



Zoning Commission Meeting Agenda
January 5, 2023
7:00 PM Town Hall
26 North Main St.

1. CALL TO ORDER – ROLL CALL (Designation of Alternates, Recognition of guests)
Kevin Asklar called the meeting to order at 7:05 pm.

Present and seated were Rob Fraulino, Mark Merritt, Eric Colantonio, Kevin Asklar, John Grasso, Erik Stromburg-Alt, Jack Murray-Alt, Dylan Kelly-Alt and Peter Hughes-Director of Planning and Development.

2. PUBLIC COMMENTS

Christi Rentsch Moraga 18 Flood Road – Ms. Moraga is eager to hear the report of the site walk done 12/13/2022 as she was not permitted to participate. She noted there is a public site walk tomorrow at Quinn Road she will attend. She asked is the Zoning Commission to consider putting their site walks on the town website so the public can attend. Ms. Moraga would like site walks to continue annually on parcels that have been an issue previously to confirm the property has not reverted to its previous disrepair. She also voiced her opinion that Marlborough give a heads up to zoning commission in South Windsor where Mr. Hanson is moving the vehicles to. She presented print outs from GOOGLE Earth for the property of Crestview Forest LLC, East Hampton Road Assessor's Map 8 Block 32 Lot 29 as she is no longer allowed near the property.

3. PUBLIC HEARING

- a. #Z-08-22- Austin HGB, LLC Bill Gjonbalaj (Applicant / Property Owner), Map 6 Block 28 Lots 4,5,6, 12 and #25 South Main Street Provide apartment housing by building (2) 48-unit buildings Application

No public comments.

Eric Colantonio motioned to continue public hearing #Z-08-22- Austin HGB, LLC Bill Gjonbalaj (Applicant / Property Owner), Map 6 Block 28 Lots 4,5,6, 12 and #25 South Main Street Provide apartment housing by building (2) 48-unit buildings application. Mark Merritt seconded. All in favor and motion carried.

- b. #Z-12-22- Amendment to Zoning Regulation Article 7A VCD, Article 8A DBIPZ. Cannabis Regulations (PERMITTING)
- c. #Z-14-22- Amendment to Zoning Regulation Article 7A VCD, Article 8A DBIPZ. Cannabis Regulations (PROHIBITING)

It was agreed item 3.b. and 3.c. would be discussed as one. Mr. Asklar asked if anyone from the public would like to speak.

No public comments.

Minutes are considered 'DRAFT MINUTES' until approved at the next meeting.

Rob Fraulino motioned to continue the public hearing on #Z-12-22 and #Z-14-22 Amendments to Article 7A VCD and Article 8A DBIPZ. Mark Merritt seconded. All in favor and motion carried.

4. OLD BUSINESS

- a. #Z-08-22- Austin HGB, LLC Bill Gjonbalaj (Applicant / Property Owner), Map 6 Block 28 Lots 4,5,6, 12 and #25 South Main Street Provide apartment housing by building (2) 48-unit buildings Application

Application continued.

- b. #Z-12-22- Amendment to Zoning Regulation Article 7A VCD, Article 8A DBIPZ. Cannabis Regulations. (PERMITTING)
- c. #Z-14-22- Amendment to Zoning Regulation Article 7A VCD, Article 8A DBIPZ. Cannabis Regulations (PROHIBITING)

It was agreed item 4.b. and 4.c. would be discussed together. Mr. Hughes asked if the commission had any questions. Only change is adding delivery is permitted in every zone. Mr. Hughes reminded the commission #Z-12-22 permits all cannabis regulation uses and #Z-14-22 prohibits all cannabis regulation uses.

Discussion ensued on how to proceed with the acceptance of either article and zoning areas were clarified. Mr. Hughes reported his discussion with BOS on 1/3/2023. The BOS has the authority to pass a town ordinance prohibiting which would override the Zoning Commission should they pass regulation #Z-12-22. Sales open Tuesday, 1/10/2023 at eleven locations in the state. Mr. Asklar asked if there were any studies on negative effect. Mr. Hughes reiterated most impact issues are found in multi dwelling with shared walls. No increase in crime reported, off duty officers are typically hired to control traffic. The number of people is limited inside the building, peak hours may have a line of people outside and parking can be an issue.

Mr. Fraulino asked for clarification on item 2.2 in the regulation. It is agreed item #3 is redundant. Mr. Colantonio feels the only town issue would be in the selling/retail portion of the article.

5. NEW BUSINESS

- a. Special Permit # 3-20 17 East Hampton Road LLC, Site Plan Amendment Suzanne Choate, Design Professionals, presented modifications to approved site plan. A perspective tenant requested modifications for the drive thru space. She reviewed the site changes regarding vehicle queue for drive thru, parking and entrance. The drainage calculation is complete, report is forthcoming. The state will need to approve the new curb cut. Plans were received by the town on 1/4/2023 and need to be reviewed against the approved plans. Parking is increased at the request of the perspective tenant from 46 to 51 spaces. Landscaping and lighting were reviewed. The drive thru original queue was for five vehicles, the queue would now accommodate 14 vehicles. Some of the internal portions of the building changed. Parking includes two vehicle charging spaces.

6. OTHER BUSINESS

- a. Amendments to Article Six A.1 Parking and Storage of Recreational Vehicles and Trailor's
Item tabled.

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b. Amendments to Article Six

Mr. Hughes reviewed the amendment to change to one (1) acre zoning from two (2) acre. He presented a print for the lots that would be affected. This will not impact existing development and will not change the characteristic of the town. Mr. Asklar asked for draft of the language. Mr. Hughes will resend to commission.

c. Crestview Forest LLC, East Hampton Road Assessor's Map 8 Block 32 Lot 29 Zoning Citation and/or Legal Action Request

Mr. Hanson reported on progress. Requesting a site walk in 45 days due to trucking issue which is delaying removal of some material. Site walk is scheduled for March 2, 2023 at 4:30 pm. Mr. Stromburg was at the site walk and reported on progress. Mr. Hughes stated site walks are open to the public. Mr. Hanson notified the commission there is a restraining order and civil action being taken against a member of the public and they were not allowed to join the walk. Mr. Hughes asked for paperwork on legal action against this member of the public as all site walks are open to the public.

Eric Colantonio motioned to conduct a site walk at Crestview Forest LLC, East Hampton Road Assessor's Map 8 Block 32 Lot 29 on 3/2/2023 at 4:30 pm. Rob Fraulino seconded. All in favor and motion carried.

7. ZONING ENFORCEMENT OFFICER REPORT

- Mr. Asklar asked about the color of the lake. Mr. Hughes responded it is natural turnover of the water.
- Mr. Hughes expects a building permit for 13 Coleman.
- Mr. Hughes received a call about work at The Farm at Carter Hill. He went to the property and confirmed dead trees are being removed, they are leaving the stumps and spreading wood chips. There is no grading.
- Mr. Hughes has passed the 1st zoning officer test.

8. APPROVAL OF MINUTES AND ACTION TAKEN – December 1, 2022

Mark Merritt moved to accept the minutes from December 1, 1022. Rob Fraulino seconded. Eric Colantonio abstained. All others in favor and motion carried.

9. ADJOURNMENT

Kevin Asklar adjourned the meeting at 7:52 pm. Eric Colantonio seconded and meeting adjourned.

Respectfully submitted,

Tracy Monterville
Board Clerk