NEWINGTON TOWN PLAN AND ZONING COMISSION

Regular Meeting and Public Hearing

November 28, 2012

Chairman David Pruett called the regular meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room L101 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut.

I. ROLL CALL AND SEATING OF ALTERNATES

Commissioners Present

Commissioner Carol Anest
Vice-Chairman Michele Camerota
Commissioner Michael Camillo
Commissioner Cathleen Hall
Commissioner David Lenares
Chairman David Pruett
Commissioner Stanley Sobieski
Commissioner Frank Aieta-A

Commissioners Absent

Commissioner Audra Ekstrom-A

Staff Present

Craig Minor, Town Planner

II. APPROVAL OF AGENDA

There were no changes to the agenda.

III. PUBLIC HEARING:

A. Petition 30-12 Special Exception (Section 6.13 Accessory Apartment) at 131 Stonehedge Drive. Paul Bongiovanni 40 Grant Street, Hartford, CT, owner/applicant/contact.

Chairman Pruett: Mr. Bongiovanni, if you would come up to the podium here please? Just state your name and address for the record.

Paul Bongiovanni: My name is Paul Bongiovanni, 40 Grant Street, Hartford, Connecticut and I'm applying for an exemption for an apartment for my mom and dad. Currently we live in a two family house in Hartford, and it's becoming a little difficult for them to get around. The building is fairly old, built in the 1920's. My dad is going to need assistance in being ambulatory so we're planning on constructing a single level in-law apartment off of the back of the house, with roll in showers, roll under sinks for wheel chair access. I think probably in the next six months or twelve months, he will be in a wheel chair and of course the other alternative is a nursing home and I don't want that to happen and I think we are going to an extra, I don't know how many extra square feet, and I don't need twenty minutes, I'm just looking for a permit for a nice little apartment for my mom and dad, I don't want to put them in a nursing home.

Chairman Pruett: Okay, very good. Comments from our Town Planner?

Craig Minor: The applicant submitted photographs of the exterior of the house, which I believe the Commissioners have. He submitted a floor plan showing where the addition will be, and the only concern that I have is that the regulations only allow up to 400 square feet of new addition, but the proposed addition will be over that, it will be more than 400 square feet and I pointed this out to Mr. Bongiovanni some time ago, and he said he would explain to the Commission how he is complying with the regulations because he doesn't appear to be, but that is the only concern I have on the application.

Paul Giovanni: The reason that I want to do that is, my wife and I both work full time, and in the event that we need someone to come in and take care of my folks while we are not there, or need someone overnight, I wanted to have enough space next to their bedroom to put in an additional small bedroom for like a housekeeper, or someone who might have to stay overnight or on a weekend if my wife and I happened to be away, so that required a 10 x 10, an extra hundred feet, so that is kind of why we went that way, other than that, we wouldn't need it, but I'm kind of planning ahead, I would prefer to have that, it would make it a lot easier for us.

Chairman Pruett: Okay, comments from the Commissioners on this petition?

Commissioner Aieta: I don't have a problem with the extra hundred square feet because of the circumstances that he is talking about, I want to be sure that the record shows that if he sold the house, that this does not become a two family house. I think that is part of the regulations now, I just want to put it on the record that if we go the extra amount of square footage that it doesn't become a two family house.

Chairman Pruett: Further Commissioner comments:

Commissioner Camerota: Are you currently residing at 131 Stonehedge?

Paul Bongiovanni: No, it's currently under renovation.

Commissioner Camerota: Are you planning on living there?

Paul Bongiovanni: Absolutely.

Commissioner Camerota: Okay, just wanted to make sure.

Chairman Pruett: Any further Commissioner comments? Okay, this is a public hearing, anyone from the public wishing to speak in favor of this petition? Anybody from the public wishing to speak in opposition to this petition? What's the pleasure of the Commission in proceeding with this petition?

Commissioner Camerota: I think we can move it to Old Business.

The motion was seconded by Commissioner Sobieski.

The vote was unanimously in favor of the motion, with six voting YEA.

Commissioner Anest: We will be voting on it in two weeks, right?

Chairman Pruett: Yes, we'll close it and move it to Old Business and move it for our next meeting. Okay sir, we are going to move that to Old Business and we will vote on that at our next meeting.

B. Petition 31-12 Special Exception Section 6.6.2 Sale of Alcoholic Beverages) at 137 Kelsey St., Adorna Carroll, owner, Tasneem Fatima, applicant; Sheikh Ali 137 Kelsey Street, Newington, CT, contact person.

Chairman Pruett: Petitioner, if you could come forward please, state your name and address for the record?

Salvatore Petrella: Good evening, my name is Salvatore Petrella, I'm an attorney representing Mr. Sheikh Ali, who is present this evening. Thank you for outlining your procedures here, I didn't know what to expect, not having appeared here, but I'll certainly try to follow them in my presentation. This application is for a special exception for the sale of alcoholic beverages at 137 Kelsey St in Newington. At the outset, the sign was posted in front of the property at least ten days prior to the hearing and I believe notification was sent out to the public by the Newington Town Planner's office. The property is located along a fairly busy thoroughfare between the towns of Newington and New Britain which can be described as a business/industrial area. The applicant owns and operates a convenience store called Your Store, which is adjacent to a store called the Liquor Locker. The Liquor Locker is a full service package store. The proximity to the Liquor Locker requires the special exception because of the distance requirements contained in your zoning regulations. The class of permit that is the subject of tonight's hearing is a three, under your Section 6.6.3 (c) which is defined as a store and the like under the definitions. Based on the class of permit and the zone in which the property is located there is a different distance requirement under your regulations. In the (inaudible) case, we have a normal distance requirement of 500 hundred feet as specified under 6.6.B. When an applicant such as my client looks for a special exception one must first look at the intent of the regulations to see if the special exception may be appropriate. In this case the distance requirements for all alcoholic beverages are viewed in the light of potential impact on the character of the neighborhood in which they are located. That is most likely the reasoning behind the Section 6.6.1 of your regulations declaring the special characteristics in regard to the prohibition of sales within 500 feet of a college, church, school or hospital. In my client's case, there should be no adverse impact on the neighborhood with the granting of the special exception, and he is not within 500 feet of a school, college, church or hospital. The relevant question in this application is why is a permit needed next to an adjacent package store? It's important to note that a full service liquor store sells wine and distilled spirits in addition to beer. Beer sales are only one of the products of a full service liquor store. The issue tonight as well is that Liquor Locker not only sells alcoholic beverages, but sells cigarettes, soda and lottery tickets and ice. These are accessory sales to a liquor store, but necessities in a convenience store. The fact that there is a basic competition with my client's store over those necessities makes it extremely important that he also be able to sell beer to be economically viable, to draw those customers who buy cigarettes and lottery tickets. The economic reality of today's consumers is one stop shoppers. They like to use credit cards, they walk in, it's a single transaction. They go into the liquor store, they are going to buy their cigarettes, the lottery tickets, and their ice. If they go into the convenience store and they were able to buy beer, they would buy ice, lottery tickets and cigarettes in there as well. They would not split up the transaction. We're not looking for a competitive edge over the neighbor, we're looking for an even playing field which allows the consumer to make a choice. They want wine and spirits, they go into the package store, and in there they can buy their cigarettes and lottery tickets. If they want bread, milk and a sandwich, then they should be able to buy beer with the purchase at the convenience store. The zoning regulations are not meant to determine winners and losers in

the commercial marketplace. Since there is no detrimental impact on the neighborhood, I ask you to grant this special exception to my client to obtain a grocery/beer permit. Section 5.3 and 5.2 of your regulations really don't apply to this particular application. The reason is that under Section 5.3 they talk about a site plan review. There is no site plan review, since there is no change contemplated to these two businesses situated in one existing building. Section 5.2 of your regulations talks about things such as the character of the neighborhood while this is in a mixed industrial/commercial zone. The size, location and type of building will remain the same, traffic circulation remains the same, public water and sewer use remains the same, there's no difference in the signage, and your regulations require safeguards to protect the adjacent properties, there are no adjacent properties on either side of this building. Now I would like to digress just for a minute, on the protectionism given package store owners already under the regulations in the State of Connecticut. The Town of Newington is allowed twelve package stores and that is based on population. You can't open a package store in the Town of Newington unless the population increases or someone sells you a package store permit. According to the state Department of Consumer Protection, which I would like to enter into the record, there's a printout that shows that there are only twelve available for the Town of Newington. Just for clarification purposes, since I represented that there are not going to be any changes, I wanted to enter a photo into the record tonight, showing the side by side position of the Liquor and Your Store, showing that there would not be any changes to the building or traffic or signage, based on what is there. I went on line today to try to figure out what other towns do, and I know sometimes people think, why should I really care about what Rocky Hill or some other town does, but it's interesting to note that people handle things differently in different towns and what it shows to me is that they, there isn't any hard and fast rules in respect to liquor permits. They really do affect sort of the character that the town wishes to create in a certain area. In the Town of Rocky Hill there is a 1500 foot distance requirement for the sale of alcoholic beverages, but it does not apply to the sale, the retail sale of groceries or grocery store beer permit, already in a grocery store, so I'd like to put that in the record, so you could take a look at it to see that some towns just exclude grocery stores permits altogether for distance requirements. Then I stumbled upon the regulations from the Town of Wethersfield, which this isn't the first time that I have done a liquor regulations permit presentation and I wish I had found this years ago, because I think Wethersfield probably has the best, and I know that Mr. Minor probably disagrees with me, but has probably the best regulation because what it says is, they are special and we are going to treat them individually, we're going to look at the specific circumstances of each item, and then we will make a decision, and we are going to act on it and then look at where the property is, the use of the building, whether it is going to affect people in the vicinity, any churches or schools nearby, how far would it be from them, those types of things, and I think the wording I really like, the establishment does not disrupt the quiet pursuit of education and religion and interfere with a residential neighborhood. This is the type of thing that should define where you put your liquor permits, because other than interfering with the quiet residential character of a neighborhood, or a school or religious observance, what difference does it make if an individual has a grocery/beer permit next to a liquor store, so I would like to put that in the record as well.
So I will not belabor this any further I think that during the regular meeting, after the comments of the neighbors, or anyone who wishes to comment, and I would ask you to keep in mind what it is we are asking, it won't affect anything negatively, and I think it will improve the economic viability of my client. He told me before I came up here that two other previous owners of the convenience store basically went out of business because they couldn't compete with the liquor store. Thank you.

Chairman Pruett: Thank you. Okay, comments from our Town Planner on this petition?

Craig Minor: Well, other than this issue, the separation issue I don't have any objection to the petition. It complies with the other requirements.

Chairman Pruett: Okay, Commissioner comments?

Commissioner Aieta: Just an observation and a question. The distance between this parcel and the nearest residence zone, I believe this is right on the line of the residence zone. There is this building, brook, and then the residence zone and then a house is right there, so the residence zone is abutting to this parcel. Just for observation.

Chairman Pruett: About the 500……

Commissioner Aieta: Yes, this abuts the residence zone, the PD Zone and the residence zone are abutting at this particular piece of property.

Chairman Pruett: Additional comments from the Commission on this? This is a public hearing, and we have pubic participation that is interested in speaking on behalf of this petition, or in favor of it. Anybody wishing to speak in favor can come forward. Anybody wishing to speak against this petition can come forward and speak, express your concerns. Okay, seeing none, what is the pleasure of the Commission on this petition.

Commissioner Hall: I just have one question, were the neighbors close enough to be notified, or not?

Craig Minor: My staff sends written notice to the owners of all abutting properties, so the owners were notified. I did not get any phone calls.

Commissioner Hall: Even across the street, because there are a couple of houses there?

Craig Minor: Yes.

Chairman Pruett: And the sign was properly posted.

Craig Minor: And obviously the owner of the Liquor Locker knows about it, because the sign is out in front, and the legal notice was in the newspaper also.

Chairman Pruett: Any other comments from the Commission on this petition? Is it the pleasure of the Commission to close this, move it to Old Business and continue it for our next meeting.

Commissioner Sobieski moved to close the petition and move it to Old Business. The motion was seconded by Commissioner Camerota. The vote was unanimously in favor of the motion, with six voting YEA.

Chairman Pruett: We closed this sir, and we will continue it at the next meeting.

Salvatore Petrella: May I inquire as to the date of your next meeting?

Criag Minor: December 12th, the second Wednesday in December.

C. Petition 36-12 Special Exception Section 3.11.6; Restaurant) at 28 Fenn Road, Matt Rusconi, applicant; Hayes Kaufman Newington Associates LLC owner.

Attorney Mark Shipman: For the record, my name is Mark Shipman, I represent Matt Rusconi the applicant and Hayes Kaufman Newington Associates the owner in connection with this application. I would like to make it clear without being hostile, that we don't waive any of our rights under the permits that we have previously received but we do wish to be a good citizen and we are here seeking this special permit that the regulations require. This is a restaurant use, and as such it has to comply with the provisions of 5.2 and 5.3 to start with 5.3, which is the site plan regulation, there was an existing site plan, this unit is shown on the improved existing site plan. It had been previously approved as a restaurant, there is no change in the footprint, no change in the parking allocation, there is no change in connection with anything that has been previously approved and we ask the Commission to take notice of the existing site plan on this site. With respect to the other requirements, which is Section 5.2, 5.2.6 sets out the requirements for a special permit. The first one, the need for the proposed use in the proposed location is always a little problematic, this is a business zone, it was approved previously as a restaurant, and it is part of the fabric of the shopping center. While it does have a face on the street, its entry and exit are in the private drive that is in the parking lot. Whether anyone can argue that any specific restaurant is needed, in any location I think is problematic. As I said, this is in proximity to Central Connecticut State University, the shopping center, as with all centers generally requires or needs a restaurant facility in it that caters to shoppers at the center and provides an outlet for shoppers and allows them the convenience at lunch, dinner and afterwards. The existing and probable future character of the neighborhood you would know. It's a contained shopping center, it's in a commercial area, its neighbors are commercial, across the street it's vacant, it's open land, and it is appropriate in the location it's in, because it is part of the fabric of the shopping center. As to the size, type and location of accessory buildings in relation to one another, again, this is a shopping center. The layout includes all of the retail and restaurant facilities. This is effectively what would be called a pad site, but it's self contained within the restaurant location and its location has been previously approved by this Commission. Traffic circulation, within and without, there's no external entrance or exit, it's fed onto the main road through a private drive. There has been a restaurant in that location, and it feeds onto a well controlled main artery, Fenn Road. Sewer and water are available, drainage is already in place, as a matter of fact, drainage is being improved by virtue of State of Connecticut putting additional drainage in back for the busway. With regards to safeguards to protect, location and type of display signs, no change other than the name changed from the original restaurant, there were a couple there, the most recent I think was Boston Market, other than that, the new sign says Mooyah. That changed, the sign is in the same place, it meets all of your sign requirements, it doesn't exceed any of the building sign requirements. As far as safeguards to protect adjacent property, as I say, it's self contained and is already, and has already been considered on the site plan. I won't take any more of your time unless you have questions. We really want to thank staff or assisting here, and also the Commission for allowing us to accelerate and be here, and you may or may not know, Mr. Rusconi is scheduled for a soft opening next Wednesday for charity purposes and a grand opening on Thursday, so we hope that you see fit to move this and act on this outside of your normal process. Any questions?

Chairman Pruett: Commission, comments from our Town Planner?

Craig Minor: No, as the attorney mentioned, this was approved previously, it's the use that it was originally approved as, so staff has no objections to acting on it.

Chairman Pruett: Commissioner comments?

Commissioner Aieta: Just quickly, it doesn't seem to have any conditions to an approval and under those conditions I would suggest that the Commission move this to Old Business and act on it tonight so the applicant can go ahead with his soft opening and his charitable opening.

Chairman Pruett: Anybody else? Okay, we'll hear from the public, thank you. Anybody in the audience wishing to speak in favor of this petition? Anybody in the audience wishing to speak against this petition? Seeing none, what is the pleasure of the Commission, close it and move it to Old Business so we can vote on it tonight?

Commissioner Anest moved to move Petition 36-12 to Old Business to enable the Commission to vote on it tonight. The motion was seconded by Commissioner Camerota. The vote was unanimously in favor of the motion, with six voting YEA.

Chairman Pruett: We will move that to Old Business for voting tonight.

IV. **PUBLIC PARTICIPATION** (for items not listed on the Agenda; each speaker limited to two minutes.)

Domenic Pane, 638 Church Street: Mr. Chairman, Commissioners, thank you. First thing that I want to talk about tonight, several meetings ago, the Town Planner talked about Floors Now and that there was no trigger to bring that to you. Well, there was a trigger. The trigger was the changing of the floor space on the inside of the building. When you change the floor space on the inside of the building, you increase your parking count. According to our regulations 5.1.5, talks about the restoration and the same floor area must be used, so when you increase your retail floor area, you are changing your parking count. That's the trigger. This happened years and years ago at the Bob's Furniture Store. They remodeled it, and we asked them to come in because they wanted more floor area, so what we were able to achieve by having them come into the Commission was to bring them closer to conformity. We were able to shut down one of the entrance ways, we were able to get additional landscaping, additional parking, so that's the trigger. Just wanted to bring that to the attention of the Commission.
Let me pass these out. Mr. Chairman, one of the main reasons that I am here tonight is to talk to you about what I have just passed out to you, concerning the Zoning Enforcement Officer's reports. You'll notice on this page that the very first one is the Berlin Turnpike IHOP restaurant. That's taken from the August Zoning Enforcement report and then the second one down is the adjoining Plaza Azteca. Now if you look at this, it says complaint description for a zoning compliance certificate, and then the outcome, a certificate of compliance was issued. Now if you are not sure why this happened, I'll explain to you. This particular property changed hands, and they requested a new mortgage. Whenever you have a new mortgage an attorney is going to call the town, and ask for a zoning compliance certificate. It happens throughout all the reports, you'll notice that. Now if you look at the very last one, 39 Masellli Road, storing unregistered motor vehicles, it looks like just a complaint, vehicles were removed, violation was resolved. Well, that's my property and there was no complaint on it, my attorney called the Town of Newington and requested a zoning compliance certificate. So why am I being treated differently by the Zoning Enforcement Officer, why did he write me up differently? I'm very concerned about it. When I was on this Commission, we talked about how he writes his reports up, and if you remember correctly, we asked him to tell the Commission whether it is a complaint, or whether or not he was driving by doing a routine inspection, how it came about. For some reason now, he doesn't have that in the report. Another property that he inspected was the 2435 Berlin Turnpike, the Auto Tint store. They

were displaying an A-frame sign, and it was corrected but what I can't understand is the Zoning Enforcement Officer went to this property, didn't he see the jeep that is sitting in front of this property? That's got signs all over it. You couldn't even drive it on the road because the signs are all over the windshield. This jeep isn't even registered. So how could the Zoning Enforcement Officer cite one thing on one property and then miss something right on the same property.
Another property that he cited was 3153 Berlin Turnpike, McBride Carpet. Now when I talked to Councilor McBride and he feels the same way as me, he can't understand it. His sign got cited, but he doesn't he understand why other people had signs all over the place. Now if I could just jump, and bear with me, why did this Commission not recommend the Zoning Enforcement Officer to take care of the blight? Was there a reason? I think so. This Commission didn't want him in charge of the blight issue, because he does not perform routine consistent enforcement. Without routine, consistent enforcement you have no regulations. Bear with me one minute, what I'm passing out now, are signs on our Mayor's property. Now even if he took a permit, he could only do it for 25 separate days, or 25 continuous days. But I've been watching the property for four months, and the sign has been out there well more than 25 times. Now why does the Mayor have special, special regulations. I would like a copy of the regulations that he complies with so that I could do the same thing. I have a business in town, I'd like to put a sign out. I just can't understand it. Stew Leonard's has a banner, been up forever. (Tape failure)

V. MINUTES

A. November 14, 2012

Commissioner Anest moved to accept the minutes of the November 14, 2012 minutes. The motion was seconded by Commissioner Camerota. The vote was unanimously in favor of the motion, with six voting YEA.

VI. NEW BUSINESS

None

VII. OLD BUSINESS

Petition 36-12
Special Exception
Restaurant
28 Fenn Road

Commissioner Camillo moved that Petition 36-12: Special Exception (Section 3.11.6: Restaurant) at 28 Fenn Road: Mooyah Fenn LLC applicant; Hayes Kaufmann Newington Associates LLC, owner; Matt Rusconi 45 South Main Street, West Hartford CT contact be approved.

FINDINGS:

The proposed restaurant will occupy a building that was previously granted a special exception for use as a restaurant on May 25, 1994.

The motion was seconded by Commissioner Camerota. The vote was unanimously in favor of the motion, with six voting YEA.

VIII. **PETITIONS FOR PUBLIC HEARING SCHEDULING** (November 28 and December 12, 2012.)

A. Petition 37-12 Amendment to Special Exception (Section 6.6.2 Restaurant Liquor Permit) to allow live entertainment at 1076 Main Street, Piera Rosini, applicant/contact; Skender Cirikovic, owner.

Petition 37-12 was scheduled for the November 28, 2012 meeting. Live entertainment had been held at the restaurant but the prior owners had never formally requested a permit.

IX. TOWN PLANNER REPORT

The following items were reported by Town Planner Craig Minor in response to inquiries/items remaining from previous meetings:

1. A request was made to look into recent changes to the façade at the CVS on Main Street, ZEO Art Hanke is researching this.
2. The Status of the "Modern Tire" appeal of the Motor Vehicle Zoning Amendment: Attorney, nothing new to report.
3. Status of Newington Walk Subdivision (Toll Brothers): Nothing to report.
4. Newington Junction Planning Study: The town has not yet been contacted by the consultant to meet with them to get started on this planning study.
5. LID Project: Nothing new to report.

Craig Minor informed the Commission if any one of the members wished a more in depth information report on any of the subjects, he had more details if anyone requested them.

X. COMMUNICATIONS

Chairman Pruett told the Commission that he had the forms for "Volunteer of the Year" award and they would be available to anyone who wished to nominate a person.

XI. **PUBLIC PARTICIPATION** (for items not listed on the agenda)

Maidy Kinney of 51 Crestview Drive spoke to the Commission regarding the time and procedure to ask questions of an applicant, not being for or against the petition. She said that she wished to question what would stop an accessory apartment from becoming a two family house once the original occupant no long inhabited the unit. She said that she was not in favor of, nor against the request, but did not feel that there was adequate time to simply ask a question. In reply to that question Town Planner Craig Minor explained the limitations for an accessory apartment, that the apartment and the main residence will have common utilities and not separate metering devices. The accessory apartment also must have an internal door connecting it to the main unit thereby making it unlikely that it would be rented out as a separate apartment.

Rose Lyons, 46 Elton Drive reiterated that it was not clear when interested persons could speak on an application or if they could speak. She suggested that the Commission inform the audience during a public hearing that they could speak on a petition, or question a petition, or simply make comments on a petition. She also suggested the Commission consider moving the topic of Remarks by Commissioners after the first Public Participation item on the agenda. She indicated that many of the public did state their views during a public hearing but were not around to hear the Commissioners comments and/or replies if the item remained at the end of the meeting as it is now and the meeting was lengthy.

She also indicated that enforcement of the sign regulations did not seem to be consistent. She has remarked several times about the hand lettered cardboard sign at the corner of Market Square and Main Street, and yet it remains there on most weekends.

XII. REMARKS BY COMMISSIONERS

Commissioner Sobieski asked if some one could talk to the Town Manager to see about getting a new recorder. Chairman Pruett replied that he had called the Town Manager and he was supposed to be returning his phone call, that there is something, some kind of sharing, some digital thing.

Town Planner Craig Minor told the Commission that the new system was going to be a high tech digital system, not to replace the current system of taping, but will be creating a disc using the information from the recording of the taping of the meeting by NCTV. It will not be possible to transcribe from that disc due to the requirements of high tech equipment. Once the digital system becomes available that will be the official record that will be kept in the town clerk's office.

Commissioner Aieta requested that a list of the old bonds be made available to the Commission so that they would have an idea of what remaining bonds were outstanding. Town Planner Craig Minor is coordinating his list with that of the Finance Department to be certain that the actual list agrees with the financial list.

Commissioner Aieta also expressed displeasure that the Zoning Enforcement Officer had been name the blight officer, feeling that his duties to the Zoning Department would suffer because of the additional responsibilities he would have.

(Tape restored) Chairman Pruett: What else do we have for topic of discussion?

Commissioner Aieta: Just really quick, on the comments that Pane came in and talked about, made some good points and then overstayed his visit a little bit, but I think we have to address some of the things that he brought up.

Chairman Pruett: Yes, I made some good notes and I will sit down with Craig and see if we can address those concerns. We want to be consistent, we want to be fair period. That's how we should be operating and maybe some kind of methodology or standard operating procedure for him to do, maybe we can come up with something that will address some concerns.

Commissioner Anest: I have a question. When he issues a Certificate of Compliance, that should be like a separate thing. That's not a complaint, because it says, complaint date 8/27, Certificate of Compliance issued, that's not a complaint. I call up all of the time to towns asking them for Certificates, so it's not a complaint and then when he says about his property….

Craig Minor: There was a complaint. The enforcement officer was acting on a complaint of a zoning violation.

Commissioner Anest: So it was a complaint from an outside source?

Craig Minor: Yes, whereas these other issues, as you said, the attorney or the real estate agent for the property asks for a certificate of compliance for the record and…..

Commissioner Aieta: He said that his attorney called and asked for a Certificate of Compliance and the next thing you know this becomes a complaint about an auto thing because he went out to do the compliance and saw the cars there.

Commissioner Anest: If he could indicate written complaint, verbal complaint….

Craig Minor: Yes, I think that may be the answer.

Commissioner Aieta: He should tell us how it came about. Did someone complain, was it a routine drive by, he has to tell us because everything on here is a complaint.

Craig Minor: The origin, how it became a case.

Chairman Pruett: If you could review the forms here Craig, I think that kind of went by the way side, so we can fine tune that it would help clarify what is going on. So these concerns will be addressed.

Commissioner Anest: And, because even for the zoning complaints, they are all like stated differently, so if we can get consistency…..

Craig Minor: He probably shouldn't even report on his issuance of a compliance certificate, because you don't care that he does that, you're just concerned about a violation enforcement. So, I think, I'll suggest that he put these in a report to me so that I know what he does all day, but as far as zoning enforcement, you don't care about that. I'll talk to him about that.

XIII. CLOSING REMARKS BY THE CHAIRMAN

Chairman Pruett: I have nothing to comment on, but I appreciate everybody's participation, especially from the public. We always get something positive, clarification or a better way to do things, it's very helpful.

XIV. ADJOURNMENT

Commissioner Aieta moved to adjourn the meeting. The motion was seconded by Commissioner Camerota. The meeting was adjourned at 8:20 p.m.

Respectfully submitted,

Norine Addis,
Recording Secretary