

**PORTLAND PLANNING AND ZONING COMMISSION**  
**REGULAR MEETING**  
**Thursday, May 18, 2023 at 7:00 PM**  
**Buck Foreman Room (2<sup>nd</sup> Floor)**  
**265 Main Street, Portland, CT.**  
**Public access through Zoom link A at [www.portlandct.org](http://www.portlandct.org)**

**Regular Meeting Minutes**

1. Call Meeting to Order

Robert Ellsworth called the meeting to order at 7:00 p.m.

2. Introduction of Members and Seating of Alternates

Present: Bob Ellsworth, Victoria Tchetchet, Carolyn Freeman, Robert Taylor, Jennifer Tellone.

Staff: Dan Bourret, Town Planner  
Dawn Guite, Recording Secretary

Absent: Tom Bransfield, Chantal Foster

Jennifer Tellone is seated for Chantal Foster as a voting member.

3. Accept Amended Agenda - Application 22-28: 127 Main Street. Proposed map change to extend Village District Boundary over 1 Quarry Lane and portion of 127 Main Street.

**MOTION:** Carolyn Freeman MOVED, seconded by Robert Taylor to ACCEPT the AMENDED agenda as PRESENTED. **VOTE UNANIMOUS. MOTION CARRIED.**

**Public Hearing**

4. Application #22-23: 529 Glastonbury Turnpike. Proposed 2-lot resubdivision and site plan review for 3 new commercial self-storage buildings. Application and property of Global 17 LLC. Map 83, Lot 38-2. Zone I.

**MOTION:** Robert Taylor MOVED, seconded by Carolyn Freeman to OPEN the Public Hearing. **VOTE UNANIMOUS. MOTION CARRIED.**

Rob Baltramaitis, P.E., represented the applicant seeking a proposed 2-lot resubdivision and site plan review for three new commercial self-storage buildings. Property is located at 529 Glastonbury Turnpike in the southeast corner of Rt. 17. It is a 2.2 acre lot with 212 feet of frontage on Rt. 17 and 219 feet along Wilcox Hill Road. It is north of the Oakwood Indoor Soccer facility. Plan was approved in January 2015 for site plan modification for a 30,500 s.f. contractor warehouse. A second standalone 6,500 s.f. building was approved for a storage facility. The storage facility was constructed along with a portion of the contractor warehouse. This was Phase I of the project. The developer, based on market conditions and in lieu of the contractor warehouse would like to build three smaller storage buildings with 10 x 20 units. Storage buildings will have no utilities and no climate control. This is now less than the previous impervious coverage. Town Engineer's comments have been addressed. Phase II is taking the 2.2 acre parcel and dividing it into two lots. It will separate the contractor building from the self-storage portion of the site. The resubdivision conforms to zoning standards. It is really a lot line division. It was previously two parcels. The division is to separate the two uses, the contractor warehouse and the self-storage. It also gives the applicant the ability to sell one of the buildings in the future. There will be no shared parking between the buildings. Self-storage units do not have a parking regulation in zoning standards. They have a low percentage of parking. Parking for self-storage exists, is striped, and is adjacent to the building. Landscaping is changed based on the new configuration. Applicant is trying to improve the frontage with trees/shrubs, and mostly shrubs in landscape island areas. Applicant is also trying to keep building exteriors attractive. There are two driveways that will remain. There is a curb cut off Rt. 17 and another driveway to the east along Wilcox Hill Road. A request for a cross easement will allow movement from one driveway to the other for access purposes. There are no plans for a security system. There will be cameras to monitor activity. There will be no fences as the applicant doesn't want the property to look like a prison. The Fire Marshall is addressed in the Motions per final review of the plans.

There were no public comments.

**MOTION:** Robert Taylor MOVED, seconded by Carolyn Freeman to CLOSE the Public Hearing. **VOTE UNANIMOUS. MOTION CARRIED.**

**RECORDED VOTE**

**DATE:** May 18, 2022

**COMMISSION:** PLANNING & ZONING

To Approve Application #22-23: 529 Glastonbury Turnpike. Proposed 2 lot resubdivision and site plan review for 3 new commercial self-storage buildings. Application and property of Global 17 LLC. Map 83, Lot 38-2. Zone I, as shown on Site Development Plans "Proposed Self Storage Facility" Prepared for Wayne Rand by Robert V. Baltramaitis, P.E.: Page C-1; "Existing Conditions/Demolition Plan" Dated 2/20/23 and Revised to 5/12/23, Page C-2; "Subdivision Plan" Dated 2/20/23 Revised to 5/12/23, Page C-3; "Site Layout Plan" Dated 2/20/23 Revised to 5/12/23, Page C-4; "Grading and Utility Plan" Dated 2/20/23 Revised to 5/12/23, Page C-1; "Landscape and Erosion Control Plan" Dated 2/20/23 Revised to 5/12/23, Page DN-1; "Site Detail Sheet" Dated 2/20/23 and Revised to 5/12/23, Page DN-2; "Approved Site Plan(By Others) Dated 2/20/23: and based on information submitted, testimony presented during hearing, and subject to the following instructions and conditions integral to this application:

1. That the applicant address any comments from the Fire Marshal after submittal of final building plans.
2. That the applicant meet all condition from the Fire Marshals 4/13/23 memo.
3. That the certified Letter of Approval be placed on the Site Plan, and that a mylar and 3 paper copies of the plans be submitted. After endorsement, the mylars must be filed on the land records within 180 days, per ZR Section 10.5.3.2.a, these requirements must be met prior to the issuance of a zoning permit.
4. That a zoning permit application be submitted in accordance with ZR Section 11.1.1.A to ensure compliance with this approval.
5. That any exterior light fixtures must comply with ZR Section 8.3 and must be approved by the Zoning Enforcement Officer prior to installation.
6. That all proposed improvements associated with this application are to be completed according to the approved plan prior to the issuance of the required Certificate of Zoning Compliance to operate businesses at this location, or a performance bond will be required in accordance with ZR Section 11.2.2.
7. Any proposed signage shall meet ZR Section 8.4.
8. That this approval will expire in 5 years.
9. \_\_\_\_\_
10. \_\_\_\_\_

Reasons: The proposal conforms to Section 6 and 10.4 of the Zoning Regulations.

Motion to Approve Made by: Victoria Tchetchet

Seconded by: Robert Taylor

IN FAVOR

Victoria Tchetchet  
Robert Taylor  
Carolyn Freeman  
Jennifer Tellone  
Bob Ellsworth  
 \_\_\_\_\_

IN OPPOSITION

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

IN ABSTENTION

Recorded By: Dawn Guite

5. Application #22-25: 16 Sand Hill Road. Proposed zone change from IP to B-2. Application of Michael Brown and property of 16 Sand Hill Properties, LLC. Map 22, Lot 4. Zone IP.

**MOTION:** Carolyn Freeman MOVED, seconded by Robert Taylor to OPEN the Public Hearing.  
**VOTE UNANIMOUS. MOTION CARRIED.**

Frank Magnotta., P.E., represented the Applicant, seeking a zone change from IP to B-2. Property locate at 16 Sand Hill Road and has three rental residences owned by the applicant. The zone change is for 2.14 acres. Total acreage for the site is 8.73. The IP zone is not approved for development which presents a problem for financing to improve structures. B-2 zone allows for a variety of developments and are more prevalent in this area. The applicant wants the flexibility to do something within the zone. The remainder of the property will be IP zoned. The existing B-2 zone runs through the center of the highway so it has to be abutted. There were no staff comments. Neighboring properties were notified by posting of public hearing signs. Victoria Tchetchet, for the record, said that she knows the applicant and that there is no conflict of interest.

Dan Bourret advised the commissioners to ignore the effective date posted on the motion. The effective date is the date when the mylar is filed (standard 90 days).

**MOTION:** Robert Taylor MOVED, seconded by Carolyn Freeman to CLOSE the Public Hearing.  
**VOTE UNANIMOUS. MOTION CARRIED.**

**RECORDED VOTE**

**DATE: May 18, 2023**

**COMMISSION: PLANNING & ZONING COMMISSION**

**MOTION**

**To Approve Application #22-25: 16 Sand Hill Road. Request for a Map Amendment for a Zone Change from IP (Planned Industrial) to B-2 (General Business). Application of Michael Brown and property of 16 Sand Hill Properties LLC. Assessor’s Maps 22, Lot 4, Zone IP, and subject to the following instructions and conditions:**

1. That the applicant meet the submission requirements for a zone change as specified in ZR Section 10.3.E.1, as well as provide a mylar and 3 additional paper copies of both the final revised zone change map and property survey.
2. That the metes and bounds description as required in ZR Section 10.3.A.2 be submitted prior to the filing of the mylar.
3. That the revised mylars and paper copies of the maps be prepared and submitted to the Town for endorsement in a timely manner as to be filed on the land records in the Town Clerk’s Office on the effective date of the zone change,

**Reasons: The Commission reviewed the criteria in ZR Section 10.3.D and has determined that the change from IP to B-2 is consistent with the goals of the Plan of Conservation and Development and is a logical extension of the abutting B-2 zone.**

**Effective Date: That the effective date of the zone change will be when the mylar is filed.**

Made by: Carolyn Freeman

Seconded by: Victoria Tchetchet

**IN FAVOR**

Carolyn Freeman

Victoria Tchetchet

Jennifer Tellone

Robert Taylor

Bob Ellsworth

\_\_\_\_\_

**IN OPPOSITION**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**IN ABSTENTION**

\_\_\_\_\_

\_\_\_\_\_

Recorded By: Dawn Guite

6. Application #22-26: Proposed amendment to the Town of Portland Zoning Regulations: Article 4.1.5.1 and 6.1, Add infrastructure to public utility use in each section. Application of the Town of Portland. *No action is required.*

### **Regular Meeting**

7. Application #22-21: 15 Wilcox Hill Road. Proposed site plan review for a new bus terminal with attached maintenance garage. Application and property of L&D Reality LLC. Map 83, Lot 38-3. Zone I.

Don DeVivo, President of Dattco Bus Company, and owner of the property, continued with statement for the proposed site plan review. Application is continued from the previous meeting waiting for feedback on drainage. Most of the Town Engineer's comments, including drainage, have been resolved. Remaining items on a punch list dated May 16, 2023, are being addressed by Bart Bovee. Mr. DeVivo said that Dattco used to be the school bus contractor in Portland. He purchased the contract and bus company from Charlie Nichols. At the time Mr. DeVivo was renting property on Rt. 66 and decided to develop a permanent bus yard in Portland. He was not the successful bidder by the Board of Education so plans were halted. He said that it makes sense to develop the exact same footprint, but due to waiting, approvals had expired. He is back asking for re-approval of the same site and recognizes that some rules/regulations have changed and are addressed in the new application. Dattco is currently a contractor for CREC and making a business decision with the advent of electric buses and range will be important to have locations closer to the communities that are served. The intention is for a fleet of electric buses on the site and power and chargers for them.

Solar panels may be considered in the future. They could be installed on the garage but the problem is that there is no place to store power. Power goes back out to the grid with solar and customer gets a credit for it. He is more concerned with have the capacity to charge vehicles. Charging can be scheduled after regular business hours and also in a series when it is needed. A photometric plan was presented previously by Bart Bovee to show LED lighting.

**RECORDED VOTE**

**DATE:** May 18, 2022

**COMMISSION:** PLANNING & ZONING

To **Approve** Application #22-21: 15 Wilcox Hill Road. Proposed site plan review for a new bus terminal with attached maintenance garage. Application and property of L&D Reality LLC. Map 83, Lot 38-3. Zone I, as shown on Site Development Plans "Proposed School Bus Facility" Prepared for Dattco, Inc by Harry E. Cole & Son, P.E.: "Existing Conditions" Dated 1/27/23, Page C-1; "Site Layout Plan" Dated 2/8/23 Revised to 4/27/23, Page C-2; "Utility and Grading Plan" Dated 2/8/23 Revised to 4/27/23, Page ES1; "Soil Erosion & Sedimentation Control Plan" Dated 2/8/23 Revised to 4/27/23, Page D-1; "Details" Dated 2/8/23 Revised to 4/27/23 Page PH-1; "Site Layout Plan" Dated 4/27/23; and based on information submitted, testimony presented during hearing, and subject to the following instructions and conditions integral to this application:

1. That the applicant addresses and complies with the comments and recommendations from the Town Engineer's Report dated 5/16/2023.
2. As a condition of approval, the applicant must submit a NDDDB referral to CTDEEP and receive a positive decision and meet any requirements they set out prior to start of construction.
3. That the applicant address any comments from the Fire Marshal after submittal of final plans.
4. That the certified Letter of Approval be placed on the Site Plan, and that a mylar and 3 paper copies of the plans be submitted. After endorsement, the mylars must be filed on the land records within 180 days, per ZR Section 10.5.3.2.a, these requirements must be met prior to the issuance of a zoning permit.
5. That a zoning permit application be submitted in accordance with ZR Section 11.1.1.A to ensure compliance with this approval.
6. That any exterior light fixtures must comply with ZR Section 8.3 and must be approved by the Zoning Enforcement Officer prior to installation.
7. That all proposed improvements associated with this application are to be completed according to the approved plan prior to the issuance of the required Certificate of Zoning Compliance to operate businesses at this location, or a performance bond will be required in accordance with ZR Section 11.2.2.
8. Any proposed signage shall meet ZR Section 8.4.
9. That this approval will expire in 5 years.
10. \_\_\_\_\_
11. \_\_\_\_\_

Reasons: The proposal conforms to Section 6 and 10.5 of the Zoning Regulations.

Motion to Approve Made by: Robert Taylor

Seconded by: Carolyn Freeman

IN FAVOR

IN OPPOSITION

Robert Taylor  
Carolyn Freeman  
Victoria Tchetchet  
Jennifer Tellone  
Bob Ellsworth  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

IN ABSTENTION

\_\_\_\_\_  
\_\_\_\_\_

Recorded By: Dawn Guite

8. Receive Applications:

Application 22-27: Portland Cobalt Road (Land-locked parcel accessed through and located northeast of 984 Portland Cobalt Road). Request for Special Permit Renewal of Sand and Gravel Excavation Permit to Excavate and Remove 150,000 Cubic Yards of Earth Material. Application of Herbert E. Butler Construction Company and property of Eversource Energy. Map 33 Lot. 27. Zone RR.

This is a Special Renewal Application.

Application 22-28: 127 Main Street. Proposed map change to extend Village District Boundary over 1 Quarry Lane and portion of 127 Main Street. Application of the Town of Portland. Map 19, Lot 75 and Map 19, Lot 31. Zone I.

Questions regarding application can be answered outside of tonight's meeting.

9. Old Business:

- Electric Vehicle Charging Stations

There was a discussion on how involved the Commission wants to be in determining regulations. Dan Bourret can provide information/contracts from other towns as reference (Groton, CT). Determinations will involve adding EVCS to existing businesses and standalone properties, compliance with State Statute, and set back requirements for accessory structures.

- Riverfront Overlay Zone

Discussion continued with more recommendations to maximize the riverfront. Sample regulations can specify opportunities and uses at the Riverfront Overlay Zone. Dan Bourret is researching where land is shared by the Overlay and Industrial Zones.

10. Staff Report:

- Correspondence

There was no correspondence.

Dan Bourret said that the public portal for land use will be up and running on the Tuesday following Memorial Day. Public will have access to applications, permits, and variances. There will be a GIS viewer. For the future there will be ability to complete permits online for a fee.

- Brainerd Place Update

The EDC wants an update from the developer. Foundation work is moving full speed for Starbucks and commercial buildings.

11. Public Comment: The Commission will hear brief comments at this time from anyone wishing to speak. Comments may not be made regarding any pending application.

There was no public comment.

12. Approval of Minutes: 5/04/2023

**MOTION:** Victoria Tchetchet MOVED, seconded by Robert Taylor to APPROVE Minutes for 5/4/2023 as AMENDED. **VOTE UNANIMOUS. MOTION CARRIED.**

13. Adjourn

**MOTION:** Robert Taylor MOVED, seconded by Victoria Tchetchet to ADJOURN the meeting at 8:40 p.m. **VOTE UNANIMOUS. MOTION CARRIED.**

Respectfully Submitted:

*Dawn Guite*

Dawn Guite, Recording Secretary