

**PLAINVILLE PLANNING AND ZONING COMMISSION**  
**June 14, 2022 – MINUTES**

**REGULAR MEETING AT 7:30 P.M.**

**Room 304**

**Municipal Center**

**PRESENT:** M. Weimer, K. Stephens, G. Petit, W. Davison, J. Bartiss-Earley

**STAFF PRESENT:** Mark Devoe, Town Planner

**ABSENT:** W. Ricci, P. Saucier – both excused

**I. ROLL CALL**

There was a quorum.

**II. PUBLIC HEARING**

1. **PZ 05/22 #13 – Zone Map Change for KG Holdings, LLC to change a portion of the lot known as 0 Roseleah Avenue (MBL 39-A-18) from R-11 to GI. (No action requested – public hearing scheduled for June 14, 2022)**

The public hearing was opened. The applicant was represented by Attorney William Galske of Zagorsky, Zagorsky & Galske. Attorney Galske first provided a history of applications and discussions regarding this property. The first application in 2021 proposed changing most of the site to GI. The application was withdrawn due to opposition. A second application to change the southern 1/3 or so to RI, the northern portion to GI was submitted later the same year. He explained that the neighbors still came out with the similar complaints and the application was denied. The applicant then returned to the Commission in December of the same year on an informal basis, and to ask for recommendations. The current application this evening is a direct result of the discussion with the Commission, to leave approximately one half of the lot residential to provide a substantial buffer for the neighbors.

Secretary Matthew Weimer read two pieces of correspondence into the record. The first was an email from Hope Gawel that brought up many issues including contamination, noise and traffic. Mr. DeVoe responded to the email indicating that DEEP does not list the site as being contaminated or potentially contaminated. The second was Newport Realty Group who indicated they are planning to purchase the remaining residential ½ of the property and develop age restricted housing there.

Attorney Galske added that any subsequent development would be subject to the Town's Zero increase in runoff policy, and that the applicant had retained the consulting firm of HRP to conduct a site assessment that came back with no contamination to report. That study is not part of the record.

The Chair then asked if anyone in the audience wanted to comment on the application:

Steven Button – 15 Ciccio Court – citing excessive noise now and concerns it will only worsen.

Deborah Tompkins – 21 McDonald Street – Concerns about the extent of the Zone change and will the zone change effect adjacent properties – it will only occur on ½ of the subject parcel. Concerns about traffic.

Alice Gawel – 15 Exeter Avenue – opposed due to noise, contamination, traffic.

James Rio – 11 Ciccio Court – opposed due to excessive noise with concerns it will worsen. He does not believe no contamination exists on this site, having lived there his entire life. Has concerns for the proposed future housing, flooding, and loss of quality of life. Emphasized he believes contamination exists on the site.

Gerry Mals – 20 Ciccio Court – Complained about smelling diesel from idling trucks on the parcel to the south and expects more of the same from this parcel. Concerns about more noise and more smell. His quality of life will not be benefited. Concerns about swells in the pavement on Prior Avenue caused by trucks worsening.

Laurie Button – 15 Ciccio Court – opposed due to noise, traffic, and safety concerns. Spoke about previous applications and stated there is no guarantee that Newport will purchase and develop age restricted condos. The owner can always return with another application to rezone the rest of the property. Not the right place to develop industrial.

Leighton Mazurek – 17Ciccio Court – spoke about all the other commercial uses in the area and the noise issues that result – this will make it worse. When leaves are down, noise intensifies.

Alice Gawel – 15 Exeter Avenue – emphasizes that she believes contamination does exist. References Limestone as an example of how industrial uses spread. Opposed due to excessive noise.

Laurie Button – 15 Ciccio Court – Asks if hearing could be held open. Chair answers in affirmative.

Attorney Galske stated that Limestone Industrial Park was being complained about quite a bit this evening but pointed out that the Limestone site was always GI. It was Ciccio Court that was changed from GI to R-11 for the residential development. He stated that the owner does in fact have a contract with Newport Realty to develop age restricted housing in the buffer area pending the approval of this zone change. He asked that the hearing be held open due to a lack of commissioners and the need to have a majority vote of all commission members, not just those sitting. M. DeVoe stated that July 12, 2022 was the preferred date.

Commissioner M. Weimer asked if another entrance to the property could be found.

Attorney Galske indicated that it was improbable, requiring the purchase of private property.

Owner Kevin Plourde indicated that he believes the road ruts discussed earlier are caused by faulty fill during a former construction operation. States that his traffic runs predominantly in the morning and afternoon. He does feel that the addition of 3 acres of land in the General Industrial Zone will make a noticeable difference in traffic.

**A motion was made by: M. Weimer** to continue the public hearing for application for PZ 05/22 #13 – Zone Map Change for KG Holdings, LLC to change a portion of the lot known as 0 Roseleah Avenue to July 12, 2022

**Seconded by:** G. Petit

**All in Favor 5 to 0**

### **III. UNFINISHED BUSINESS**

1. **PZ 05/22 #13 – Zone Map Change for KG Holdings, LLC to change a portion of the lot known as 0 Roseleah Avenue (MBL 39-A-18) from R-11 to Gl. (No action requested – public hearing scheduled for June 14, 2022**

Continued to July 12, 2022.

### **IV. NEW BUSINESS**

1. **PZ 06/22 #14 – Special Exception for Mark Shipman (Hayes-Kaufman Plainville, LLC) to locate a vet clinic at 275 New Britain Avenue (MBL 22-D-30) in a GC Zone.**

M. DeVoe asked that this item be left on the table. The applicant has requested a continuance before a public hearing is set to work out leasing details. The Commission agreed and no hearing date was set pending receipt of a request from the applicant. A hearing must open in 65 days, no later than August 9, 2022 unless an extension is granted.

### **V. BILLS AND COMMUNICATIONS**

None

### **VI. MINUTES**

**A motion was made by:** G. Petit to approve the May 24, 2022 meeting minutes as written.

**Seconded by:** M. Weimer

**All in Favor 5 to 0**

**Motion Passes, Minutes Accepted**

### **VII. REPORTS**

M. DeVoe discussed many zoning text amendments required because of public Acts passed by the Legislature in 2021. There are several housekeeping items he brought up as well. Several Commission members were confused as to why these policies were being established by the State when zoning is considered a local authority. M. DeVoe will draft the required and suggested changes and bring them to the commission piecemeal for review, suggesting that the lot be considered all at once when the Commission agrees with the draft language.

Mark provided the final draft of the Affordable Housing Plan and will get it on the website once a final electronic copy is provided by SLR, Inc.

The Tilcon Quarry Reviews will be on the Commission's June 28, 2022 Agenda.

The White Oak Remediation is proceeding slowly but activity to start cleaning the site should be underway by the end of the summer.

#### **VIII. ADJOURNMENT**

**A motion was made by:** G. Petit to adjourn the meeting at 9:20 pm.

**Seconded by:** M. Weimer

**All in Favor 7 to 0**

**Meeting Adjourned at 9:20 pm**

Respectfully Submitted,

*Mark DeVoe*

Town Planner