



**MINUTES
PLANNING & ZONING COMMISSION
REGULAR MEETING**

June 27, 2024

7:00 PM - Council Chambers

<https://www.youtube.com/watch?v=liKDkqwl6VA>

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Acting Chair Hilinski called the meeting to order at 7:00 pm.

2. FIRE EVACUATION ANNOUNCEMENT

Announced

3. ROLL CALL

Present: Christian D'Antonio, Linda DeGray, John Petronella, Joseph Mule, Kenneth Hilinski, Patrick Hooper, Walter Kruzel

Absent: Francis Alaimo, Vinnie Grillo, Terrence Lynch

Christian D'Antonio, Patrick Hooper, and Walter Kruzel were seated as regular members in the absence of Francis Alaimo, Vinnie Grillo, Terrence Lynch.

Also present were Director of Planning, Laurie Whitten; Assistant Planner, Georgienna Driver; and Recording Secretary, Dorey Marinone.

4. APPROVAL OF MINUTES

A. June 13, 2024

MOTION by: Walter Kruzel **seconded:** Patrick Hooper to approve the minutes from June 13, 2024.

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Christian D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

5. TOWN ATTORNEY REPORT

None

6. ZONING ENFORCEMENT OFFICER'S REPORT

None

7. PUBLIC PARTICIPATION

None

8. BOND RELEASE(S)

None

9. AUTHORIZATION FOR ADMINISTRATIVE APPROVALS

A. **SPR 1940 – 90 Phoenix Ave-** Application for a site plan review for a change of use from office to warehouse/manufacturing; Carla Pino, Applicant; Hanover Hall Limited Partnership/Spinnaker Real Estate Partners, Owners; Map 46/Lot 37; IP Zone

No discussion

10. DIRECTOR OF PLANNING REPORT

Director Whitten confirmed the new Assistant Planner will start on July 8th.

11. OUTSIDE CORRESPONDENCE

None

12. COMMISSIONER'S CORRESPONDENCE

Commissioner Alaimo is concerned about the safety of the bounce house attraction in the mall parking lot.

Director Whitten confirmed they have the appropriate permits and are undergoing inspections.

13. CONTINUED PUBLIC HEARINGS

None

14. NEW PUBLIC HEARINGS

A. **PH# 3093 - 368 Elm Street** - Application for a special use permit for the expansion of a non-conforming structure; Raymond Frost, Applicant/Owner; Map 74/Lot 212; R-33 Zone
Ray Frost, 368 Elm Street, stated he is requesting approval for a 16' x 22' addition to the left side of his home along the same setback.

MOTION by: Walter Kruzel **seconded:** Linda DeGray to close the public hearing.

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Christian D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

MOTION by: John Petronella **seconded:** Joseph Mule to waive the requirements of a site plan.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Christian D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

Commissioner Petronella read the finding including that the proposed meets the the plan of conservation development and will not be detrimental to the orderly development of adjacent properties.

MOTION by: John Petronella **seconded:** Joseph Mule to approve PH# 3093 with 16 conditions.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Christian

D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

B. PH# 3094- 6 Lake Drive- Application for a special use permit for the expansion of a non-conforming structure; Dana Anderson, Applicant/Owner; Stanford and Kimberly Anderson, Owners; Map 98/Lot 11; R-33/LOD Zone

Dana Anderson, 6 Lake Dr, stated she wants to build a sunroom addition to have more space for visiting family.

Assistant Planner Driver explained the applicant is expanding a non-conforming structure and a non-conforming use which is allowed through special permit approval provided the Commission makes the findings that the proposal is in harmony with the neighborhood and satisfies the Plan of Conservation and Development.

Commissioner DeGray stated she was concerned with clearing trees on the property and with setting a precedent for allowing Accessory Dwelling Units by allowing the expansion of a non-conforming building.

Assistant Planner Driver confirmed regulations allow the expansion because the building had been approved as a detached dwelling unit in 1961. She stated the Commission may make a site specific condition prohibiting renting the building.

MOTION by: Walter Kruzel **seconded:** Patrick Hooper to close the public hearing.

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Christian D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

MOTION by: John Petronella **seconded:** Walter Kruzel to approve PH# 3094 with 20 conditions plus the added condition that the owner will not be allowed to have the cottage available for short term rentals.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Christian D'Antonio, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: Linda DeGray Abstain: None.

C. PH# 3095 - 95 High Street-Units 7&8 - Application for a special use permit for a place of worship; Josue and Sandra Garcia, Applicants; Molina's Plaza LLC, Owner; Map 25/Lot 6; TD-5 Zone

Pastor Josue Garcia, 95 High Street, stated he is requesting approval for a change of occupancy so that his church can move into the bigger space that this location would provide.

Assistant Planner Driver stated the use is allowed in the zone with special permit approval. Staff have found the site to have adequate parking and have no other concerns.

Commissioner DeGray stated there were structural issues with the building and asked if they had been addressed by the landlord.

MOTION by: Walter Kruzel **seconded:** Linda DeGray to close the public hearing.

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Christian

D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

MOTION by: John Petronella **seconded:** Walter Kruzel to approve PH# 3095 with 20 conditions.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Christian D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

D. PH# 3096 - 254 Post Office Road- Application for a special use permit to locate a commercial vehicle at 254 Post Office Road per section 3.30.13 and section 9.20; James Wellman, Applicant/Owner; Map 71/Lot25; R-88 Zone

James Wellman, 254 Post Office Road, stated he is requesting approval to keep his company's commercial and private use vehicle in the driveway at his home address. He presented photographs and video to show the visibility of the vehicle from the road and nearby properties.

Commissioner DeGray asked the applicant if the vehicle uses gasoline or diesel.

Commissioner Kruzel confirmed the license plate on the vehicle is a combination plate.

Mr. Wellman confirmed he came in for the permit of his own free will and not as the result of a complaint.

MOTION by: Walter Kruzel **seconded:** Joseph Mule to close the public hearing.

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Christian D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

MOTION by: John Petronella **seconded:** Joseph Mule to approve PH# 3096 with 22 conditions and with the exception of the required screening.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Christian D'Antonio, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella, Patrick Hooper, Walter Kruzel No: None Abstain: None.

15. OLD BUSINESS

None

16. NEW BUSINESS

None

17. OTHER BUSINESS

None

18. APPLICATIONS TO BE RECEIVED

PH# 3099 – 617 & 619 Hazard Avenue - Application for modification of previously approved plan PH# 2033, for a proposed 2908 square foot addition to a professional office building; Gazis Realty, LLC, Applicant/Owner; Map 110/Lot 254; R-33 Zone

19. OPPORTUNITIES/UNRESOLVED ISSUES

None

20. EXECUTIVE SESSION

None

21. ADJOURNMENT

MOTION by: Walter Kruzel **seconded:** Linda DeGray to adjourn.

UPON A SHOW-OF-HANDS vote being taken, the Chair declared the motion adopted unanimously, and the meeting stood adjourned at 7:58 pm.

Respectfully submitted,

John Petronella

Secretary

Dorey Marinone

Recording Secretary