

Special Planning & Zoning Commission Meeting
7:00 p.m., Wednesday, March 16, 2016
Meeting Room, Durham Fire House

Minutes

MOTIONS ONLY

1. Call to order

Frank DeFelice called the meeting to order at 7:00 p.m.

2. Roll call

In attendance: Alana Adams (7:20), Campbell Barrett, Lisa Davenport, Frank DeFelice, Richard Eriksen, Chris Flanagan, Dave Foley, Daniel Melnik, Jan Melnik, Joseph Pasquale

Absent: Ed Fronc, Will Spooner

Others in attendance: Geoff Colegrove, Attorney John Corona, Richard Gurczynski, Mr. Alam, and about 100 members of the public

3. Seating of alternates

Campbell Barrett was seated for Alana Adams until 7:30 p.m.

4. Approval of the agenda

MOTION BY DAVE FOLEY, SECONDED BY LISA DAVENPORT, TO APPROVE THE AGENDA AS PRESENTED. ALL AYE

5. Dick's Citgo, Informal Discussion, Change of Use, 22 New Haven Road

Joe Pasquale recused himself; abutting property owner.

MOTION BY DICK ERIKSEN, SECONDED BY JAN MELNIK, THAT A PERMIT IS NOT NEEDED FOR PROPOSED ACTIVITY AT 22 NEW HAVEN ROAD. DAVENPORT, DEFELICE, ERIKSEN, DAN MELNIK, JAN MELNIK; AYE. BARRETT, FLANAGAN, FOLEY; OPPOSED. MOTION CARRIED.

MOTION BY JAN MELNIK, SECONED BY DAVE FOLEY, TO RECESS SPECIAL MEETING AT 7:40 P.M. AND ENTER INTO PUBLIC HEARING. ALL AYE

PUBLIC HEARING

Applicant:

Owner:

Proposed Activity:

Inclusion of language into section 04. General Requirements, of the Durham Zoning Regulations. 04.08: All applications submitted to the commission shall include a certification that all the information provided is accurate and complete to the best

of the applicant's and the owner's knowledge. The submission of false information or misleading information to the commission in either the applications or any presentation before the commission regarding the application may result in a reversal of the approval. By signing the application, the applicant and the owner grant the commission and/or its agent's permission to enter the property for purposes relevant to the application, for which an application has been made, provided the commission gives 72 hours advance notice to the applicant and owner. This permission shall be valid for a period of 180 days following the statutory date of receipt by the commission.

In attendance: Alana Adams, Campbell Barrett, Lisa Davenport, Frank DeFelice, Richard Eriksen, Chris Flanagan, Dave Foley, Daniel Melnik, Jan Melnik, Joseph Pasquale

Absent: Ed Fronc, Will Spooner

Others in attendance: Geoff Colegrove, Attorney John Corona, Richard Gurczynski, Mr. Alam, and about 100 members of the public

Seating of Alternates: None

MOTION BY DICK ERIKSEN, SECONDED BY DAVE FOLEY, TO ADJOURN PUBLIC HEARING AT 7:57 P.M. ALL AYE

MOTION BY JAN MELNIK, SECONDED BY DAVE FOLEY, TO RETURN TO SPECIAL MEETING AT 7:57 P.M. ALL AYE

6. Inclusion of Language into Section 04. General Requirements, of the Durham Zoning

Regulation

MOTION BY DAVE FOLEY, SECONDED BY DICK ERIKSEN, TO APPROVE THE INCLUSION OF LANGUAGE INTO SECTION 04, GENERAL REQUIREMENTS, OF THE DURHAM ZONING REGULATIONS 04.08 : ALL APPLICATIONS SUBMITTED TO THE COMMISSION SHALL INCLUDE A CERTIFICATION THAT ALL THE INFORMATION PROVIDED IS ACCURATE AND COMPLETE TO THE BEST OF THE APPLICANT'S AND THE OWNER'S KNOWLEDGE. THE SUBMISSION OF FALSE INFORMATION OR MISLEADING INFORMATION TO THE COMMISSION IN EITHER THE APPLICATIONS OR ANY PRESENTATION BEFORE THE COMMISSION REGARDING THE APPLICATION MAY RESULT IN A REVERSAL OF THE APPROVAL. BY SIGNING THE APPLICATION, THE APPLICANT AND THE OWNER GRANT THE COMMISSION AND/OR ITS AGENT'S PERMISSION TO ENTER THE PROPERTY FOR PURPOSES RELEVANT TO THE APPLICATION, FOR WHICH AN APPLICATION HAS BEEN MADE, PROVIDED THE COMMISSION GIVES 72 HOURS ADVANCE NOTICE TO THE APPLICANT AND OWNER. THIS PERMISSION SHALL BE VALID FOR A PERIOD OF 180 DAYS FOLLOWING THE STATUTORY DATE OF RECEIPT BY THE COMMISSION.

ERIKSEN, FLANAGAN, JAN MELNIK, PASQUALE; AYE. ADAMS, DAVENPORT, DAN MELNIK; OPPOSED. MOTION CARRIED.

7. Presentation and informational workshop on mixed-use

8. Public comment

9. Payment of bills

MOTION BY DAVE FOLEY, SECONDED BY LISA DAVENPORT, TO APPROVE THE FOLLOWING BILLS:
ALL AYE

- Byrne & Byrne, LLC., services 1/1-2/29/2016, \$435.00
- Byrne & Byrne, LLC., Kaike-Appeal of Goduti approval, 1/1-2/29/2016, \$2,235.00
- Byrne & Byrne, LLC., Merriam Manufacturing, 1/31-2/29/2016, \$1,590.00
- Midstate Planning Consultants, PoCD, 12/28-3/16/2016, \$6,020.00

MOTION BY DAVE FOLEY, SECONDED BY JAN MELNIK, TO APPROVE THE FOLLOWING BILLS: ALL
AYE

- CT Federation of Planning & Zoning Agencies, Membership Dues, \$110.00
- Jennifer Keogh, 2/29/2016 recording secretary, \$135.00
- Fitzgerald & Halliday, Inc., PoCD Visioning Charette, \$8,000
- Fitzgerald & Halliday Inc., PoCD Presentations 3/2 and 3/9, \$1,000

10. Minutes of previous meeting(s)

MOTION BY DAVE FOLEY, SECONDED BY JAN MELNIK, TO APPROVE THE FEBRUARY 17, 2016
MEETING MINUTES AS AMENDED. ADAMS, DAVENPORT, DEFELICE, ERIKSEN, FLANAGAN,
FOLEY, JAN MELNIK, PASQUALE; AYE. DAN MELNIK; ABSTAIN. MOTION CARRIED.

MOTION BY JAN MELNIK, SECONDED BY DAVE FOLEY, TO APPROVE THE FEBRUARY 18, 2016
MEETING MINUTES AS PRESENTED. ADAMS, DAVENPORT, DEFELICE ERIKSEN, FOLEY, JAN
MELNIK; AYE. FLANAGAN, DAN MELNIK, PASQUALE; ABSTAIN. MOTION CARRIED.

MOTION BY DAVE FOLEY, SECONDED BY LISA DAVENPORT, TO APPROVE THE FEBRUARY 29,
2016 MEETING MINUTES AS PRESENTED. ADAMS, DAVENPORT, DEFELICE, ERIKSEN, FOLEY, JAN
MELNIK, PASQUALE; AYE. FLANAGAN, DAN MELNIK; ABSTAIN. MOTION CARRIED.

MOTION BY LISA DAVENPORT, SECONDED BY DAVE FOLEY, TO APPROVE THE MARCH 2, 2016
MEETING MINUTES AS PRESENTED. ADAMS, DAVENPORT, DEFELICE, ERIKSEN, FOLEY, DAN
MELNIK, PASQUALE; AYE. FLANAGAN, JAN MELNIK; ABSTAIN. MOTION CARRIED.

11. Zoning Enforcement Officer's Report

No business

12. Town Planner's Report

No business

13. Miscellaneous

14. Adjournment