2014 addressed to D. Morrow, Chairman, regarding the site plan change of use application that was submitted by Plainfield Industrial Properties, LLC for property located at 51 Industrial Park Road (Lot 3A). "Please be advised that I have completed my review of the site plan application that was submitted by Plainfield Industrial Properties, LLC. The application was submitted to the Planning and Zoning Commission on 4/10/2014 from Kaplan and Brennan LLP on behalf of Plainfield Industrial Properties, LLC. Based on a review of the application and the Town's Zoning Regulations, the proposed change from warehousing to manufacturing is consistent with the Town's Zoning Regulations. The applicant has proposed no exterior changes to the building and/or site and only intends to make some interior modifications to accommodate his manufacturing business. If you have any questions or need additional information, please do not hesitate to contact me, James D. Rabbitt, AICP, Sterling Town Planner". In order for Plainfield Industrial Properties, LLC to go forward with the funding, they need a certificate of zoning compliance that cannot be issued by the Zoning Enforcement Officer without approval from Planning and Zoning. This application is consistent with the declarations of covenants for the Sterling Industrial Park.

R. Farrugia made a motion, seconded by C. Donall, to approve the change of use application from warehousing to manufacturing for Plainfield Industrial Properties, LLC,

located at 51 Industrial Park Road (Lot 3A) in the Industrial Park. All voted in favor of the motion. 61

Any Other Business: J. Rabbitt reported that on 4/7/2014 SECCOG (Southeastern Connecticut Council of Governments) presented a workshop – Center for Land Use Education and Research (CLEAR) on site plan reviews and blue print reading. A mini version of the workshop is available through a PowerPoint presentation that J. Rabbitt will show at the next Planning and Zoning Meeting.

1. R. Farrugia asked about the Commission doing site walks. J. Rabbitt stated that a site walk is a public meeting and needs to be recorded. He reminded the Commission that all site walks should be done in silence and questions, such as, location, or what lot is this, are allowed. Engaging the landowner about the project is not appropriate. When the site walk is completed, you can meet at the curb and record the questions that were asked.

2. R. Farrugia asked if a site walk should be published. J. Rabbitt stated that a published notice of the site walk should be filed twenty-four (24) hours in advance with the Town Clerk, stating the purpose, time and place.

3. R. Farrugia asked when the Commission receives plans, does the engineered buildable area need to be shown on the plans. J. Rabbitt stated yes, it is in the regulations. The plans need to show the geometric shape, but you are not required to build in the geometric, as long as you meet septic, setbacks, etc.

Audience Comments: Walter Moriarty stated that he is very impressed with how tonight's meeting went; low keyed and humorous. He asked where he can receive a copy of the Town's Plan of Conservation and Development and stated again, that he is interested in joining the Commission.

Adjournment: A motion was made by R. Farrugia, seconded by F. Bood, to adjourn at 8:14 p.m. All voted in favor of the motion.

Attest:


Joyce A. Gustavson, Recording Secretary

Attest:

Christopher Turner, Secretary