

**Planning & Zoning Commission**  
**Unapproved Minutes**  
**October 19, 2016**

Chairman G. Graveline called the meeting to order at 7:03 p.m. The meeting was recorded.

**Members Present:** G. Graveline, A. Havican, K. Kemp, D. Santoro and J. Crumb

**Alternates Present:** R. Blanc and G. Ploski

**Absent:** None

**Others Present:** Tammy DeLoia, Land Use Inspector

**Approval of Minutes:**

**Motion** made by J. Crumb, seconded by D. Santoro to approve the minutes of October 5, 2016 as submitted. **Unanimous.**

**Correspondence:**

1.) Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter Fall 2016

**Motion** made by A. Havican, seconded by K. Kemp to place correspondence on file. **Unanimous.**

**Public Participation:**

*Philip Doyle of LADA, P.C., Land Planners, Simsbury, CT and Roland Desrosiers of R.J. Desrosiers and Associates, Land Surveyor, appeared before the Commission to discuss the proposed use for their client to establish a 5 to 6 physician, one office practice with 1 to 2 physical therapists at 73 Waterbury Road. P. Doyle continued with his interpretation of the Prospect Zoning Regulations of professional office space vs. a medical facility. After much discussion, it was the consensus of the Commission that per the Prospect Zoning Regulations, the proposed use would be a good fit as a professional office space for this property at 73 Waterbury Road. Chairman Graveline commented that he would like to review the Prospect Zoning Regulations for a Medical Facility at a future meeting.*

*Anthony (Tony) Bacco owner of Blue Sky Fireworks appeared before the Commission to advise that he performs the firework displays at Aria and had heard of a potential ban for firework displays in Prospect. Land Use Enforcement Officer, T. DeLoia advised that since August there have been a handful of complaints. T. DeLoia was informed by the Prospect Fire Marshal that since its inception at Aria, the average amount of firework displays in Town has been between 3 to 6 per year, with 4 for this year. The displays are for approximately 5 minutes. The start time cannot be after 9:45 p.m. and must finish by 10:00 p.m. T. Bacco advised that the displays are permitted through both the State of CT and the Prospect Fire Marshall's office. T. DeLoia stated that she had spoken with the Chairman of Town Council, Tom Galvin regarding this matter as it pertains to a Town ordinance. The Commission thanked Tony Bacco for coming to the meeting.*

J. Crumb recused himself from the meeting. Chairman Graveline sat Rich Blanc for Jack Crumb.

**New Business:**

**a. Nick Wright, Unlimited Fun East, 6 Gramar Ave. - Special Permit application for a RV Rental & Leasing Company.** *Nick Wright owner of Unlimited Fun East, appeared and presented before the Commission with a Special Permit application and site plan for a RV Rental*

& Leasing Company at 6 Gramar Ave. N. Wright stated that he is looking to expand his RV Rental & Leasing Company from Beacon Falls and has found a 2,200 sq. ft. office space with a 3,000 sq. ft. garage at 6 Gramar Ave. There will be new RV's on site; with available parking for 30 vehicles; maximum spaces will be used for 25 RV vehicles. Customers will replace an RV with one of their vehicles. Most of the transactions are performed online. No major repairs are performed on premise, but TV repairs and oil changes. N. Wright continued that after becoming established, he would like to become a licensed dealer. N. Wright also advised that he may want to "fence in" the property in the future. Chairman Graveline asked the Commission if there were any other comments or questions. No further comments were made. After discussion, **Motion** made by D. Santoro, seconded by A. Havican to accept the application and set a public hearing date of 11/2/16 at 7:20 p.m. for Nick Wright, Unlimited Fun East, 6 Gramar Ave – Special Permit application for a RV Rental & Leasing Company. **Unanimous.**

Chairman Graveline reseated J. Crumb back to the Commission.

**b. Set Meeting Dates for 2017 - Motion** made D. Santoro, seconded by A. Havican to approve the Calendar Dates as submitted for 2017. **Unanimous.**

**Public Hearing:** None

**Old Business:** None

**Land Use Inspector's Report:**

Murphy Road Paving Update – T. DeLoia advised that she had contacted the Town's Attorney, Jen Yoxall, at the request of Assist. Public Works Director, Gene McCarthy, to review the bond for the Erosion & Sedimentation Control Bond that is being held in the amount of \$50,000 for the use for the top coat of paving on Murphy Road. Attorney Yoxall had reviewed the packet and had found that the bond was solely intended for erosion and sedimentation control and not for applying the top 2" coat to Murphy Road. The paving of Murphy Road would be at the Town's discretion. After discussion, it was the consensus of the Commission to ask Attorney Yoxall to write a letter to Mr. Geloso owner of Aria, to advise that the work needed to be completed as to raising or lowering of the catch basins, top coating the parking lot and driveway and giving an As-Built to the Commission before the bond could be released.

87 Waterbury Road Update – T. DeLoia advised of the tenants occupying 87 Waterbury Road: Portrait Studio, DiTorre Builders and MTM Masonry. T. DeLoia explained that the uses are a permitted use in the Business zone and has been used as mixed use. The apartment is currently unoccupied. T. DeLoia explained that she will contact the owner of the building regarding outside storage, signage and change of use.

70 Salem Road Update – T. DeLoia advised that a Municipal Hearing had been conducted by the Hearing Officer, Gary Corcoran on October 13, 2016, that both she and the homeowner attended. G. Corcoran had found in favor of the PZC and the Town that the homeowner had not acquired a permit; no fines were recouped. The homeowner, being a landscaper, had stated that the work was completed by he and his father; he did not feel an engineered plan was necessary. Chairman Graveline referenced John Gabel, the Town Engineer's, report dated September 9, 2016 advising "that it appears that more than 1,200 cu. yards of soil has been removed from the bank and the plan must be designed by a licensed professional engineer in the State of Connecticut on how

they want to stabilize the slope”. T. DeLoia stated that she had walked the property viewing the work completed and stated that while it looks very nice, she is not an engineer and could not be certain that the wall built would hold-up to severe weather conditions. After discussion, regarding the Citation process, the Commission directed T. DeLoia to move forward with the “Notice of Assessment” by the Hearing Officer, to Superior Court.

**Motion** made by A. Havican, seconded by D. Santoro to place the Land Use Inspector’s verbal report on file. **Unanimous.**

**Public Participation:** None

**Adjournment:**

**Motion** made by A. Havican, seconded by D. Santoro to adjourn the meeting. **Unanimous.** The meeting was adjourned @ 8:20 p.m.

*E. Gil Graveline*  
E. Gil Graveline  
Chairman