



**MINUTES
PLANNING & ZONING COMMISSION
REGULAR MEETING
September 12, 2024
7:00 PM - Council Chambers**

<https://www.youtube.com/watch?v=-NysiffEQO8>

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Chair Alaimo called the meeting to order at 7:08 pm

2. FIRE EVACUATION ANNOUNCEMENT

Announced

3. ROLL CALL

Present: Francis Alaimo, Linda DeGray, Kenneth Hilinski, Joseph Mule, John Petronella,
Patrick Hooper, Walter Kruzel

Absent: Vinnie Grillo, Terrence Lynch

Patrick Hooper and Walter Kruzel were seated in the absence of Vinnie Grillo and Terrence Lynch.

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

4. APPROVAL OF MINUTES

A. July 25, 2024

MOTION by: Linda DeGray **seconded:** Walter Kruzel to approve the minutes from July 25, 2024.

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

B. August 26, 2024

MOTION by: Linda DeGray **seconded:** Walter Kruzel to approve the minutes from August 26, 2024.

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

5. TOWN ATTORNEY REPORT

A. July 22, 2024

Received

6. ZONING ENFORCEMENT OFFICER'S REPORT

None

7. PUBLIC PARTICIPATION

None

8. BOND RELEASE(S)

A. SPR# 1908 - 210 Moody Road - Bond Release

Staff inspection found the project to be completed in accordance with the approved plans and the site to be stabilized.

MOTION by: John Petronella **seconded:** Walter Kruzel to release the Erosion and Sediment Control Bond in the amount of \$3,050.00.

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

9. AUTHORIZATION FOR ADMINISTRATIVE APPROVALS

None

10. DIRECTOR OF PLANNING REPORT

A. Appointment of PZC Member to EDC

Commissioner DeGray volunteered to serve as the PZC liaison on the Economic Development Commission.

11. OUTSIDE CORRESPONDENCE

None

12. COMMISSIONER'S CORRESPONDENCE

Commissioner Kruzel asked if the Traffic Impact Study for the mall area would result in replacing lights on Hazard Avenue. Director Whitten confirmed the study had been done and any improvements on the road would be a state project.

Commissioner Petronella stated he is concerned with right-of-way issues on Palomba Drive when Gale Toyota is receiving car shipments. Director Whitten confirmed right-of-way issues are under police jurisdiction.

13. CONTINUED PUBLIC HEARINGS

None

14. NEW PUBLIC HEARINGS

A. **PH# 3100 - 31 Pheasant Hill Drive** - Application for a special use permit modification to encroach into the setback by 8'feet resulting in a 68ft setback; Laurie Breault, Owner/Applicant; Map 16/Lot 39; R-44 Zone

Laurie Breault, Applicant, 31 Pheasant Hill Drive; Jeff Risucci, Contractor, Your Home Improvement Company, 58 Fairview Avenue.

Mr. Risucci presented plans to remove the existing 8' x 10' deck from the property and replace it with a 15' x 11'6" sunroom. The HOA has given its permission to the applicant and she is now applying for a special permit to encroach into the exclusive use area by 8'.

Commissioner DeGray questioned the permissibility of the application, stating that the HOA should be applying for the permit, not the condo owner. Chair Alaimo clarified that it is not in the Commission's purview to enforce HOA rules and declarations.

Commissioner DeGray stated the regulations only allow for patios, decks, and porches.

Commissioner Hooper questioned why the application would have an issue if the HOA has already given the applicant permission.

Public Participation

Maryanne Turner, 7 Meadow Road. Mrs. Turner stated she has lived next to the property for 31 years. She is concerned with multiple ongoing compliance issues and with the buffer zone.

Assistant Planner Driver clarified the sunroom will only encroach into the exclusive use zone, not into the buffer zone.

Commissioner Mule stated the applicant has all the necessary documents and the blessing of the HOA.

MOTION by: Kenneth Hilinski **seconded:** Walter Kruzel to close the public hearing

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

Commissioner DeGray explained she will vote no to the motion because the regulations only allow for a patio or deck, not an enclosed space.

MOTION by: John Petronella **seconded:** Walter Kruzel to approve PH# 3100 with 17 conditions.

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

B. **PH# 3101 - 117 North Street and Parcel 100-6** - Application for a Special-Use Permit for excavation activities per Section 8.40; Joseph Liquore, Applicant/Owner; Map 93/Lot 15 and Map 100/Lot 6; I-1 Zone

Wes Wentworth, Professional Engineer, Wentworth Civil Engineers, 177 West Town Street, Lebanon.

Director Whitten reviewed the parcel and business history. She stated the excavation permit

is part of a court stipulated requirement to remove material that has been brought in.

Commissioner Petronella asked if the permit approval includes a bond.

Commissioner Kruzel asked what the court would do if the applicant is not in compliance.

PE Wentworth clarified the attorneys report to the judge every eight to ten weeks.

Commissioner Petronella asked if the Commission should stipulate an end date. The

Commission agreed to an end date two years from the date of permit approval.

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

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Francis Alaimo, 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# 3101 with 32 conditions.

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

C. **PH# 3102 - 117 North Street** - Special-Use Permit for the operation of a construction office and associated facilities per Section 6.20 and a home occupation/professional office per Section 4.50.5; Joseph Liquor, Applicant/Owner; Map 93/Lot 15; I-1 Zone

Wes Wentworth, Professional Engineer, Wentworth Civil Engineers, 177 West Town Street, Lebanon; John Clifford, Attorney, Hartford.

PE Wentworth presented plans for the operation of a construction office.

Director Whitten proposed a set storage area in lieu of bins and a specific list of allowable materials.

Commissioner Hooper clarified the hours of operation for the trucks and construction yard.

PE Wentworth clarified there are no residential properties nearby.

Director Whitten recommended tabling the application so that the conditions and plans could be modified.

MOTION by: Walter Kruzel **seconded:** Linda DeGray to table PH# 3102

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

D. **PH# 3103 - 130 Elm Street - Unit 50** - Application for a special-use permit for a Class 3 Liquor store; Nishant Patel, Applicant; Freshwater MZL + KPR, Owners; Map 57/Lot 329; BR Zone

Mehul Shah, 96 Penwood Crossing, Glastonbury; Jay Shah, 39 Buckland Street, Manchester.

Mr. Mehul Shah stated the applicants are applying to move the existing Good Times Package Store from Pearl Street to a new location on Elm Street where it will operate under the name Whiskey Wine Mart.

Assistant Planner Driver confirmed the applicants have met distance requirements and all other regulations. She stated the relocation would not affect the current available package store allowances for the town.

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

UPON A SHOW OF HANDS VOTE, the Chair declared the motion approved. Yes: Francis Alaimo, 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# 3103 with 16 conditions.

UPON A ROLL CALL VOTE, the Chair declared the motion approved. Yes: Francis Alaimo, 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# 3104 – 98 (90C) Elm Street – Application for Special Use Permit for a drive-thru and a modification to allow two additional tenants; Willow Brook Enfield LLC, Applicant; Elm Street Enfield, LLC, Owner; Map 43/Lot 27; BR Zone

PH# 3105 – 140 Brewster Road – Application for a Special Use Permit to park commercial vehicle per Section 3.30.13; Loranzo and Hannah Lewis, Owner/Applicant; Map 111/Lot 158; R-33 Zone

PH# 3106 – 160 Abbe Road – Application for Special Use Permit/Site Plan Review for a farm store; John and Ashley Collins, Applicants; John Collins, Owner; Map 85/Lot 10; R-88 Zone

19. OPPORTUNITIES/UNRESOLVED ISSUES

Commissioner DeGray asked about receiving a list of Applications to Be Received before the meeting.

20. EXECUTIVE SESSION

The Commission met at 6:15 pm on September 12, 2024 for a special meeting concerning Jarmoc Real Estate LLC v. ZBA et al.

No motions were made and no votes were taken.

Present: Walter Kruzel, Joe Mule, Linda DeGray, Frank Alaimo, Ken Hilinski, John Petronella, Patrick Hooper, Christian D'Antonio

Also present were Director of Planning, Laurie Whitten; Zoning Enforcement Officer, Rick Rachele; and Assistant Town Attorney, Mark Cerrato

21. ADJOURNMENT

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

UPON A SHOW OF HANDS VOTE, the Chair declared the motion adopted unanimously, and the meeting stood adjourned at 10:01 pm.

Respectfully submitted,

John Petronella

Secretary

Dorey Marinone

Recording Secretary