



City of Ansonia
PLANNING AND ZONING COMMISSION

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ANSONIA, CONNECTICUT

March 31, 2014

Regular Meeting

Present: Bart Flaherty, Chairman
Michael Bettini
Maureen McCormack-Conrado
William Malerba

Absent: Jared Heon
Jeff Lawlor
Andrew Mark

Others Present: Oswald Inglese, Planning Consultant
Fred D'Amico, City Engineer
David Blackwell, Zoning Enforcement/Blight Officer
Joan Radin, Alderwoman 5th ward
Charles Stowe, Alderman 1st ward
John Marini, Corporation Counsel

The Regular Meeting of the Ansonia Planning and Zoning Commission was called to order at 7:30 p.m. by Chairman Flaherty.

All present stood and pledged allegiance to the Flag.

The secretary called the roll.

There was a quorum present.

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Approval of Minutes

Mr. Bettini made a motion to accept as written and place on file the minutes of the February 24, 2014 Regular Meeting. Mr. Malerba seconded. All in favor, the motion carried.

Approval of Bills

The following bills were presented for payment:

1. Oswald Inglese, Planner: Bill for Professional Service from 2/16/14 to 3/15/14

<u>DETAIL</u>		
<u>Date</u>	<u>Item</u>	<u>Time</u>
02/21/2014	PhoneConsultw/DBlackwellRe:signages	0.50hrs.
02/24/2014	ReviewdFor&Attendd Comm. Meeting	2.50hrs.
02/26/2014	PhoneConsultw/DBlackwellRe:Signs	<u>0.25hrs</u>
TOTAL		3.25hrs.

Hourly Rate: \$75 TOTAL: \$243.75

2. CT Federation of P&Z Agencies: Membership Dues: \$ 90.00

Membership dues through March 31, 2015

Ms. McCormack Conrado asked what the Commission receives for the dues that is paid.

Chairman Flaherty explained the newsletter that is sent and the other services offered by the Agency.

Mr. Inglese gave some background information to the Commissioners on how the CT Federation of P&Z Agencies was founded by a successful attorney who taught law and when he retired his son became the head of the organization.

Mr. Bettini made a motion to pay all bills if found to be correct. Mr. Malerba seconded.

Ms. McCormack Conrado said that she would like to have the detail of the bills put in the minutes.

The secretary said she will check with Corporation Counsel.

The Chairman called for a voice vote. All were in favor, the motion carried.

Correspondence

Mr. Malerba made a motion to accept all of the correspondence received, dispense with the reading, and place them on file. If a member requests one read or acted upon the correspondence will be brought up individually. Mr. Bettini seconded. All in favor, so carried.

1. Jeff Lawlor: re: Letter of resignation

Chairman Flaherty read Jeff Lawlor's letter of resignation. He said he is sorry to hear of his resignation and the City of Ansonia and the Planning & Zoning Commission is losing a good commissioner.

Mr. Malerba made a motion to send Mr. Lawlor a letter thanking him for his service to the City and the P&Z Commission. Mr. Bettini seconded. All in favor, the motion carried.

2. John Marini, Corporation Counsel re: Sunshine Seminar on FOI regulations to be held Tuesday, April 1, 2014 at 7:00 p.m.

Chairman Flaherty strongly urged Commissioners to attend this FOI seminar tomorrow evening.

Referral: 8-24 Referral from Board of Aldermen

Corporation Counsel John Marini was present.

Corporation Counsel Marini advised the commission that you can post invoices on-line and in the minutes.

Corporation Counsel Marini explained the Section 8-24 referral to the commissioners. He said there is a proposed lease for City owned property known as Ansonia Community Action Center, 4 Fourth Street. There was a pre-school in the building previously. The City was approached by The Work Place to use the building. They are a non-profit and their group helps the unemployed prepare for jobs and get jobs. The City will be leasing the first floor to The Work Place. They will be leasing the basement floor to TEAM for a pre-school. He said the State Statutes, Section 8-24 require that the Planning and Zoning Commission give an approval for the use of the building. He said the Work Place will pay utilities and also operate a Commission of Veteran's Affairs to help the unemployed veterans. They will work together on joint job fairs with the City.

Ms. McCormack Conrado asked if the address for the ACA building was 4 Fourth St.

Joan Radin said is the City leasing the basement to TEAM and are they paying the Work Place or the City of Ansonia.

Corporation Counsel Marini said that the Work Place will sublease to TEAM. The rent as proposed there are two (2) tenants in the building.

Alderwoman Radin said that this was not approved at the Board of Aldermen's meeting.

Corporation Counsel Marini said that he could not discuss the lease agreement.

Alderwoman Radin said does the lease have TEAM paying the City of Ansonia or The Work Place.

Corporation Counsel Marini said that is confidentiality of the lease and is for an Executive Session.

Chairman Flaherty said Planning & Zoning's statutory limits are land use and the use of the land. The lease is not under our responsibility. We assume the lease will go back to the Board of Aldermen for approval.

Corporation Counsel said the land use approval is first and subsequent to the Board of Aldermen.

Chairman Flaherty said the building was used for public use. The Work Place is a non-profit group helping people prepare for employment and employment opportunities. TEAM is a pre-school and is in line with ACA's previous use.

Chairman Flaherty asked if there is a motion for a positive referral for the Section 8-24 referral for 4 Fourth Street.

Mr. Bettini said the types of activities taking place in the building are all in compliance with our regulations.

Mr. Bettini made a motion to send a favorable response for the Section 8-24 referral for 4 Fourth Street for The Work Place and TEAM Pre-School. Ms. McCormack Conrado seconded. All in favor, so carried.

Reports: City Engineer

Mr. Fred D'Amico was present.

- a. Jewett St. Sidewalk – resolution with property owner

Mr. D'Amico said the weather is warmer and he will contact the property owner next week and send him another letter requesting that he install the sidewalk that he removed. He said if there is no response, he will contact Corporation Counsel.

b. 40 Hotchkiss Terrace - Meeting with Seymour – DEEP letter

Mr. D'Amico said he put together a package for Corporation Counsel Marini containing all of the information on this issue. The driveway owner did come to Mr. D'Amico's office and advised him that he will do immediate maintenance to the area. He said he will clean up the material that washes when it rains.

Mr. Blackwell, ZEO said there are two statutes that apply to this. One states that once you install something you have to maintain it.

Ms. McCormack Conrado asked to have this situation explained.

Mr. D'Amico explained the situation that has been occurring on 40 Hotchkiss Terrace. He said there is an existing driveway that goes into Ansonia but most of the driveway is located in Seymour. There is 65 feet of driveway in Ansonia that was paved. The remainder of the driveway is unpaved and is eroding and washing gravel and material onto Hotchkiss Terrace and is creating a nuisance. The asphalt is worn and cracked and it is hard to tell if it was paved. The new property owner said he will try to clean up and patch the area.

Mr. D'Amico said he had a meeting with Grant Writer Sheila O'Malley, Supt. Novak and the property owner to discuss funding for the paving through grants. He said Ms. O'Malley will research funding and grants to see what may be available. He said there has been a lot of rain this past week and he will inspect the area.

Mr. D'Amico said the Jewett Street sidewalk was a bad condition. On the corner of Jewett Street and N. Spring St. there was a sidewalk and stairs that were in very bad condition – they were a public health and safety issue. The property owner was contacted to repair it. The property owner did repair the stairs and he removed a portion of the sidewalk. He should have replaced the portion of sidewalk that was removed. This part of the sidewalk has to be replaced with concrete and not asphalt.

Ms. McCormack Conrado asked the address.

Mr. D'Amico said the corner of Jewett St. and N. Spring Street. The sidewalk is on City of Ansonia property however the homeowner is responsible for maintenance and snow removal. Most homeowners would rather not have a sidewalk.

Chairman Flaherty said the City of Ansonia reimburses the property owner for a portion of the sidewalk replacement cost.

Mr. D'Amico said that is correct. He said they are in the process of increasing the reimbursement to the property owner.

Mr. Malerba said on Hotchkiss Terrace, the homeowner doesn't want to fix the area, does the City have to pay to repair the driveway.

Mr. D'Amico said no the City doesn't pay because it is private property. The property owner will be responsible for repairing the driveway and maintaining the driveway.

Mr. Blackwell said he brought the property owner (Hotchkiss Terrace) to Ms. O'Malley to see if there is any grant money available for him. Ms. O'Malley said she is trying to set up a meeting with Mr. Blackwell, Town of Seymour, the Property Owner and put the money together at no interest. He said the City of Ansonia can pave the 65' but they are trying to get the entire driveway done.

Chairman Flaherty said that is great because the P&Z Commission has sent letters to DEEP and others to try to help these people. He thanked them for trying to get this situation cleared up.

Mr. Blackwell said he is working together with both towns to get this work done.

Reports: Zoning Enforcement Officer

Mr. David Blackwell was present.

a. Violations:

18-20 Willow Street

Mr. Blackwell said there is a violation at 18-20 Willow Street. The property owner is working without a permit. The house is an illegal three family and he had to issue a stop work order. Mr. Blackwell said that there has been situations at this property since 1991 when Mr. Crabtree was the ZEO. He said he knows the former owner. The current owner told Mr. Blackwell that these conditions were there in the house when it was sold to him. He said he has a signed statement from the previous owner that this house did not have a third family residence.

19-21 Hull Street

Mr. Blackwell said there is another violation at 19-21 Hull Street. The homeowner will not allow him access to the premises until the end of May. He said he has spoken with Chief Hale regarding this illegal three family residence. He is trying to obtain a search warrant to gain entrance.

Beaver Street – Riccuti Funeral Home

Mr. Blackwell said that there was a three/four bay garage built on the property behind the Funeral Home some years ago. Upstairs from the garage it is partially finished with sheetrock walls, etc. and it is being used as an apartment. There has not been any permits issued for any work being done.

Ms. McCormack Conrado said she wants to know if it is an apartment.

Mr. Blackwell said there is someone living there and he is questioning where the sewage is going.

Howard Avenue & May Street

Mr. Blackwell said that Carla Raza lives in the home on the corner of Howard Ave. and May Street. She would like to put a shed on the property but they don't conform to the set backs.

Chairman Flaherty read the letter Ms. Raza sent to Mr. Blackwell explaining what she wished to do. (Mr. Blackwell received the letter back after Chairman Flaherty read it.)

Mr. Inglese said that Ms. Raza would have to go to ZBA for relief of the regulations. She would have to get a variance for the setbacks.

There was discussion on the above and the Chairman asked Mr. Inglese to review the map Mr. Blackwell has of the site tonight and report his findings to the commission before the end of the meeting.

Pershing Drive

Mr. Blackwell said a summons was issued and a business was shut down on Pershing Drive. He said they are now in the process of getting the proper permits and licensing. Wantroba's property adjoining this site has a junk yard in the back behind the gate. He said you cannot see it from the street.

Mr. D'Amico said that this person was looking for an engineer to do the survey of the property two days ago.

Chairman Flaherty said they may need site plan approval from P&Z.

47 Pershing Drive – Bell & Beep

Mr. Blackwell said there are new owners for this property (former Charlie & Leon's). There is the Bell & Beep store located there and an empty section in the building. The

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owners want to put in a liquor store. He said that he told them they had to provide an A-2 survey of the property and they had to show they had the required parking for all of the uses on the property. He said there are three apartments above this building and the Beauty Shop is also located on this property which has two apartments above it. He said he wants the A-2 survey to make sure the parking spaces are not part of the right of way because each use has required parking spaces.

Gagan Deep Sachdeva
9 Fox Run Lane
Seymour, CT 06478

Mr. Sachdeva was present. He said he is the owner of the property. He said he owns the property at 19 Pershing Drive and he has purchased this property and it is working out for him. He said he has the Beauty Shop, Bell Beep and the apartments and he wants to open a liquor store on the other side of the Bell Beep store.

Chairman Flaherty advised him to make an application. If the Zoning Enforcement Officer, Mr. Blackwell says that Mr. Sachdeva needs to provide an A-2 survey he will have to provide that along with showing the buildings on the map, the required parking on the map along with the proposed use on the site and the existing use on the site. He would have to have a Statement of Use explaining what is happening on the site with the existing use and the proposed use. The number of employees, the hours of operation, the use in the building, the number of required parking spaces. The hours the business would open and close. All of this in a statement. He said Mr. Sachdeva should go to Mr. Blackwell and if it works after he receives this information and it meets the regulations OK. Our ZEO is available to help if he needs help but he must get the A-2 survey.

91 Howard Avenue & May Street Shed

Mr. Inglese said after reviewing the map and regulation his finding is that this request for a shed must go to ZBA for a variance. It doesn't meet the regulations.

Ms. McCormack Conrado said is it possible for these people to apply for an exception or an amendment to the Zoning Regulations instead of going to ZBA.

Mr. Inglese said there is a mechanism in place for relief of the regulations through the Zoning Board of Appeals.

Ms. McCormack Conrado said the cost to apply for the variance is a lot of money – about \$1000.

The fee covers the cost of the publication, the public hearing, review fees and staff fees.

There was discussion on the fees and that the fees were just revised. The fees should cover expenses only.

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Ms. McCormack Conrado said there should be clear procedure to pursue for a variance:

1. Exception to the current regulations, clear policy to request an amendment to the existing regulations and pricing.

Chairman Flaherty explained that before any fees were increased Mr. Inglese reviewed and studied and compared the fees from adjoining towns – Seymour, Shelton, Derby and our fees are under those fees. The commission also held public hearing on the increase of fees.

Discussion continued on fees. Ms. McCormack Conrado said she would like to find a way for people to do things without costing a lot of money.

Chairman Flaherty suggested to Ms. McCormack Conrado to come up with the regulation and the language and present it to the Commission. He explained numerous regulations (side yard setbacks, fence, hoop houses, POD's, etc.) to Ms. McCormack Conrado and why they are in place and that they protect the residents and the neighborhoods.

Mr. Inglese said that the Planning & Zoning Commission cannot vary their own Regulations. Zoning Board of Appeals is in place for that purpose.

Ms. McCormack Conrado asked if an exception can be granted and the people would not have to go to ZBA.

Mr. Blackwell said they are looking for a variance. They have to be 25 feet from the street side.

Mr. Bettini said the Board of Aldermen can waive fees. They can go to the Board of Aldermen and ask to have the fees waived. He said we don't have to change our regulations because of the fees.

Chairman Flaherty said the applicant has to pay first and then make application to the Board of Aldermen to ask for a reimbursement of the fees.

Ms. McCormack Conrado asked if the P&Z can make recommendations to Hartford regarding the publication of legal notices in the newspapers.

Mr. Bettini said there is a way to have the fees reduced but it is not through P&Z.

Ms. McCormack Conrado said she is volunteering to draft a letter to our State Legislators to change the laws. She will bring the draft letter to the Commission for approval.

Chairman Flaherty said the importance of publication of a variance or change in zoning regulations or subdivision, etc. is the impact. It has to be on the impact to the City and neighborhood. A shed has minimum impact on the neighborhood.

Mr. Bettini said maybe publication can be on the internet or on a State or Town (local) web site. The notices can be posted on the web site for the people. He said more people read the internet than newspapers.

Chairman Flaherty said the commission will look at anything they can do to cut costs but it has to comply with the State Statutes.

Mr. Inglese said these circumstances have to go to ZBA. It is a corner lot.

Chairman Flaherty suggested the Commission look at a change that has the applicant meet one (1) setback in the case of a corner lot.

Mr. Blackwell said they have a Howard Avenue address.

Mr. Bettini said will the change allow it.

There was discussion on a change to the regulation for corner lots and for non-permanent foundations.

Mr. D'Amico stated you have to be careful with any changes especially in a main intersection.

Mr. Bettini said if there are two busy streets and the structure blocks the traffic visibility and the corner visibility there is a safety issue. He said there is a corner visibility section in the Regulations.

Mr. Bettini made a motion to refer this to staff for analysis with an eye toward blind spots on a busy street or intersection.

There was a discussion on the triangle setback – 25' on the diagonal for measuring the sight line.

Ms. McCormack Conrado said can an exception be granted if it needs visibility and leave it up to P&Z to decide this.

Chairman Flaherty said you cannot make it vague but make it specific for everybody. You can't pick and choose which one is OK. It has to be the same for everybody.

Mr. Bettini said you can make a rule but there is a process that is fair and open and in front of everyone, we don't choose.

Mr. D'Amico said a special exception requires a public hearing and you still have fees for a public hearing.

Ms. McCormack Conrado said we make the ordinance and we change the ordinance.

Mr. Inglese read Section 330.4.5 Visibility at Intersections of the Regulations.

Mr. Bettini made a motion to refer to staff whether it is advisable to change the regulation to give relief for a corner lot where no sight line problem currently exists for an accessory building without a foundation. Mr. Malerba seconded. All in favor, so carried.

Chairman Flaherty advised Ms. Razo that there will be no action taken this evening. He told her she can apply to ZBA for a variance for the setback and pay the fee. She can then write a letter to the Board of Aldermen requesting they refund the fee to her. He said there is no other Board or Commission except the Board of Aldermen that can waive a fee or refund all or part of the money paid.

Howard Avenue & May Street corner (across the street from the shed property)

Chairman Flaherty said there is property on the corner of Howard and May streets that is comprised of three non-conforming lots currently before Mr. Blackwell. The property owner wants to eliminate one lot and divide this property into two (2) conforming lots.

Mr. Inglese said to change something that exists they have to come up with the map showing the existing lots and the proposed change. He suggested they come in with the original map showing the existing condition and they show with a dotted line the proposed change to the map.

The Commission members concurred.

Charles Stowe, Alderman 1st ward
Granite Terrace
Ansonia, CT 06401

Alderman Stowe said there hasn't been a ZBA meeting in more than two months. The Board of Aldermen have appointed new members to accommodate the public so there should be a meeting next month.

Variances

1. Andrew & Denise Cota, 19 Sheasby Road, Ansonia request for a side yard variance.

Chairman Flaherty read the variance request.

Mr. Bettini said there is a pool located in the yard.

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Mr. Malerba said the pool has been there for years. He doesn't have a problem with the setback request.

Mr. Bettini made a motion to send a positive recommendation to ZBA. Ms. McCormack Conrado seconded. All in favor, so carried.

Mr. Bettini said that Carla Raza said she would make application to ZBA for a variance for the shed on the corner of Howard Ave. and May St. He suggested the commission make a recommendation to ZBA at this time even though there is no application as yet. This will save them a month on time.

There was discussion on the above.

Mr. Bettini made a motion to send an affirmative recommendation for 91 Howard Avenue for a shed. Mr. Malerba seconded. All in favor, so carried.

Reports: Planning Consultant

Mr. Oswald Inglese was present.

Mr. Inglese said that he has nothing for the Commission this evening.

Reports: Committee Reports

Chairman Flaherty asked if the Marijuana Committee has anything to report.

Ms. McCormack Conrado said she has nothing to report.

Chairman Flaherty said the moratorium is up in August and the Commission should have some regulation in place.

Ms. McCormack Conrado asked when the Moratorium is up.

Chairman Flaherty said that the Commission voted for a one (1) year moratorium which will end in August 2014. He said the Commission should have some regulation in place before August.

Ms. McCormack Conrado said that Mr. Inglese has done research on this. She asked what the time would be – next year sometime.

Mr. Inglese said he didn't know if there is an application pending. There are four facilities and 750 applicants for medicinal marijuana.

Ms. McCormack Conrado said for dispensing.

Mr. Inglese said it must be dispensed by certified pharmacists according to the State of Connecticut.

Ms. McCormack Conrado said the State did issue some licenses for production of marijuana but no dispensing. They had to have their application in by November 2013 and we're in March 2014 so it is not urgent. There is no way there will be a dispensing facility in Ansonia so there is no rush.

Chairman Flaherty said this is something that has to be taken care of. We have a year to do this and get a regulation in place.

Mr. Inglese said a license to sell they will not be able to get one.

Chairman Flaherty said after August you will have no say. Our responsibility is to the people of Ansonia. Do you want it next to a school, in a commercial area, a residential area. Our responsibility is to come up with a Regulation for the City of Ansonia.

Ms. McCormack Conrado said she will stay on track.

Any other business to come before the Commission

Beaver Street

Mr. Malerba asked what happened with the meeting between Mr. Inglese and Mr. Dave Pantalone on the property located on Beaver Street.

Mr. Inglese said that Mr. Pantalone did not call him. They exchanged business cards but Mr. Pantalone said he was not doing this right away.

Mr. Malerba said that maybe the entire corner could be changed to a Residential B zone attaching it to the existing B zone there. He said he spoke to Mr. Pantalone during the week about this.

Chairman Flaherty said that Mr. Pantalone would have to petition the P&Z Commission to change the zone from Residential AAA to Residential B as long as the property connects to the Residential B zone.

Mr. Inglese said that could be done and it would connect to the existing B zone so it would not be spot zoning.

Mr. Malerba said Mr. Pantalone would consider it.

Mr. Inglese said that Mr. Pantalone would have to petition the Commission to change the zone. He would have to provide the maps and description of the property.

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Millie Rios
121 Great Hill Road
Ansonia, CT 06401

Ms. Rios said that her property is behind the Scinto property development in Fountain Lake Commerce Park. The property has been in development since 2000. She said the reason she is here again is the four things she requested to have done are not done. She requested a fence behind her home. She said there used to be woods there and now there is a hill and the property drops off and she is afraid because someone may get hurt. She said the street behind her yard should have a fence along her property. Her quality of life has suffered. Any kids playing in her yard could get hurt because the property slopes into the road. Right now there are no buildings, no traffic and no trucks going in and out every day but in the future there will be. She is a grandmother and she wants her grandson to come to her home and be able to play in the yard. She said 11/20/13 she spoke to Rob Scinto and requested the fence. He said he would install the fence. They are blasting again. The land is a mess and there is \$35,000 damage to her yard.

Ms. Rios said Mr. Scinto, the blasting company and the insurance company all say it is not their problem. The damage was caused by the blasting. She asked that the commission do what they can for her with regard to a fence. She asked about the wall that has been constructed on the Cumberland Farms site. She said she doesn't have the money to put up a stone wall with cement blocks like Cumberland Farms. Back in 2006 when Scinto came to get the proposal the commission should have done something to secure the land. The land is moving and she has no money to get professionals in there. She said her land is horrible and she wants to fix her property. She asked what the Commission can do for her to help her get her property fixed.

Mr. D'Amico said he has been up to the site. He said that Mr. Scinto said he was putting the fence up.

Mr. Bettini said he thought the Commission had an agreement and a construction plan.

Mr. D'Amico said we approved the plan for a 2 to 1 slope.

Chairman Flaherty said there is one section that is not a 2 to 1 slope and it should have a fence. A retaining wall is used if there is no room for a 2 to 1 slope. Mr. Scinto has a 2 to 1 slope and they have grass growing there.

Mr. Bettini said we have an erosion problem on the side.

Mr. D'Amico said it's after the winter and he will check it.

Ms. McCormack Conrado asked if Mr. D'Amico is following up on the fence.

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Ms. Rios said there was blasting on 11/20/13 that shook the land. The neighbors complained. Damages are happening and they should be responsible for some of the bills. She asked the Commission to help her. She said Mr. Scinto said he will see about splitting the cost of the damage.

Ms. McCormack Conrado asked if Ms. Rios spoke to the Fire Marshall regarding the damage that was caused by the blasting.

Ms. Rios said she called him in September but he wasn't in his office.

Ms. McCormack Conrado asked if the Fire Marshall can stop future blasting.

Chairman Flaherty said that the Fire Marshall has to give them the permit to blast.

Alderman Stowe suggested to Ms. Rios that she go to the next Board of Aldermen's meeting to get this information on the record. He said as an Alderman he would like to see the City Engineer, Zoning Enforcement Officer and Fire Marshall draw up a written report if anything of what should be done up there. He said Ms. Rios should go and express her concerns to the Board of Aldermen. Mr. Scinto is a contractor and trying to do a good job.

Ms. Rios said Ok but she has been waiting a long time.

Alderman Stowe said to go to the Board of Aldermen meeting and put the information on the record.

Discussion on the fence adjoining Ms. Rios property.

Ms. McCormack Conrado asked if the City can pull Mr. Scinto's permits.

Chairman Flaherty said that Mr. Scinto said he would put up a fence along this area of Ms. Rios property.

Mr. D'Amico said he will get Mr. Scinto out to the property on Wednesday.

Mr. Bettini made a motion to request that City Engineer, Fire Marshall and the Zoning Enforcement Officer go with Mr. Scinto to the property and to Ms. Rios property with regard to the fence and the blasting and any zoning violations and report back to the P&Z Commission in writing the outcome of this meeting. Ms. McCormack Conrado seconded. All in favor, so carried.

Alderman Stowe suggested they bring a full set of plans to this meeting.

Chairman Flaherty said the fence and erosion are under P&Z control. The Fire Marshall will check on the blasting requirements.

There was discussion on the requirements for blasting and the State of CT regulations with regard to measuring the blasting.

Ms. Rios said her property can be cited for blight because of the stairs and retaining wall damage that was done by the blasting. She said her property is a mess.

Mr. Malerba asked if the blasting cracked her stairs or was this done through the years.

Ms. Rios said some of the cracking in the building and stairs was there but most was the blasting. The retaining wall is starting to come down. She has pictures before and after.

Alderman Stowe said that Mr. Scinto has permits and bonds and insurance. The question is on the cracks in the foundation, wall and stairs. He should send his insurance agents and they will be able to tell and find that out for you. They will know when these occurred. He advised her to come to the Board of Aldermen meeting and let them know what is going on.

Mr. D'Amico said he will go to the site on Wednesday, April 2nd.

Mr. Malerba asked if they are allowed to haul stone out of the property.

Mr. D'Amico said yes. They have taken a couple hundred thousand yards out of there.

Ms. Rios asked about the Shuster court case.

Chairman Flaherty said it's in court.

Executive Session

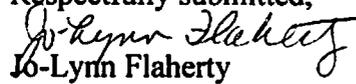
None

April 2014 Meeting

Regular Meeting: Monday, April 28, 2014 at 7:30 p.m.

Adjourn

Mr. Bettini made a motion to adjourn the meeting at 9:35 p.m. Mr. Malerba seconded. All in favor, so carried.

Respectfully submitted,

Jo-Lynn Flaherty
Secretary