

**ZONING COMMISSION REGULAR MEETING MINUTES
MAY 22, 2012
7:00 PM MULVEY MUNICIPAL CENTER, MULTI-MEDIA ROOM**

Members Present: Chairman Tony Marino, Vice Chairman Harry Ruppenicker Jr., Regular Member Dwayne Xenelis, Alternate Member Mike Engels, Alternate Member Tom D'Antico, ZEO Nancy Rudek and Zoning Commission Attorney Eric Knapp.

CALL TO ORDER: The meeting was called to order by Chairman Tony Marino at 7:01 p.m.

ESTABLISHMENT OF QUORUM: Chairman Marino appointed Mike Engels sitting for Lee Archer and Tom D'Antico for Tom Belval. The Commission has a quorum with 5 voting members.

AGENDA ADDITIONS: None.

PUBLIC HEARING(s):

Upon a motion by Tom D'Antico, seconded by Harry Ruppenicker Jr., it was:

VOTED: Unanimously to recess the Regular Meeting and open the Public Hearing portion of the meeting.

1. Z2012-03a – 450 Spencer Plains Road (Ethan's Landing) – Public Hearing on proposed Amendment to the Zoning Regulations – New Section 4.120.00 Housing Opportunity District. Property Owner: George Bessoni (35-day public hearing ends 5/29/12. [possible deliberation and vote]; and:

2. Z2012-03b – 450 Spencer Plains Road (Ethan's Landing) – Public Hearing on a proposed Zone Map Change for a 1 acre parcel from existing LDR zone to HOD zone (Housing Opportunity District). Property Owner: George Bessoni (35-day public hearing ends 5/29/12). [possible deliberation and vote].

At this time, Chairman Tony Marino stated that although he was present at the April Meeting, he did listen to the recording of the meeting.

Chairman Marino stated for the record that the State of Connecticut has created a unique animal, which has removed a lot of the authority of the Zoning Commission. The Commission can only deny a 830g application for Public Health or Safety reasons. The request for the amendment to the Zoning Regulations are amendments that can be utilized by any developer who proposes to develop an Affordable Housing development.

Ed Cassella asked that the third application for 450 Spencer Plains Road under Old Business be moved up on the Agenda and be heard after these 2 Public Hearings. Chairman Marino stated that this seems appropriate and checked with Attorney Knapp, who stated it was fine.

Attorney Ed Cassella was present representing applicant George Bessoni, and stated that they have nothing further to add at this time for both applications because they already presented everything they need to. Harry Ruppenicker Jr. stated that he is concerned about future developers coming forward with this type of development. Attorney Knapp explained how the amendment will affect future developments of this type. If another developer comes forward with a slightly different proposal, the town could end up with different types of "Housing Opportunity Districts".

At this time, Chairman Marino opened the floor to the members of the public to speak. The following members of the public spoke:

1. Jane Butterworth – 338 Spencer Plains Road – asked if the Commission has considered the health aspect regarding the development with the large amount of septic systems.

Chairman Marino stated that the permitting of septic falls under the health department, not Zoning. He also added that the proposed septic was approved by the Health Department today.

2. Ken Butterworth – 338 Spencer Plains Road – stated that he didn't understand the perimeters of the amendment changes. Attorney Knapp stated that per the new law of the State of Connecticut, the Town has to have 10% of its housing as affordable.

3. Gwendeline Demers – 430 Spencer Plains Road – Would like to know why the density of this proposal is so high. Can't the Zoning Commission limit the amount of units? She really feels that the amount of units proposed is over- crowding.

Chairman Marino stated again that the Zoning Commission has no control over the density. The only control they have is if it affects health or safety.

Harry Ruppenicker Jr. asked what would happen if the Commission denied the application and went to court. Attorney Knapp stated that the only reason the Commission can deny is if there is something that cannot be addressed through stipulations and would really have to outweigh the State Law. He discussed what would and what wouldn't hold up in court. Hopefully future developers will adhere to these regulations, if approved. If not, it could be very costly for the new developer to apply for additional text amendments. Mr. Wren stated that what they have proposed is actually very close to the LDR Zone. For clarification, the applicant chose to try to stay within reason. They could have actually proposed more units, but they chose not to. Harry Ruppenicker Jr. asked what happens when the required 10% is met, does the 8-30g become mute, so that these regulations can be removed? Attorney Knapp stated that you can't plan for something that may or may not happen in the future. Attorney Cassella stated for the record that not only does the State of Connecticut require more affordable housing, but also the Town itself states this in their Plan of Conservation and Development.

4. Jane Butterworth – Stated that she is not against affordable housing, she is against the amount of units.

5. Ken Butterworth – Stated that he is concerned about the whole community, not just Spencer Plains Road.

The following correspondence was received and entered into the record:

1. Letter dated 5/22/12 from Gwendeline Demers.
2. Letter dated 4/16/12 from Westbrook Planning Commission.
3. Letter dated 4/12/12 from CT DEEP.

Upon a motion by Harry Ruppenicker Jr., seconded by Tom D'Antico, it was:
VOTED: Unanimously to close the Public Hearings on Z-2012-03a and Z2012-03b.

At this time, the Regular Meeting was reconvened.
Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:
VOTED: Unanimously to move Old Business, Item 1 as the next item on the agenda.

OLD BUSINESS:

1. Z2012-04 – 450 Spencer Plains Road (Ethan's Landing) – Site Plan Application for proposed Affordable Housing Development, pursuant to CGS 8-30g, consisting of 15 residential units in four buildings (two buildings with 8 units) located on one in Westbrook

Attorney Ed Cassella was present representing the applicant and submitted revised plans dated 5/18/12. He gave an overview of the history of the proposal both in Westbrook and Old Saybrook. Engineer Joe Wren stated that the revisions are as follows: They eliminated the underground infiltration system that was proposed to be under the recreation area. All run-off will be re-routed to the proposed stormwater detention basin. There will be a 0% increase in run-off for all property lines because all the run-off will go to the basin. Old Saybrook Fire Department requested that they add 2 additional fire hydrants, so those have been added to the plans. He stated that they are confident that all trees and bushes that will be removed or altered, are located in the State Right-Of-Way and not on private property. There are no sidewalks proposed with this project. Harry Ruppenicker asked about the proposed buffer from adjoining properties. It was stated that the fence will be a 6' solid fence to the property line on the west for a majority of the entire property line, the remainder has a 10' buffer of trees. The fencing will be durable and of high quality. It will be maintained by the Condo Association. Mr. Wren continued with the revisions and stated that all buildings were raised to a better elevation so the sump pumps will not be working all the time. They added a catch basin in the parking area and added all water services to all units on the plans. Mr. Wren stated that the applicant did receive approval from the IWWC on 5/1/12 at their regular monthly meeting. Chairman Marino asked if they had spoken to either school district regarding bus pick up and drop off. Mr. Wren stated that they had not. He stated that the bus will have to find a place to turn around and the situation would be the same if it was one house or multiple. Mr. Wren stated that they are proposing 42 parking spaces including inside the garages. Chairman Marino asked about restricting parking in the circle. Attorney Cassella stated that if there is a problem with parking in that area, the association has the right to enforce restriction. They would be willing to put up appropriate signage in the circle area. The amount of proposed parking spaces exceed the zoning regulation requirements. Chairman Marino asked what the stipulations of approval were from Old Saybrook. Attorney Cassella stated that there was 3: Legal documents that have to be filed, bonding and obtaining approval letter from CT DOT.

Upon a motion by Harry Ruppenicker Jr., seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to approve Amendment to the Zoning Regulations, new Section 4.120.00, "Housing Opportunity District", pursuant to Connecticut General Statutes 8-30g, involving an Affordable Housing Application for the site as referenced, as proposed in Application Z2012-03a. The proposed amendment is to be effective June 14, 2012.

Upon a motion by Dwayne Xenelis, seconded by Mike Engels, it was:

VOTED: Unanimously to amend the Zoning Map of Westbrook, to change an existing one acre parcel (Lot #002) from an LDR Zone District (Low Density Residential) to an overlay HOD Zone District (Housing Opportunity District) for an Affordable Housing Development, pursuant to Connecticut General Statutes 8-30g, as proposed in Application Z2012-03b, effective June 14, 2012.

Upon a motion by Harry Ruppenicker Jr., seconded by Mike Engels, it was:

VOTED: Unanimously to approve Application Z2012-04, The Site Plan Application, "Ethan's Landing", an Affordable Housing Development, subject to approval of Z2012-03a (HOD Regulation Amendment) and Z2012-03b (Zoning Map Amendment), to construct two buildings with eight (8) units for sale or rent in Westbrook. An additional two buildings with seven (7) units to be constructed on bordering property in Old Saybrook for a total of 15 residential dwelling units. Five units are to be "Affordable", with three affordable units in Westbrook and two units in Old Saybrook.

The application is pursuant to Section 8-30g of the CT General Statutes for Affordable Housing Development. The Commission may amend the proposal where it's necessary to protect the substantial public interests in health and safety or other matters that potentially cause adverse affects to clearly outweigh the need for Affordable Housing, and without impairing the viability of the applicant's ability to provide 30% of the residential dwelling units as affordable housing.

This approval is based on the following findings and in conformance with the referenced plans (as may be modified by the Zoning Commission) together with the conditions set forth herein.

1. The proposed use of the subject site is consistent with CGS 8-30g. The location, type, character and size of the buildings as proposed are appropriate with the Statute regulating affordable housing units. The improvements on the property are in harmony with the neighborhood by virtue of its architecture and landscaping.
2. The proposed use of the subject site is consistent with the Plan of Conservation and Development and the Commission concurs with the Westbrook Planning Commission findings and decision dated April 16, 2012.
3. The Applicant has obtained approval, with stipulations, from the Westbrook Inland Wetlands and Watercourse Agency on May 1, 2012.
4. The CT River Estuary Regional Planning Agency has reviewed the proposed zoning regulation amendment for a Housing Opportunity District development in Westbrook, and in this instance, applies to a property at 450 Spencer Plains Road. CRERPA has issued a finding that

no significant adverse municipal impacts or impacts to the ecosystem of Long Island Sound will likely occur if the regulations are adopted as proposed – letter dated April 4, 2012.

5. The nature and location of the proposed use and of the buildings and structures in connection with the use are adequate for access to it for fire protection, police protection and other emergency equipment.

6. All legal documents will be in a format that is acceptable to the Commission, and the affordability plan will be finalized to the satisfaction of Branse, Willis & Knapp, prior to being filed with the Zoning Enforcement Officer or on the Land Records.

7. The development has been reviewed to provide adequate stormwater drainage.

8. Adequate provision has been made for entering and leaving the site in such a manner that no undue hazard to traffic or undue traffic congestion will be created.

9. The Commission has received a site plan that is substantially complete, and includes material and information required by the Commission under these Regulations to reach the findings contained herein. Any remaining information required will be included as conditions of this approval (Section 6.30.00).

10. The proposed use will not negatively affect existing or future public drinking supply sources.

11. Suitable landscaped buffers and screening have been provided between the subject use and the adjacent properties.

12. The subject site has adequate water supply to service the proposed use; sanitary sewage disposal is in the process of being reviewed to meet all Health Code requirements.

13. The proposed development meets the bulk standards of the underlying LDR Zone District with the inclusion of a new Section 4.120.00 in the Zoning Regulations which permits Affordable Housing Development.

Additional Stipulations by the Zoning Commission:

1. An Erosion & Sedimentation Control bond in an amount agreeable by the ZEO and Town's Consulting Engineer, shall be submitted prior to construction.

2. Applicant will incorporate the recommendations as cited in Review Letter, dated 5/21/12 by Jacobson & Associates.

3. "No Parking in Undesignated Locations" signage is to be posted around the island and language of same will be added to the Condo Association documents.

Conditions which must be met prior to the issuance of any permits:

1. One final set of paper plans, and mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Chairman. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.

2. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns. A copy of this Certificate of Decision shall be recorded in the Land Records of the Town of Westbrook, CT. (CGS 8-3c – such permit or exception shall become effective upon the filing of a copy thereof in the office of the Town... and, in the land records of the town in which the affected premises are located.). The Town Clerk shall index the same in

the granters index under the name of the record owner or owners, and the record owner shall pay the required sum of such recording.

3. Submission and filing of legal documents necessary to carry the plan into effect.
4. Approval by the Health Department shall be submitted to the ZEO.
5. All State required approvals shall be obtained and a copy provided to the ZEO.
6. A Zoning Compliance Application Form, which includes signoff from the ZEO and Inland Wetland Agent, shall be approved and issued prior to the commencement of any site work.

Conditions that must be met prior to the certificates of Compliance:

1. Final grading, seeding and landscaping shall be in place prior to the issuance of a Zoning Compliance if weather is conducive.
2. Final as-built survey showing all requirements as cited on Land Use Form "As-Built Requirements" dated 10/4/2004.
3. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all public health and safety components have been completed, the Zoning Officer may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.

General Conditions:

1. In accordance with Section 6.60.01 of the Zoning Regulations, any approval of a site plan application shall be completed within five (5) years after approval of the Plan. In accordance with Section 70.70.01, any approval for a Special Permit shall obtain a building permit and commence the construction of buildings within one year from the date of approval and complete all improvements within five years of the date of approval, otherwise the approval shall become null and void, unless an extension is granted by the Commission.
2. This project shall be constructed and maintained in accordance with the filed plans. Modifications to the approved plans shall be reviewed by the Zoning Commission. If minor modifications result in a lesser impact, they may be allowed subject to staff review and approval.
3. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town's consulting engineer.
4. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
5. All landscaping will be maintained for the life of the project, and replaced with similar plant species if the health of the plantings fail.
6. By acceptance of this approval and conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

Upon a motion by Harry Ruppenicker Jr., seconded by Tom D'Antico, it was:

VOTED: Unanimously to reconvene the Public Hearing portion of the meeting.

3. Z2012-06 – 1881 Boston Post Road – Public Hearing on a Modification of Special Permit Z0414, originally approve on July 27, 2004 for a mixed use of a motel and apartments. Map/Lot #180/172, (Cabin’s Motel/owner: Kash Properties, LLC) [35-day public hearing ends 6-26-2012] (possible deliberation and vote):

Attorney Ed Cassella was present as well as Applicant Karel Malinovsky and Architect Craig Laliberte. Attorney Cassella gave a history of the property and the previous approval. Plans with a revision date of March 19, 2012 have been submitted. While they were constructing the project that they were approved for in 2004, they ran into a problem with ADA Compliance and a problem with the septic. The application before the Commission is to finish the project with some changes to the last approval. The changes are as follows: 2 buildings with five one-bedroom units; change of façade for the portion of the building facing Route 1; change of footprint (does not affect setback requirements); and parking plan: they are asking for 12 parking spaces to be held in reserve and there are 3 new lights proposed, which are double shielded wall lights. Chairman Marino asked if they meet all the new drainage requirements. ZEO Nancy Rudek stated that there does not seem to be a problem with the drainage requirements.

At this time, Chairman Marino opened the floor to the Public to speak on the application. The following members of the public spoke:

1. Fidelis Florkososki, who lives across the street, stated that she feels the property owners have done a wonderful job with the property and does not feel that any additional lights will be a problem.

Upon a motion by Dwayne Xenelis, seconded by Harry Ruppenicker Jr., it was:
VOTED: Unanimously to close the public hearing for application Z2012-06.

Upon a motion by Harry Ruppenicker Jr., seconded by Mike Engels, it was:
VOTED: Unanimously to approve Application Z2012-06, of Karel Malinovsky for Special Permit for mixed use of motel and apartments. To demolish existing building at front of site and replace with construction of new 5-unit apartment building [Building B] (one bedroom each unit). Currently on site: 13 Motel Units and Building A (5-unit apartment building).

Approval is granted in phases as noted on the Site Plan, and subject to conformance of all referenced plans, as may be modified by the Zoning Commission.

The final build-out of the project will consist of: Two apartment buildings with 5 one-bedroom units in each building for a total of 10 one-bedroom apartments. And, 11 (eleven) cabin motel units with one bedroom each for a total of 11 guest rooms. There are 37 parking spaces, with 12 spaces in reserve as shown on the Site Plan. The approval includes sidewalks along the frontage on the property on Boston Post Road and landscaping as shown on the site plan.

Additional Stipulations by the Zoning Commission:

1. The applicant shall adhere to the recommendations by the Planning Commission in a letter dated May 16, 2012 by Meg Parulis, Town Planner.

2. Final Zoning Compliance for Building A is subject to completion of site improvements as shown on the approved plans, or a bond in the amount satisfactory to the Zoning Commission Official, shall be submitted to cover the cost of paving and landscaping.
3. The existing free-standing sign shall be improved to the satisfaction of the Zoning Enforcement Official.
4. Full cut-off lights will be used on all lighting to be proposed at the entry doors of the buildings. The applicant will provide revised site plans that show the changes as a result of the Building Design of Option #2 from the Architectural Drawing.

General Condition:

1. In accordance with Section 6.60.01 of the Zoning Regulations, any approval of a site plan application shall be completed within five (5) years after approval of the Plan. In accordance with Section 70.70.01, any approval for a Special Permit shall obtain a building permit and commence the construction of buildings within one year from the date of approval and complete all improvements within five years of the date of approval, otherwise the approval shall become null and void, unless an extension is granted by the Commission.
2. All applicable land use applications shall be obtained prior to the commencement of any site work.
3. This project shall be constructed and maintained in accordance with the filed plans. Modifications to the approved plans shall be reviewed by the Zoning Commission. If minor modifications result in a lesser impact, they may be allowed subject to staff review and approval.
4. Any modifications to the proposed drainage or grading for the site plan is subject to the approval of the town's consulting engineer.
5. Additional erosion control measures are to be installed as directed by town staff if field conditions necessitate.
6. All landscaping will be maintained for the life of the project.
7. By acceptance of this approval and conditions, the applicant, owner and/or their successors and assigns acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

Conditions which must be met prior to the issuance of any permits:

1. One final set of paper plans, and mylars, with any required revisions incorporated on the sheets shall be submitted for signature of the Chairman. All final plans submitted for signature shall require the seal and live signature of the appropriate professional(s) responsible for preparation of the plans.
2. The conditions of this approval shall be binding upon the applicant, landowners, and their successors and assigns. A copy of this Certificate of Decision shall be recorded in the Land Records of the Town of Westbrook, CT. (CGS 8-3c – such permit or exception shall become effective upon the filing of a copy thereof in the office of the Town... and, in the land records of the town in which the affected premises are located.). The Town Clerk shall index the same in The Grantor's index under the name of the record owner or owners, and the record owner shall pay the required sum of such recording.

Conditions that must be met prior to the certificates of Compliance:

1. Final grading/seeding and landscaping shall be in place or a bond for the unfinished work submitted.
2. Final as-built survey showing all location of all structures, fencing, elevations, as well as spot grades shall be submitted for the access driveway and building.
3. All public health and safety components of the project must be satisfactorily completed prior to occupancy. In cases where all public health and safety components have been completed, the Zoning Officer may issue a Certificate of Zoning Compliance provided a suitable bond is retained for any remaining site work.

4. Z2012-09 – 250 Flat Rock Place (Middlesex Hospital) – Proposed Text Amendment to the Development Standards in the TIC-65 Zone, Section 4.95.01(c) of the Zoning Regulations. (65-day application period ends 6/28/12) [set public hearing date]:

At this time, Commission Member Dwayne Xenelis recused himself from this application. Chairman Marino stated that there will be 4 voting members for this application, which is a quorum.

Attorney Ed Cassella, representing the applicant, Middlesex Hospital, stated that the purpose of the application is to amend Section 4.95.01(c) (Building Form and Materials) for TIC-65 Zone to allow for different alternatives.

The following correspondence was received and entered into the record:

1. Letter dated 5/16/12 from The Planning Commission.
2. Letter dated 5/21/12 from CT DEEP.
3. Letter dated 5/8/12 from CRERPA.

At this time, Chairman Marino opened the floor to the public to speak. There were no members of the public who wished to speak.

Upon a motion by Harry Ruppenicker Jr., seconded by Tom D'Antico, it was:
VOTED: Unanimously to close the Public Hearing on Application Z2012-09.

Upon a motion by Harry Ruppenicker Jr., seconded by Mike Engels, it was:
VOTED: Unanimously to approve adoption of proposed amendment to Section 4.95.01(c) to read as follows: "Roof lines should be simple, functional and reflective of the broader community building stock. Where gabled or hipped roofs are proposed, they should have pitch not less than four and one-half (4.5) inch rise in a twelve (12) inch run. Roofs should project enough beyond the façade to create an overhang and cast a shadow. Preferred roof materials are slate, standing seam metal, wood or architectural asphalt shingles. Roof mass and building façade should form a consistent composition. False details such as mansard roofs, partial HVAC screens and truncated roof structures should be avoided", as recommended by the Planning Commission.

At this time, Commission Member Dwayne Xenelis reclaimed his seat as a voting member.

5. Z2012-05 – Proposed Amendments to the Zoning Regulations – Public Hearing on Section 6.00.00 (Site Plan Requirements), Section 7.60.00 (Amendments and Modifications), Sections 10.26.01 and 10.27.06 (Signs) and portions of Section 11.70.00 (Stormwater Management Regulations) [35-day public hearing period ends 6/26/12] (possible deliberation and vote):

Upon a motion by Mike Engels, seconded by Tom D’Antico, it was:

VOTED: Unanimously to open the Public Hearing for Application Z2012-05.

The Commission discussed all recommended changes to all the above mentioned sections, with the exception of Sections 10.26.01 and 10.27.06 (Signs).

Chairman Marino opened the floor to the public to speak of the application. There were no members of the public who wished to speak.

Upon a motion by Harry Ruppenicker Jr., seconded by Mike Engels, it was:

VOTED: Unanimously to close the Public Hearing on Application Z2012-05.

Upon a motion by Dwayne Xenelis, seconded by Mike Engels, it was:

VOTED: Unanimously to approve the amendments to Section 6.00.00 (Site Plan Review) as Revision dated 5/22/12, with an effective date of 6/14/12.

Upon a motion by Harry Ruppenicker Jr., seconded by Mike Engels, it was:

VOTED: Unanimously to approve the amendments to Section 11.73 (Stormwater Management), as Revision dated 5/22/12, with an effective date of 6/14/12.

Upon a motion by Harry Ruppenicker Jr., seconded by Mike Engels, it was:

VOTED: Unanimously to approve the amendments to Section 7.60.00 (Amendments and Modifications) as Revision dated 5/22/12, with an effective date of 6/14/12.

Upon a motion by Mike Engels, seconded by Harry Ruppenicker Jr., it was:

VOTED: Unanimously to table Sections 10.26.01 and 10.27.01 (Signs) which were not ready to be discussed or voted on.

NEW BUSINESS:

RECEIPT OF APPLICATIONS:

None.

MISCELLANEOUS:

1. 631 Boston Post Road – Proposed Bliss Gourmet (formerly the General Store)

ZEO Nancy Rudek presented a floor plan to the Commission regarding a proposed Bliss Gourmet Market. A new proprietor is interested in using the existing building for the same type of use – retail (pre-packaged food) and serving of food with a total seating capacity of 15 seats. The current approval is for 26 seats. The applicant is proposing two walk-in cooler structures at the rear of the property that would result in moving the parking further out to the rear. N. Rudek relayed that Rives Potts is in agreement that the parking would be available.

The Commission concurred that the applicant should apply for a Modification to the Special Permit, using a Site Plan showing the overall approved parking around the structure, the building and proposed structures with distances to the property boundaries, and any other needed Zoning Requirements. Also discussed was that the Special Permit may meet the requirements of the New Regulation, Section 7.60.00 that was adopted at this meeting.

COMMISSION BUSINESS MEETING:

1. ZEO Report: Distributed and discussed.

Other correspondence distributed to members regarding Zoning Enforcement/Complaints at the following addresses:

- a. 449 Seaside Avenue.
- b. 283 Seaside Avenue.
- c. 846 East Pond Meadow Road.
- d. 731 Horse Hill Road.
- e. 130 Boston Post Road.
- h. 918 Old Clinton Rd.
- i. 250 Salt Island Road.
- j. 1 Pepperidge Avenue.
- k. 24 Seawatch Drive.
- l. 33 Seawatch Drive.

2. Miscellaneous Correspondence:

- a. E-mail from Woodard and Curran dated 5/3/12 regarding Legislative Bills.
- b. Copy of letter from ZEO to Jim Crawford regarding Bill263.
- c. Various documents regarding proposed lighting on the school field.
- d. Information on Water's Edge Villa Building.
- e. Copy of Department of Agriculture Pet Facility License Application for mobile Pet Spa.

3. Bills: The following bills were paid out of the Zoning Commission Regular Budget:

- Branse, Willis & Knapp: \$1,863.70 for Legal Services. (Invoice #30069, 30071, 30072, 30073, 30074)
- Nathan L. Jacobson Associates: \$1,004.07 (Invoice 75695, 74675, 75857)
- Heidi Wallace: \$77.00 (Secretarial duties)
- Hartford Courant: \$102.96 for Legal Notice (Invoice4/30/2012)
- W.B. Mason: 20.43. (Invoice 104866133)

-Ciel: \$8.00 (Printing of High School Site Plan)

150% Special Funds – Consulting Services

Upon a motion by Mike Engels, seconded by Dwayne Xenelis, it was:

VOTED: Unanimously to approve a payment of \$1,462.19 to Nathan L. Jacobson Associates for review of Ethan’s Landing, out of the 150% Special Funds, Consulting Fees.

Special Funds – Bond Releases

Upon a motion by Mike Engels, seconded by Tom D’Antico, it was:

VOTED: Unanimously to approve payment of \$2,999.00 plus interest to Zito Builders, Inc. for the release of the 3 year maintenance bond for 891 Boston Post Road.

Upon a motion by Tom D’Antico, seconded by Mike Engels, it was:

VOTED: Unanimously to approve payment of \$1,000.00 for release of driveway apron bond for 245 Toby Hill Road.

APPROVAL OF MINUTES – April 24, 2012:

Upon a motion by Harry Ruppenicker Jr., seconded by Tom D’Antico, it was:

VOTED: Unanimously to approve the minutes of April 24, 2012, as submitted.

EXECUTIVE SESSION

Upon a motion by Mike Engels, seconded by Tom D’Antico, it was:

VOTED: Unanimously to enter into Executive Session at 10:10 p.m. to do a Performance Evaluation for the ZEO.

The Executive Session ended at 10:40 p.m.

ADJOURNMENT

Upon a motion by Harry Ruppenicker Jr., seconded by Tom D’Antico, it was:

VOTED: Unanimously to adjourn at 10:41 p.m.

Respectfully submitted:

Kathleen H. Kelemen, Secretary