

Berlin Planning and Zoning Commission
April 2, 2020 Regular Meeting Minutes

I Call to Order

The Berlin Planning and Zoning Commission held a remote meeting by conference call on Thursday, April 2, 2020 at 7:00 p.m. (*Call in Number: 701-802-5317 Access PIN Code: 847264#*)

Commissioners in Attendance

Chairwoman Joan Veley

Commissioners Curtis Holtman; Diane Jorsey; Jon Michael O'Brien (joined the meeting at 7:11 p.m. as noted in the minutes); Brian Rogan; Steve Wollman; Timothy Zigmont

Alternate Steve Biella, Jr. (seated until Commissioner O'Brien's arrival at the meeting)

Also in Attendance

Acting Town Planner/Zoning Enforcement Officer Maureen Giusti, AICP

Corporation Counsel Jennifer Coppola

II Commission Business

- a. In accordance with Connecticut General Statutes §8-24, review and recommendation to the Town Council regarding granting an easement to CNG to provide gas lines and service to the Berlin Train Station TOD project

Ms. Giusti stated the Town Council reviewed this item at its March 3, 2020 meeting. New lines will be installed for the development along proposed boulevard road for the Berlin Train Station TOD project and will set up access to adjacent parcels.

Commissioner Wollman moved to forward a favorable recommendation to the Town Council.

Commissioner Jorsey seconded the motion.

Ms. Giusti polled the commission.

Voting in favor: Holtman; Jorsey; Zigmont; Rogan; Wollman; Biella; Veley

The motion carried unanimously.

- b. Consider a motion to allow the Acting Town Planner to administratively apply extension time for applications as allowed in Governor Lamont's Executive Order #71 #19, as necessary in the interest of public participation and health during the COVID-19 emergency, and allow the Acting Town Planner to subsequently schedule with due notice, pending matters on upcoming agendas

Ms. Giusti stated an Executive Order has been signed by Governor Lamont which will allow 90 days extension for Land Use applications. She stated it allows her to administratively apply the extensions and ask applicants to work with the town in adding the 90 days, if needed, in addition to the statutory allotment of 65 days. This would also allow scheduling of public hearings.

Commissioner Jorsey moved to approve the Acting Town Planner to enact as proposed per the Governor's Executive Order #71 #19.

Commissioner Rogan seconded the motion.

Ms. Giusti polled the commission.

Voting in favor: Holtman; Jorsey; Zigmont; Rogan; Wollman; Biella; Veley

The motion carried unanimously.

III Approval of Minutes

March 5, 2020

Commissioners Wollman and Biella were recused from voting, as they were not in attendance at this meeting.

Commissioner Zigmont moved to approve the minutes, as presented.

Commissioner Jorsey seconded the motion.

Ms. Giusti polled the commission.

Voting in favor: Holtman; Jorsey; Zigmont; Rogan; Veley

The motion carried unanimously.

Mr. O'Brien joined the meeting at 7:11 p.m. and was seated. Mr. Biella relinquished his seat.

IV Public Hearings *(Continued – The public hearing will not be going forward. A hearing date will be noticed and posted)*

- 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)

Ms. Giusti stated for the record that the applicant has requested and agreed to an extension and has acknowledged the application's days may extend into the 90-day extension, as allowed by Executive Order.

V Request for Bond Reduction

- a. Request of Patrick Snow, Manager, Finishers Court LLC for a reduction of the Soil Erosion and Sedimentation Control Bond at Finishers Court, 319 Main Street, East Berlin

Ms. Giusti stated the site has three multi-family buildings and all units have Certificates of Occupancy. There is some remaining site work and a Site Bond is in place for that work. Deputy Director of Public Works Jim Horbal has done an inspection and has reported the existing Erosion and Sedimentation Control Bond of \$12,430.00 may be reduced to \$5,720.00.

Commissioner Wollman noted there is remaining landscaping work to be done.

Ms. Giusti stated remaining work, such as landscaping, paving and curbing, is covered by the Site Bond which was calculated by the Department of Public Works and received.

Commissioner Jorsey moved to reduce the Erosion and Sedimentation Control Bond to \$5,720.00.

Commissioner Rogan seconded the motion.

Ms. Giusti polled the commission.

Voting in favor: O'Brien; Holtman; Jorsey; Zigmont; Rogan; Wollman; Veley

The motion carried unanimously.

VI New Business

a. Façade Application of OCHE, LLC, Coles Road Brewing, 817 Farmington Avenue

Mr. Chris Edge, Director of Economic Development, stated a similar application for the location, which had not gone forward, had been approved approximately two years ago. The application includes an outside patio/deck; a new door; and goose neck lighting on Farmington Avenue.

Ms. Giusti stated the site will have a black aluminum railing which will be consistent with the streetscape scheme. She stated the pictures and renderings from the prior application of 2016 have been submitted with this current application. They show the existing and proposed plans; however, changes to those submittals are not anticipated.

Jorsey questioned the direction of the halogen bright lights, stating they should not shine to directly blind traffic.

Mr. Edge stated he will verify the direction of the lighting.

Ms. Giusti stated the lighting will need to comply with regulations and requested a condition that the decorative lighting will be on only during business hours.

Commissioner Jorsey moved to approve the application, subject to the following:

- a. Adherence to staff comments.
- b. The lighting will be directed away from the roadway.

Commissioner Holtman seconded the motion.

Ms. Giusti polled the commission.

Voting in favor: O'Brien; Holtman; Jorsey; Zigmont; Rogan; Wollman; Veley

The motion carried unanimously.

b. Review and Approval of Berlin Lions Agricultural Fair, Inc. for 2020 Fairgrounds events, 410 Beckley Road, Joseph Dornfried, Esq.

Attorney Joseph Dornfried stated Ms. Linda Henson, Coordinator for the Demolition Derby, was also in attendance. Attorney Dornfried stated no new events are proposed this season and this year the Demolition Derby will be a separate event. He noted some events may not take place due to the Coronavirus Pandemic which the country is experiencing.

Commissioner Zigmont moved to approve the List of Events.
Commissioner Rogan seconded the motion.

Discussion.

In response to Ms. Giusti's inquiry, Attorney Dornfried stated some other events may be added to the List of Events.

Ms. Giusti clarified the Demolition Derby will be an independent event. She suggested conditions of the approval include adherence to Health District comments and adherence to Police Chief comments with regard to traffic control and required police presence.

Commissioner Zigmont amended his motion to include those conditions of approval.
Commissioner Rogan amended his second of the motion.

Ms. Giusti polled the commission.

Voting in favor: O'Brien; Holtman; Jorsey; Zigmont; Rogan; Wollman; Veley

The motion carried unanimously.

Commissioner Comments

There was discussion of scheduling upcoming meetings. After discussion of the current Coronavirus pandemic and its imposed requirement for "social distancing" it was decided that the April 16, 2020 could be held remotely, as this meeting had been, and held at an earlier time.

Attorney Coppola reviewed statutes with regard to the availability of information for the meeting for the public.

Commissioner Rogan moved to cancel the April 16, 2020 meeting scheduled for 7:00 p.m. and schedule a Special Meeting to be held remotely for April 16, 2020 for 5:30 p.m.

Commissioner Jorsey seconded the motion.

Ms. Giusti polled the commission.

Voting in favor: O'Brien; Holtman; Jorsey; Zigmont; Rogan; Wollman; Veley

The motion carried unanimously.

VII Adjournment

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

Commissioner Wollman seconded the motion which carried unanimously.

The time was 7:50 p.m.

Respectfully submitted,

Frances M. Semnoski
Recording Secretary