

**Berlin Planning and Zoning Commission**  
**Regular Meeting Minutes – March 5, 2020**

**I      Call to Order**

The Berlin Planning and Zoning Commission held a Regular Meeting on March 5, 2020 in the Town Council Chambers, Berlin Town Hall, 240 Kensington Road, Berlin, CT. The meeting was called to order at 7:00 p.m.

In attendance

Chairwoman Joan Veley

Commissioners Curtis Holtman, Diane Jorsey, Jon Michael O'Brien, Brian Rogan,  
Timothy Zigmont

Acting Town Planner/Zoning Enforcement Officer Maureen Giusti

Town Counsel Jennifer Coppola

Excused

Commissioner Steve Wollman

Alternate Commissioner Steve Biella, Jr.

**II      Approval of Minutes**

a.      March 5, 2020

Commissioner Zigmont moved to approve the minutes.

Commissioner Jorsey seconded the motion.

Discussion

One item was questioned – Page 4 – Commissioner Jorsey questioned if the amount of cubic yards should be 500,000, not 50,000. Staff indicated the plan would be checked for the correct yardage and minutes appropriately corrected. The applicant's representative, John Wagenblatt, L.S., confirmed with staff that 50,000 c.y. is correct.

Commissioner Zigmont amended his motion to include the correction.

Commissioner Jorsey seconded the motion which carried unanimously.

**III      Commission Business**

a.      Discussion of outdoor storage in industrial zones

Town Counsel Jennifer Coppola distributed written notes and the commission potential regulations for outside storage.

Ms. Giusti stated regulations for outdoor storage in the Planned Industry and General Industry zones will be proposed in order to reconcile conflict regarding outdoor storage in the regulations.

Mr. Chris Edge, Director of Economic Development, stated providing for outside storage of trailers which are pulled behind vehicles and used for equipment at job sites would be

advantageous to business owners.

Chairwoman Veley stated it is important to not allow outside storage to become a blight issue.

Ms. Giusti asked if the commissioners were comfortable with staff coming back with new language or if they would prefer to have an additional work session.

The consensus of the commission was to have staff submit proposed language for outside storage in the Planned Industry and General Industry zones.

b. Discussion of current zoning Map 21-4, Block 115, Lot 20A, Berlin Turnpike north of Orchard Road, request of Pierre Bennerup, property owner

Mr. Pierre Bennerup, 1829 Orchard Road, stated he had sent a letter to the commission regarding his opinion about the zoning of his property. He stated he had been Chairman of the Berlin Water Control Commission for twenty years, owns numerous properties throughout Berlin, and his Berlin business had been a major international nursery. He said the property which he is referencing has a potential buyer and it would be necessary to split the zoning to allow a business to be located on the Berlin Turnpike and one or two homes to be located on the back of the property. He described the “rolling” topography of the back property on which he has planted wild flowers throughout the years. The residential homes would exit on the Toll Gate side of the property. He noted Berlin would have substantial tax gains if the property were to develop as he would like to see. He stated his understanding it is not the mandate of the commission to consider taxes and that “spot zoning” is not in favor, but he asked the commission to consider the uniqueness of the property.

There was brief discussion of the map regarding potential subdivision.

Chairwoman Veley stated her understanding this agenda item is only for the purpose of discussion. She noted “spot zoning” is not legal in Connecticut. She stated the commission is sympathetic to Mr. Bennerup’s request.

Mr. Bennerup thanked the commission for its consideration of his request and left the meeting.

c. Façade Application of R. Jon Veneziano, on behalf of 83 Mill Street LLC, at Joey B’s, 83 Mill Street

Mr. Chris Edge, Director of Economic Development, stated the Economic Development Commission has reviewed the application and is in favor of the application.

Mr. Veneziano stated the new tenant, Joey’s B, is very enthusiastic about locating his business at 83 Mill Street. He noted the restaurant has a very visible location. He stated outside seating is not proposed at this time.

Ms. Giusti stated outside seating would require zoning review and approval. She stated in 2016, the “Starlight Diner”, the restaurant located at the site at that time and had a different owner, had

received approval of a façade application; however, no funds had been dispersed. Regarding the façade program, she stated the Building Department reviews the proposed costs to verify the quoted prices are in the proper range and Mr. Edge receives the invoices to make sure the money falls within the rules of the façade program.

Mr. Edge stated upon approval of the façade application process, a lien is placed on the property for a period of five years to ensure the façade program requirements are followed. He stated this property is one of the larger projects seen through the program.

Commissioner Jorsey stated a concern for screening the utilities on the roof.

Mr. Veneziano stated a screen will be installed to screen the rooftop utilities, the light fixtures will be cleaned, and an awning has been considered over the main entrance.

Mr. Joseph Buccheri stated his restaurant, Joey B's, is a family style business and they are currently serving breakfast and lunch. He anticipates adding dinner to the menu. The restaurant will have a beer/wine permit and not a full scale bar.

Commissioner Jorsey moved to approve the application.

Commissioner Rogan seconded the motion which carried unanimously.

#### **IV Schedule Public Hearing**

- a. Proposed Amendments to the Berlin Zoning Regulations regarding outdoor storage in industrial zones      *Suggested Date:*      *April 16, 2020*

Commissioner Jorsey moved to schedule the public hearing for April 16, 2020.

Commissioner Zigmont seconded the motion which carried unanimously.

#### **V New Business**

- a. Special Event Application of Jane Georgini, Market Master, for The Farmers Market to be held at 191 Farmington Avenue, Hungerford Park, for 2020

Mrs. Jane Georgini, Market Master, stated the application is for the new season which will run for 16 weeks, from June 13<sup>th</sup> to September 26<sup>th</sup>, from 9 a.m. to 12:30 p.m. There are no changes to the plan, and it is too early in the season to determine the final number of vendors. She noted this is her fifth year as Market Master.

Ms. Giusti stated the plans are basically the same and there have been no zoning complaints. She stated Health District requires proper applications to be completed; there are no changes to the parking; and no signs may be posted on the fence adjacent to the railroad station.

Commissioner Zigmont moved to approve, with a condition, the applications.

Commissioner Jorsey seconded the motion which carried unanimously.

The condition of approval is:

- a. Adherence to staff comments.

- b. Special Event Application of Keystone Novelties Distributors, LLC for sale of Connecticut State Legal Fireworks fireworks at 550 Berlin Turnpike

With the commission's permission, Ms. Giusti presented the application on behalf of the applicant who was unable to attend the meeting due to illness. She stated the application is basically the same as has been approved since 2015 at the same location. There have been no complaints or issues for the past events.

Commissioner Rogan moved to approve the application.

Commissioner Jorsey seconded the motion which carried unanimously.

## **VI Public Hearings**

Commissioner Rogan read the Call of the Hearing.

- a. Zone Change Application of Attorney Richard Pentore on behalf of Shuttle Meadow Country Club, Inc. to change the zone of a portion of Lot 1, Block 10, 51 Randeckers Lane, and Lot 93, Block 10, Wigwam Road, from Residential-43 to Planned Residential-2 (Public Hearing opened on 1/23/2020)

Ms. Giusti stated a letter has been received from Attorney Pentore. The letter requested the public hearing be tabled to the April 9, 2020 meeting, with extensions as needed. *[Note: The April meeting dates are April 2 and April 16.]*

Commissioner Rogan read the letter into the record.

Commission Holtman moved to continue the public hearing to the April 9, 2020 meeting, with extensions as needed.

Commissioner Jorsey seconded the motion which carried unanimously.

- b. Special Permit and Site Plan Amendment Applications of Adam J. Speeg for a Brew Pub at 24 New Park Drive

Mr. Adam Speeg stated the plans are to renovate the existing warehouse space in the building.

Ms. Giusti stated Mr. Speeg received Planning and Zoning Commission approval for a text amendment on November 22, 2018 which will allow the brew pub. He received Zoning Board of Appeals approval on February 25, 2019 for alcoholic beverage sales. She stated the building fronts on the Berlin Turnpike, has adequate parking, a floor plan has been submitted, and expansion within the building is anticipated. She stated signage will need proper zoning approvals and building permits. The application for location approval states that live bands, disc jockeys, karaoke, comedians will be part of the entertainment. She stated the garage door should

remain closed during those entertainment events to limit noise to the surrounding neighborhood.

Mr. Speeg stated only packaged food will be available.

Mr. Chris Edge, Director of Economic Development, stated he has been working with Mr. Speeg for approximately one and a half years. He stated his support for the application, noting Mr. Speeg is very knowledgeable. He stated the building has been vacant for a while and has a large parking area.

Mr. Rogan read department staff comments.

Commissioner Rogan moved to close the public hearing.

Commissioner Jorsey seconded the motion which carried unanimously.

## **VII Old Business**

- a. Zone Change Application of Attorney Richard Pentore on behalf of Shuttle Meadow Country Club, Inc. to change the zone of a portion of Lot 1, Block 10, 51 Randeckers Lane, and Lot 93, Block 10, Wigwam Road, from Residential-43 to Planned Residential-2

No discussion or action taken. This application has been continued to the April 2, 2020 meeting, at the request of the applicant.

- b. Special Permit and Site Plan Amendment Applications of Adam J. Speeg for a Brew Pub at 24 New Park Drive

Commissioner Jorsey moved to approve the application with the following condition:

- a. Adherence to all staff comments.

Commissioner Rogan seconded the motion.

### Discussion

It was noted that food trucks will be on site.

The motion carried unanimously.

## **VIII Adjournment**

Having no further business to come properly before the commission, Commissioner Zigmont moved to adjourn the meeting.

Commissioner Jorsey seconded the motion which carried unanimously.

The time was 8:27 p.m.

Respectfully submitted,

Frances M. Semnoski  
Recording Secretary