

Planning & Zoning Commission
7:30 p.m., Wednesday, September 2, 2015
Meeting Room, Durham Public Library

Meeting Minutes

1. Call to order

Dick Eriksen called the meeting to order at 7:30 p.m.

2. Roll Call

In attendance: Alana Adams, Campbell Barrett, Lisa Davenport, Frank DeFelice, Richard Eriksen, Chris Flanagan, Dave Foley, Norm Jason, Joseph Pasquale, Bonnie Ryder

Absent: Steve DeMartino, Daniel Melnik

Others in attendance: Geoff Colegrove, Peter Grippo, Ken Commes, Dennis Ceneviva, Esq., Michelle Carlson. P.E.

3. Seating of Alternates

Campbell Barrett was seated for Steve DeMartino. Bonnie Ryder was seated for Daniel Melnik.

4. Amendments to Agenda

None

5. Approval of Agenda

MOTION BY DAVE FOLEY, SECONDED BY FRANK DEFELICE, TO APPROVE THE AGENDA AS PRESENTED. ALL AYE

6. Public Session

None

7. Peter Grippo, Relocate and Refurbish existing "Mobil" identification sign, 349 Main Street

Chris Flanagan questioned what pricing would be visible on the new sign. Ken Commes responded that regular cash, regular credit, and diesel pricing would be on the sign and noted they would continue to place signage on the pumps for individual grade pricing. Joe Pasquale asked if the sign would be in the 15 foot ROW. K. Commes responded that it would be outside the ROW. Geoff Colegrove stated that the town's health department felt the proposed area was adequate and has approved the post plan. G. Colegrove continued by requesting K. Commes to update the mylar showing the location and correct sign detail by removing the drive through window so it can be signed off on by the Chairman and to file it in the Durham land records. Mr. Commes agreed to the request.

MOTION BY DAVE FOLEY, SECONDED BY CHRIS FLANAGAN, TO APPROVE THE APPLICATION OF PETER GRIPPO TO RELOCATE AND REFURBISH THE EXISTING MOBIL SIGN, 349 MAIN STREET WITH THE FOLLOWING CONDITIONS. 1) A REVISED MYLAR BE PREPARED SHOWING THE PROPOSED RELOCATION AND SIGN DETAIL FOR THE CHAIRMAN'S SIGNATURE AND FILING IN THE DURHAM LAND RECORDS. THE MAP IS TO BE SIGNED AND FILED PRIOR TO OBTAINING A ZONING OR BUILDING PERMIT OR WITHIN 180 DAYS, WHICHEVER IS EARLIER. 2) REMOVE THE DETAIL INDICATING THAT THERE IS A DRIVE THROUGH WINDOW. ADAMS, BARRET, DAVENPORT, ERIKSEN, FLANAGAN, FOLEY, PASQUALE, RYDER; AYE. DEFELICE; ABSTAIN.

8. Dennis Ceneviva, Ceneviva Law Firm, Zoning Text Amendment

Attorney Dennis Ceneviva was in attendance representing Graceful-Bee Realty, LLC. Michelle Carlson, P.E., of BL Companies was also in attendance representing the engineering firm.

Attorney Ceneviva stated that his client has interest in sub-leasing the southern portion of 339 Main Street to a related entity in order to operate a Dunkin Donuts coffee house with a drive-thru window service. An application for a zoning text amendment along with proposed text amendment was submitted to the town. He was present to address such items as text amendment reasons; language conditions and safe guards, and traffic issues. M. Carlson presented a proposed site plan layout and made reference to a Traffic Impact Analysis for Main Street that was prepared by BL Companies in August. Dick Eriksen explained to Atty. Ceneviva that a public hearing would need to be held and asked the commission members to read the information presented tonight and be prepared to bring questions they might have to the public hearing, unless they felt something was missing at this meeting.

J. Pasquale asked if the drawing presented was accurate. M. Carlson responded 98%. F. DeFelice asked what the size of the parcel was and questioned if they would have access from Haddam Quarter Road. M. Carlson stated that the parcel is 4.14 acres and noted that the area from Haddam Quarter was wetlands.

MOTION BY DAVE FOLEY, SECONDED BY FRANK DEFELICE, TO SCHEDULE A PUBLIC HEARING ON OCTOBER 7, 2015 FOR THE ZONING TEXT AMENDMENT PROPOSED BY ATTORNEY DENNIS CENEVIVA REPRESENTING GRACEFUL BEE REALTY, LLC, FOR DRIVE THRU WINDOWS FOR COFFEE HOUSES WITH EIGHT (8) CRITERIA FOR APPROVAL. ALL AYE

9. Continued Discussion of Commercial Uses in MR Zone

F. DeFelice presented a proposed PowerPoint presentation on the consideration of mixed uses in the Main Street residential zone. Commission members reviewed, discussed, and proposed changes to the presentation. F. DeFelice will edit the presentation and bring back to the commission.

10. Payment of Bills

MOTION BY DAVE FOLEY, SECONDED BY CHRIS FLANAGAN, TO APPROVE THE FOLLOWING BILLS: ALL AYE

- BETH MONCATA, \$180.00
- BYRNE & BYRNE, \$495.00
- BYRNE & BYRNE, \$405.00

11. Minutes of Previous Meeting(s)

MOTION BY DAVE FOLEY, SECONDED BY CHRIS FLANAGAN, TO APPROVE THE JULY 15, 2015 MINUTES AS PRESENTED. ADAMS, DAVENPORT, FLANAGAN, PASQUALE; AYE. BARRETT, DEFELICE, ERIKSEN, RYDER; ABSTAIN.

MOTION BY DAVE FOLEY, SECONDED BY CHRIS FLANAGAN, TO APPROVE THE AUGUST 19, 2015 MINUTES AS PRESENTED. ERIKSEN, PASQUALE, RYDER, JASON; AYE. ADAMS, BARRETT, DAVENPORT, DEFELICE, FLANAGAN, FOLEY; ABSTAIN.

12. Zoning Enforcement Officer's Report

G. Colegrove stated that he drafted a letter to Diana DiTaccio in reference to the taco cart at the Whole Enchilada. He noted in the letter that the restaurant was approved when the building was constructed and continues to be in an approved use and will be sending her the minutes from the summer of 2009 addressing a similar situation so she would have a better understanding of how the commission views food carts.

G. Colegrove stated that he has been in discussions with David Goduti and his Attorney Jim Loughlin in reference to the removal of an unregistered vehicle on his property. He also noted that the 15 day order to cease and desist issued is up on Friday, September 4th.

13. Town Planner's Report

None

14. Miscellaneous

F. DeFelice noted that the granite guy sign is back on Route 68. He also stated that RiverCOG has hired a consultant to work on the Regional Plan of Conservation and Development. He also talked about GrowSMART, a regional economic growth strategy for the RiverCOG region, and showed a sample card that will be mailed out; one in a series of cards that contain different questions.

15. Adjournment

Meeting adjourned at 9:50 p.m.

Respectfully submitted,
Beth Moncata