

REGULAR MEETING
WATERBURY ZONING COMMISSION
WEDNESDAY, FEBRUARY 25, 2015 - 7:00 PM
CITY HALL, 2nd FLOOR, VETERAN'S HALL
235 GRAND STREET, WATERBURY, CT 06702

SUMMARY MINUTES

Chairman J. Egan called the regular meeting to order at 7:02 p.m. with a Pledge of Allegiance.

PRESENT:

E. Brunelli

J. D'Orso

J. Egan (Chairman)

P. Goodin

S. Mannetti

P. Nogueira (*Arrived @ 8:32 p.m.*)

ABSENT:

T. Van Stone, Jr.

ALSO PRESENT:

James A. Sequin, AICP
City Planner

PUBLIC HEARINGS:

- 1. PL 2014 - 0338 ZONING MAP AMENDMENT** of a portion of a City owned property located on north side of East Main Street approximately 675 feet east of the intersection of Austin Road and approximately 180 feet west of the intersection of the COSTCO/CoCo Keys/Kohl's Access Road to change 13.3 acres from RS to CA. **NO DEADLINES.**

On a motion of Cmsr. P. Goodin, followed by a second from Cmsr. E. Brunelli, the Zoning Commission voted unanimously to CLOSE Public Hearing PL2014-0338.

- 2. PL 2014 – 0280 SPECIAL PERMITS** for Article 10.16 Vehicle Service Facilities; and Article 4 Raymond F. Squatriglia, Jr. **OPEN HEARING DEADLINE: December 26, 2014; Extension requested; Extension days remaining: 5 {five} February 24, 2015.**

“Applicant submitted “Proofs of Mailings.”

On a motion of Cmsr. S. Mannetti, followed by a second from Cmsr. P. Goodin, the Zoning Commission voted unanimously to CONTINUE Public Hearing PL2014-0280 UNTIL NEXT MONTH. Said Public Hearing will RECONVENE ON MARCH 25, 2015 @ 7:00 PM in the Aldermanic Chambers; 235 Grand Street.

- 3. PL 2014 - 0310 ZONING MAP AMENDMENT** to change 0.23 acres from the RL District to the CG District; Location: Piedmont Street Lot# 0438-0321-0381 fronting on Piedmont Street adjacent to the northerly and easterly property lines of 100 Piedmont Street. Applicant: Gail E. McTaggart d/b/a Sound Garrett Waterbury, LLC. **OPEN HEARING DEADLINE: January 24, 2015; Extension requested; Extension days remaining: 33 {thirty-three}** as of February 24, 2015.

SPEAKERS FOR THIS MATTER:

1. Gail McTaggart – 41 Church Street – representing Applicant.
2. Allan Carpenter – Vernon, CT.
3. Gary Eucalitto, Torrington, CT.
4. Josephine Blair – 80 Piedmont Street.
5. Carl Smith – 78 Piedmont Street.
6. Attorney Mark Iannone – Wolcott, CT.
7. Christopher Granatini – Professional Engineer – Tighe & Bond, Middletown, CT.
8. Gail McTaggart – 41 Church Street – representing Applicant.

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. J. D’Orso, the Zoning Commission voted unanimously to CLOSE Public Hearing PL2014-0310.

- 4. PL 2014 - 0312 ZONING MAP AMENDMENT** to Change 14.38 acres from the RS District to the RL District; Location: Boyden Street, Society Hill, Kingsley Court and Yorktown Ridge. Applicant: Attorney Robert C. Wilson. **OPEN HEARING DEADLINE: January 24, 2015; Extension requested; Extension days remaining: 33 {thirty-three}** as of February 24, 2015.

SPEAKERS FOR THIS MATTER:

1. Attorney Robert Wilson – Wolcott, CT – representing Applicant.
2. Amil Castro – 6 Society Hill Road.
3. Attorney Robert Wilson – representing Applicant.

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. J. D’Orso, the Zoning Commission voted unanimously to CLOSE Public Hearing PL2014-0312.

- 5. PL 2015 - 0008 SPECIAL PERMIT FOR ACCESSORY ALCOHOL SALES;** Location: 140 Walnut Street; Applicant: Deli Shop Grocery, LLC. **OPEN HEARING DEADLINE: April 3, 2015.**

SPEAKER FOR THIS MATTER:

1. John Jimenez - 120 Walnut Street/Applicant.

Applicant submitted additional "Mailing Labels."

On a motion of Cmsr. S. Mannetti, followed by a second from Cmsr. P. Goodin, the Zoning Commission voted unanimously to CLOSE Public Hearing PL2014-0008.

6. PL 2015 - 0032 SPECIAL PERMIT FOR A HAZARDOUS INDUSTRIAL FACILITY; Location: 150 East Aurora Street; Applicant: Archie Tracy. **OPEN HEARING DEADLINE: April 3, 2015.**

SPEAKERS FOR THIS MATTER:

1. Attorney Dana D'Angelo – Middlebury, CT representing Applicant.
2. Scott Meyers – Professional Engineer & Land Surveyor, 60 Linden Street.
3. Mike Lanese – 7 Kaynor Drive – Lessee.
4. David LeBlanc – 1 Huntingdon Place.
5. Archie Tracy – 45 Groveway – Clinton, CT – Owner.
6. Attorney Dana D'Angelo – representing Applicant.

A motion of Cmsr. J. D'Orso, followed by a second from Cmsr. E. Brunelli, to Close Public Hearing PL2014-0032 FAILED by a 3 yea ~ 3 nay Roll Call vote, thereby continuing the aforementioned Public Hearing by default. Said Public Hearing will RECONVENE ON MARCH 25, 2015 @ 7:00 PM in the Aldermanic Chambers; 235 Grand Street.

YEAS: E. Brunelli, J. D'Orso and J. Egan – 3.

NAYS: P. Goodin, S. Mannetti and P. Nogueira – 3.

7. PL 2015 - 0036 SPECIAL PERMITS FOR ARTICLE 10.16 VEHICLE SERVICE FACILITIES; AND ARTICLE 4 AUTOMOBILE & MARINE CRAFT TRADE; Location: 1720 Baldwin Street. Applicant: Hernan??? A. Gonzalez. **OPEN HEARING DEADLINE: April 3, 2015.**

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. S. Mannetti, the Zoning Commission voted unanimously to TABLE UNTIL NEXT MONTH Public Hearing PL2014-0032. Said Public Hearing will RECONVENE ON MARCH 25, 2015 @ 7:00 PM in the Aldermanic Chambers; 235 Grand Street.

- 8. PL 2015 - 0034 SPECIAL PERMITS** for Accessory Earth Excavation under § 10.18.02(vi) and a Parking Reduction under § 9.03.06 (ii); Location: North side of East Main Street East of the Beaver Pond Brook Bridge; Applicant: Restaurant Depot, Larry Cohen. **WITH DRAWN.**

Application withdrawn per the following correspondence, to wit:~



February 18, 2015

Mr. James Sequin
City Planner
City of Waterbury
1 Jefferson Square, 5th Floor
Waterbury, Ct 06706

Re: Zoning Permit Application
Restaurant Depot
East Main Street
Waterbury, CT

Dear Mr. Sequin-

On behalf of the applicant, we respectfully withdraw the above referenced zoning permit application.

Please let me know if you have any questions or require further information.

Sincerely yours,
CIVIL 1

A handwritten signature in black ink, appearing to be "Curtis Jones", written over a horizontal line.

Curtis Jones, P.E.

PUBLIC SPEAKING:

None.

OLD BUSINESS:

- 1. PL 2014 - 0338 ZONING MAP AMENDMENT** of a portion of a City owned property located on north side of East Main Street approximately 675 feet east of the intersection of Austin Road and approximately 180 feet west of the intersection of the COSTCO/CoCo Keys/Kohl's Access Road to change 13.3 acres from RS to CA. **NO DEADLINES.**

On a motion of Cmsr. J. D'Orso, followed by a second from Cmsr. E. Brunelli, the Zoning Commission voted – with a NO vote from Cmsr. P. Goodin - to

APPROVE Old Business #1; Application PL 2014 – 0338 based on the following recommendation as drafted by City Planner J. Sequin, to wit:~

Be it resolved by the Zoning Commission of the City of Waterbury that

- 1. The Zoning Map be modified to change 13.3 Acres of a portion of a City owned property located on North side of East Main Street approximately 675 feet East of the intersection of Austin Road and approximately 180 feet West of the intersection of the COSTCO/ CoCo Keys/ Kohl's Access Road from RS to CA as shown on the map entitled "Partial Property Survey prepared for Waterbury Development Corporation East Main Street, Waterbury, Connecticut" dated June 25, 2014, with revisions to January 7, 2014 by Milone & MacBroom, and*
- 2. The Zoning Commission finds the proposal is not consistent with the Plan of Conservation and Development, and*
- 3. The Zoning Commission finds the City Plan Commission has recommended approval of the amendment, and*
- 4. The Zoning Commission finds the planning concept concerning the commercial development of the undeveloped City land in this location was endorsed by both the City Plan Commission and the Zoning Commission in 2010 as part of the comprehensive revision of the Zoning Map and Regulation, and*
- 5. The Zoning Commission finds the existing character of the area is better suited for commercial development, and*
- 6. The Zoning Commission finds this amendment is intended to facilitate said commercial development.*
- 7. These modifications shall become effective on the day after the latest of publication of the notice of action, filing of an endorsed mylar copy of the map with the City Engineer and filing of the amendment with the Town Clerk and City Clerk.*

- 2. PL 2014 – 0280 SPECIAL PERMITS** for Article 10.16 Vehicle Service Facilities; and Article 4 Raymond F. Squatriglia, Jr. **OPEN HEARING DEADLINE: December 26, 2014; Extension requested; Extension days remaining: 5 {five} February 24, 2015.**

CONTINUED TO MARCH 25, 2015 @ 7:00 PM.

- 3. PL 2014 - 0310 ZONING MAP AMENDMENT** to change 0.23 acres from the RL District to the CG District; Location: Piedmont Street Lot# 0438-0321-0381 fronting on Piedmont Street adjacent to the northerly and easterly property lines of 100 Piedmont Street. Applicant: Gail E. McTaggart d/b/a Sound Garrett Waterbury, LLC. **OPEN HEARING DEADLINE: January 24, 2015; Extension requested; Extension days remaining: 33 {thirty-three} as of February 24, 2015.**

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. S. Mannetti, the Zoning Commission voted unanimously to APPROVE Old Business #3; Application PL 2014 – 0310 based on the following recommendation as drafted by City Planner J. Sequin, to wit:~

Be it resolved by the Zoning Commission of the City of Waterbury that

- 1. The Zoning Map be modified to change approximately 0.23 Acres from the RL District to the CG District fronting on Piedmont Street adjacent to the northerly and easterly property lines of 100 Piedmont Street as shown on the map entitled "Zoning Map Amendment Boundary Survey Prepared for Sound Development" dated November 14, 2014 with revisions to November 29, by Dufour Surveying, LLC., and***
- 2. The Zoning Commission finds the proposal is consistent with the Plan of Conservation and Development, and***
- 3. The Zoning Commission finds the City Plan Commission has recommended approval of the amendment, and***
- 4. These modifications shall become effective on the day after the latest of publication of the notice of action, filing of an endorsed mylar copy of the map with the City Engineer and filing of the amendment with the Town Clerk and City Clerk.***

- 4. PL 2014 - 0312 ZONING MAP AMENDMENT to Change 14.38 acres from the RS District to the RL District; Location: Boyden Street, Society Hill, Kingsley Court and Yorktown Ridge. Applicant: Attorney Robert C. Wilson. OPEN HEARING DEADLINE: January 24, 2015; Extension requested; Extension days remaining: 33 {thirty-three} as of February 24, 2015.**

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. S. Mannetti, the Zoning Commission voted unanimously to APPROVE Old Business #4; Application PL 2014 – 0312 based on the following recommendation as drafted by City Planner J. Sequin, to wit:~

Be it resolved by the Zoning Commission of the City of Waterbury that

- 1. The Zoning Map be modified to change approximately 14.38 Acres from the RS District to the RL Districted on Boyden Street, Society Hill, Kingsley Court and Yorktown Ridge as shown on the map entitled "Society Hill Subdivision Zone Change" dated November 19, 2014 by John J. Stonkus & Associates, LLC. , and***
- 2. The Zoning Commission finds the proposal is consistent with the Plan of Conservation and Development, and***
- 3. The Zoning Commission finds the City Plan Commission has recommended approval of the amendment, and***
- 4. The Zoning Commission finds most lots in the immediate area are developed to RL size and frontage standards.***
- 5. These modifications shall become effective on the day after the latest of publication of the notice of action, filing of an endorsed mylar copy of the map with the City Engineer and filing of the amendment with the Town Clerk and City Clerk.***

5. **PL 2015 - 0008 SPECIAL PERMIT FOR ACCESSORY ALCOHOL SALES;** Location: 140 Walnut Street; Applicant: Deli Shop Grocery, LLC. **OPEN HEARING DEADLINE: April 3, 2015.**

On a motion of Cmsr. J. D’Orso, followed by a second from Cmsr. E. Brunelli, the Zoning Commission voted unanimously to APPROVE Old Business #5; Application PL 2015 – 0008 based on the following recommendation as drafted by City Planner J. Sequin, to wit:~

Whereas, The facility is an pre-existing grocery store, and

*Whereas, This Special Permit does not require a site plan because it does not involve construction of a new building or other structure, the increase of the height or footprint of any existing building or other structure, the installation of new parking or any other construction or disturbance of land ,
NOW THEREFORE BE IT*

RESOLVED *The Zoning Commission approves the application of Deli Shop Grocery, LLC for a Special Permit for Accessory Alcohol Sales on a property located at 140 Walnut Street with the following conditions:*

- 1. This permit shall not be effective until the applicant files a copy of this approval on the land records in the Office of the Town Clerk of the City of Waterbury.*
- 2. The facility shall be operated in such a manner so as to prohibit loitering. Failure to enforce this condition may result in the revocation of this permit.*
- 3. This permit shall be revoked if the establishment is found to be in violation of Title 30 of the Connecticut General Statutes and /or the associated State of Connecticut regulations.*

6. **PL 2015 - 0032 SPECIAL PERMIT FOR A HAZARDOUS INDUSTRIAL FACILITY;** Location: 150 East Aurora Street; Applicant: Archie Tracy. **OPEN HEARING DEADLINE: April 3, 2015.**

CONTINUED TO MARCH 25, 2015 @ 7:00 PM.

7. **PL 2015 - 0036 SPECIAL PERMITS FOR ARTICLE 10.16 VEHICLE SERVICE FACILITIES; AND ARTICLE 4 AUTOMOBILE & MARINE CRAFT TRADE;** Location: 1720 Baldwin Street. Applicant: Hernan A. Gonzalez. **OPEN HEARING DEADLINE: April 3, 2015.**

CONTINUED TO MARCH 25, 2015 @ 7:00 PM.

8. **PL 2015 - 0034 SPECIAL PERMITS** for Accessory Earth Excavation under § 10.18.02(vi) and a Parking Reduction under § 9.03.06 (ii); Location: North side of East Main Street East of the Beaver Pond Brook Bridge; Applicant: Restaurant Depot, Larry Cohen. **WITH DRAWN.**

9. **APPROVAL OF THE MINUTES** for September 24, 2014, October 22, 2014 and December 18, 2014.

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. J. D’Orso, the Zoning Commission voted – with an abstention from Cmsr. P. Goodin - to APPROVE the aforementioned Minutes.

10. Discussion: Expansion of Maintenance Building - Chase Colligate School.

SPEAKER FOR THIS MATTER:

1. Scott Davies, P.E. – Champion Engineering, Southbury & Bridgeport, CT representing the Applicant; Chase School.

11. **PL 2015 - 0021 DMV APPROVAL OF LOCATION**; Location: 1758 Thomaston Avenue; Applicant: Jimmy’s Auto Sales, LLC.

SPEAKER FOR THIS MATTER:

1. Jim Geddes – 1758 Thomaston Avenue – Applicant.

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. P. Goodin, the Zoning Commission voted unanimously to APPROVE Old Business #11; Application PL 2015 – 0021 - based on the following recommendation as drafted by City Planner J. Sequin, WITHOUT REQUIREMENT #2, to wit:~

RESOLVED That the Zoning Commission approves the Approval of Location of located at 1758 Thomaston Avenue in connection with its Connecticut Department of Motor Vehicles license subject to the following:

- (1) ***Prior to endorsement the map shall be modified to include the text of this approval;***

~~***(2) Prior to endorsement the map shall be amended to eliminate any display of vehicles, parking and other abutments in accordance to § 9.04.03 of the Zoning Regulations***~~

- (3) ***That this approval shall not be effective until the applicant files a mylar copy of the endorsed map on the land records in the Office of the Town Clerk of the City of Waterbury;***

- (4) *Prior to endorsement the applicant shall obtain and specify a dumpster area for the temporary storage of trash, garbage, and unusable automotive parts. Such area shall be enclosed by suitable opaque fence not less than six (6) feet in height and shall be designed so that the trash shall not be seen from adjoining properties or a public street;*
- (5) *Prior to endorsement the parking areas shall be paved and striped as indicated on the site plan;*
- (6) *Vehicles offered for sale on this site shall be limited to spaces indicated on the site plan;*
- (7) *Except for tires, all trash shall be stored in tight containers;*
- (8) *Tires, whether for sale, disposal, decoration or any other purpose shall be stored inside the building at all times;*
- (9) *There shall be no outside display of products displayed;*
- (10) *The applicant shall maintain the site so that no obstructions shall be maintained that unreasonably or dangerously obstructs or interferes with visibility of drivers of vehicles on a curve, at any street intersection, or where a driveway intersects a street. At a minimum, to provide vision clearance, no obstruction greater than three feet above street grade within a distance of twenty-five (25) feet on either side of an intersection shall be allowed.*

12. PL 2015 - 0025 DMV APPROVAL OF LOCATION; Location: 510 Meriden Road; Applicant: Rochsamih, LLC dba Custom Coach.

SPEAKER FOR THIS MATTER:

- 1. Chris Caldarola – Owner – Custom Coach.

On a motion of Cmsr. P. Nogueira, followed by a second from Cmsr. J. D’Orso, the Zoning Commission voted unanimously to APPROVE – with specific notation on site map with respect to dumpster/garbage situation - Old Business #12; Application PL 2015 – 0025 based on the following recommendation as drafted by City Planner J. Sequin, WITHOUT REQUIREMENTS #2 & 10, to wit:~

RESOLVED That the Zoning Commission approves the Approval of Location of located at 510 Meriden Road in connection with its Connecticut Department of Motor Vehicles license subject to the following:

- (1) *Prior to endorsement the map shall be modified to include the text of this approval;*

~~(2) *Prior to endorsement the map shall be modified to include the text of this approval;*~~
~~*Map of which parking and other obstructions to conform to § 24-22 of the Zoning Regulation*~~

2. *Prior to endorsement the map shall be modified to indicate the correct Zoning Designation.*
3. *Prior to endorsement the dumpster shall be located in a screened enclosure.*
4. *Prior to endorsement the map be revised to indicate dimensions of parking spaces maneuvering lanes, the dumpster location relative to property lines and all zoning setbacks.*
5. *Prior to endorsement all vehicles not owned by the applicant shall be removed from the leased area.*
6. *Prior to endorsement all inoperable vehicles shall be removed from the leased area or stored inside the building.*
7. *Prior to endorsement all parking/vehicle storage/display areas shall be paved and stripped.*
8. *Prior to endorsement the map shall modified to clearly indicate the extent of the leased area.*
9. *Prior to endorsement the map be revised to show the as built location of all required improvements.*
10. *The applicant shall furnish one mylar and two paper copies of the revised map endorsed by the land surveyor.*

BE IT FURTHER RESOLVED that the plot plan for the Special Exception/Permit for a Motor Vehicle service Facility shall be modified in accordance with this action subject to a copy of this approval and the map revised in accordance with this approval be filed in the land records in the Office of the Town Clerk.

14. PL 2015 - 0031 DMV APPROVAL OF LOCATION; Location: 235 Meriden Road;
Applicant: James A. Welcome.

SPEAKER FOR THIS MATTER:

1. James Welcome – 80 Central Avenue.

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. P. Nogueira, the Zoning Commission voted – with a NAY vote from Cmsr. P. Goodin - to APPROVE Old Business #14; Application PL 2015 – 0031 based on the following recommendation as drafted by City Planner J. Sequin, to wit:~

RESOLVED That the Zoning Commission approves the Approval of Location of located at 235 Meriden Road in connection with its Connecticut Department of Motor Vehicles license as indicated on the plan entitled "Rides Autosports" dated November 9, 2006 and prepared by Dubiel Associates.

NEW BUSINESS:

1. **PL 20150000058 Special Permits** for Accessory Earth Excavation under § 10.18.02 (vi) and a Vehicle Service Facility under § 10.16; Location: Southwest Corner of the intersec-

tion of Captain Neville Drive and Progress Lane; Applicant: Centerpoint Integrated Solutions, LLC. **OPEN HEARING DEADLINE: April 30, 2015.**

On a motion of Cmsr. S. Mannetti, followed by a second from Cmsr. P. Goodin, the Zoning Commission voted unanimously to SET A PUBLIC HEARING FOR MARCH 25, 2015 @ 7:00 PM with respect to New Business #1; PL 20150000058.

2. PL20150000057 DMV Approval of Location; Location: Southwest Corner of the intersection of Captain Neville Drive and Progress Lane; Applicant: Centerpoint Integrated Solutions, LLC.

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. J. D'Orso, the Zoning Commission voted unanimously to TABLE New Business #2; PL20150000057.

COMMUNICATIONS:

SUPPLEMENTAL ITEMS: (Need to be added to agenda - 5 votes required)

ADJOURNMENT:

On a motion of Cmsr. E. Brunelli, followed by a second from Cmsr. J. D'Orso, the Zoning Commission voted unanimously to ADJOURN AT 10:11 PM.

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