



**TOWN OF NEWTOWN**  
**PLANNING & ZONING COMMISSION**

MINUTES

**REGULAR MEETING**

Thursday, December 3, 2020 at 7:00 P.M.

**Zoom Virtual Meeting Participation Information**

Thursday, December 3, 2020 at 7:00 P.M.

Call-In Number: +1 929-205-6099

Meeting ID: 936 8896 1083 #

Website: <https://zoom.us/j/93688961083>

**Present:** Don Mitchell, Jim Swift, Dennis Bloom, Corinne Cox, Barbara Manville, Andrew Marone, David Rosen

**Staff:** Rob Sibley, Deputy Director of Land Use, Christine O'Neill, Clerk

Mr. Mitchell called the meeting to order at 7:05.

**Public Hearings**

**(continued) Application 20.09 by Paul Hilario, for a Special Exception and Site Development Plan, for a property located at 135-139 Mount Pleasant Road, so as to permit the construction of buildings to store trucks and equipment and to perform repairs, as demonstrated on a set of plans titled "Site Development Plans Prepared for Hilario's Service Center, Inc." dated 3/10/17 last revised 11/20/20, and documents submitted to the Land Use Agency 8/12/20, 8/14/20, 9/2/20, 9/17/20, 9/21/20, 9/29/20, 10/13/20, 10/26/20, 12/1/20, and 12/3/20.**

Nick Yuschak, Landscape Architect of CCA, LLC spoke on behalf of the applicant. He explained that since the last meeting, the site plan has been revised to remove the emergency access road. A drawing of a proposed monument sign in the front yard has been submitted. Mr. Hilario, the applicant, explained that the emergency access road was removed at the request of the Commission. The clerk displayed the image of the 14-foot sign he is proposing, as well as the newly-submitted photos of a building that is similar to what Mr. Hilario is envisioning for the front building.

Mr. Mitchell asked if the elimination of the emergency access would mean the landscape plan has changed. Mr. Yuschak replied the area would be open lawn with no landscaping. Mr. Mitchell wondered if there would be no other signs on the property besides the one Mr. Hilario had submitted. Mr. Hilario said for now, this is the only one; he has no need to put signage on the back buildings since they will only be used for storage.

Ms. Cox asked what Mr. Hilario had decided about the lights, given the neighbors' concerns from past meetings. Mr. Mitchell pointed out that all the bright lights are coming from 131 Mt. Pleasant Road - which is also owned by the applicant, but is not part of this application. Mr. Hilario confirmed this. Therefore, Mr. Mitchell explained, the Commission should not be concerned with off-site lighting. Ms. Cox wanted to know about the lights on the buildings on the subject properties, and Mr. Mitchell wondered if there would be lighting for the sign. Steve Sullivan of CCA, LLC explained that all lighting was displayed on the photometric plan and was downward-facing, dark-sky compliant. Mr. Hilario contributed that the lights would be on a timer, with minimal after-hours lighting for late night emergency tows. A motion sensor would activate the lights late at night if there is activity on the site.

Mr. Swift asked if Mr. Hilario would complete all the landscaping first, even if the construction was phased so that the front building isn't immediately erected. Mr. Hilario said the landscaping would go up regardless. Mr. Swift asked if the front building, for which the photos had been submitted, would have masonry just on the road-facing facade or the sides as well. Mr. Hilario said the blocks would go around the sides.

Ms. Manville wondered what would happen if there was an emergency breakdown, now that the emergency accessway had been eliminated. Mr. Sullivan commented that the current driveway was quite wide at 40 feet and should be able to accommodate emergencies.

Mr. Bloom inquired as to the timeline of getting the front building up, given that Mr. Hilario expressed he would be doing the middle building first. Mr. Hilario said he'd like to put it up as soon as possible, but wants to be cautious with his investments given the economic climate. Mr. Mitchell reminded him that there is a five-year limit on site plan approval. Mr. Hilario said he certainly did not plan to take that long.

Ms. Cox referred to the "enormous amount of stuff" in front of the gas station on 131 Mt. Pleasant Road, and wondered where it would go given he's only putting up the small building first. She referred to Mr. Hilario's Danbury site a "disaster" and said she did not want to see a similar situation in Newtown. Mr. Swift added that he also didn't realize the construction was going to be phased, and he was relying on the architecturally-nicer front building to shield some of the less attractive aspects of the site. He wondered if there could be some sort of guarantee that the front building would indeed be built, and asked Mr. Mitchell about what options the Commission had in this case. Mr. Mitchell agreed that it is a difficult situation, but he did not believe that the Commission had authority to bond for this.

Mr. Swift asked why the middle building was a priority and not the front building. Mr. Hilario said he currently has a place to do his work, but not room for storage; the middle building would give him access to a lot more storage space which would lead to a much more efficient operation. He confirmed that the middle building will be strictly storage.

Mr. Swift asked if the back building, the biggest, could be constructed first. Mr. Hilario said in the interest of time and money, the middle building was his current priority. He wants to clean up the property now. Mr. Swift asked if the front building would be the next to go up, and Mr. Hilario said quite possibly yes. Mr. Swift explained that the dilemma of the Commission is that they are looking at a complete site plan, yet the construction will happen in phases over a number of years.

Ms. Manville wondered how close Mr. Hilario is to leasing the gas station at 131 Mt. Pleasant Road. Mr. Hilario said there are currently parties interested. Mr. Mitchell commented that no one would be able to lease it unless this site plan were approved, but Mr. Hilario said he could structure his site operations to allow for it. Mr. Mitchell wondered if that meant Mr. Hilario would be operating two businesses on one property: a gas station run by the lessee, and the public garage run by Mr. Hilario.

Ms. Cox echoed Mr. Swift's concern that the front building might never end up being constructed. Mr. Hilario said he couldn't promise that all the buildings would go up, given the uncertainty of the economy, but he fully intended to complete the site plan as presented. He stated that his business needs to expand.

Mr. Swift wanted a commitment that the second building that goes up will be the front building. Mr. Hilario said he needs to research costs, but he will consider it. Ms. Cox and Mr. Mitchell agreed that it was their preference. Mr. Mitchell said he also has research to do in terms of the ability of Mr. Hilario to run both a gas station and a public garage out of a single property. Mr. Hilario remind Mr. Mitchell that when Mr. Hilario's father had the property, historically there had always been two operations. Mr. Mitchell appreciated the information, because that might mean the dual usage is grandfathered.

Mr. Mitchell asked if Mr. Hilario had obtained a Department of Motor Vehicles license to operate a public garage on the piece of property to which he will be expanding his business. Mr. Hilario explained that he could just add it to his current license, but Mr. Mitchell said each discrete piece of property needs its own license. They discussed the process.

Mr. Mitchell brought attention to Deputy Director of Land Use Rob Sibley's staff review, which states that the landscape plan does not appear to completely meet Town regulations 8.04 for a landscape buffer between residential zone and a commercial zone. Mr. Mitchell brought up his concern from last meeting that some of the buffer Mr. Yuschak had proposed was off the property, and therefore could not be maintained by the applicant. The regulations, Mr. Mitchell said, very clearly call for landscaped buffers that completely obscure the parking lots of commercial buildings from residential view, with no ability for the Commission to waive that requirement.

Mr. Mitchell said the buffer needs to be between the use on the subject property, and the property line - this indicates that the buffer needs to be on the property itself. There was discussion about whether a buffer would block view of the neighboring business from potential clients, or if the Commission could deem a fence a satisfactory buffer as opposed to landscaping. Mr. Mitchell expressed that he wants to work with the applicant's team and the Land Use Agency, but he doesn't currently see a way around having a buffer on the site itself when the regulations appear to require that.

Ms. Cox asked Mr. Mitchell if he was saying that a fence is not permissible. Mr. Mitchell explained that the regulations say *in addition to* a planted buffer, a fence may be required by the Commission. Mr. Yuschak referenced Section 8.04.650, which refers to several alternate methods of screening. The discussion on buffering continued between Mr. Sullivan, Mr. Mitchell, and Mr. Yuschak.

Mr. Swift wanted to close the hearing tonight, so he asked if the Commission could look at the regulations relating to buffers right now. They went through the following:

- 4.05.700 does not apply, because that is for residential zones.
- 8.04.310 says a natural buffer could suffice as screening, but it does not specify which property the natural buffer must be on, as Mr. Swift reads the regulation.
- 8.04.644 defines screening and seems imply a fence is not included in the definition, as Mr. Mitchell reads the regulation.
- 11.01.425 calls for the buffer to be between the use and the adjacent property, implying the buffer must be on the subject property, as Mr. Mitchell reads the regulation.

Mr. Sullivan asked if there was any language saying how wide the buffer has to be. Mr. Yuschak said he hadn't seen anything. Mr. Mitchell referred to the definition of Planted Buffer in Section 1.02.

Eventually, Mr. Mitchell conceded that the regulations could be read to allow a buffer to exist on a neighboring property. Ambiguity of the regulations, he said, goes in favor of the applicant. Mr. Mitchell asked if Mr. Sibley felt the discussion tonight had satisfied the point he raised in his review. Mr. Sibley confirmed that it had.

Mr. Mitchell moved on to the suggested conditions of approval in Mr. Sibley's review.

- *Removal of all storage containers on all proposed properties, unless permits are acquired.* Mr. Hilario confirmed that he doesn't plan to have any, but if that changes, he will apply for a permit.
- *Interior wash bays shall be for fleet vehicles only.* Mr. Mitchell confirmed with Mr. Hilario that this had been his intent.
- *Outdoor storage of towed vehicles is prohibited for more than 96 hours.* Mr. Mitchell, Mr. Hilario, and Mr. Swift wondered what the 96 exactly is referring to - does this apply only to vehicles being kept outdoors? Or would any vehicle need to be off the property in four days? What about unregistered or abandoned vehicles? Mr. Hilario stated that sometimes, an estimate for a vehicle exceeds its value - in which case the owner abandons a vehicle. Mr. Hilario explained that there is a State procedure for

dealing with such abandoned vehicles, and it may fall outside the 96 hour window. Mr. Mitchell and Mr. Hilario discussed how a mechanic's lien functions in this context. Mr. Mitchell clarified that he felt the suggested condition of approval sought to prevent numerous vehicles in states of disrepair piling up on the property.

- *No outside storage of more than three (3) fleet vehicles.* Ms. Cox wondered how this was possible without putting up the building with the garages. Mr. Hilario agreed, saying this was unfairly restrictive and would not allow him to ever expand his business. Mr. Hilario explained that whatever he does will be an enhancement from the current situation on the property. Mr. Mitchell contributed that perhaps this was a question of the word "storage," implying that vehicles currently being worked on would not count towards this number. Ms. Cox asked who would check up on these issues. Mr. Mitchell said that the Zoning Enforcement Officer (ZEO) would do that, though they may be somewhat understaffed in that regard. Mr. Swift said he thought ZEOs do not perform "sweeps," but base their inspections on complaints they receive.

Mr. Mitchell invited public comment.

Denise Grenier of 29 Pocono Road, Newtown, CT felt that Mr. Hilario is doing his best to improve his property, and has done everything the Commission asked. The meetings have been going on for months and now it's time to make a decision.

Mr. Mitchell was reminded of an open question from last time, which was the color of the buildings. Mr. Hilario agreed to use muted colors like beige or gray.

Andrew Gallagher of 24 Pocono Road, Newtown, CT asked Mr. Sullivan if the driveway would be wide enough that there would be no backups on Route 6. Mr. Mitchell confirmed it would be 40 feet wide. Mr. Gallagher asked if there would be noise restrictions. Mr. Sullivan replied that Newtown's noise ordinance would dictate that. Mr. Gallagher expressed that while he respects Mr. Hilario status as a small business man, he would like to see a 20% reduction in the size of all proposed buildings. Mr. Gallagher echoed Ms. Grenier's comment that these meetings have gone on for an unreasonably long time and the Commission is asking the same questions again and again. Ms. Cox explained that the job of the Commission is to follow laws and regulations, which sometimes results in a long process.

Charles Merrifield of 26 Pocono Road, Newtown, CT was concerned about the current state of the property, specifically the millings and mafia blocks. Mr. Mitchell asked what the millings would be used for. Mr. Hilario said they would be used as a base or foundation.

Mr. Swift asked for a commitment that the complete landscaping plan would be in place before the center building is occupied. He also sought a commitment that the second building erected would be the front building. Ms. Manville agreed with him. Mr. Hilario expressed that he was concerned the landscaping would be destroyed during the construction of the front building, which would result in him having to install the plantings twice. Mr. Swift was sympathetic to the predicament, but still was looking for some sort of assurance. Mr. Sullivan commented that he was confident the landscaping would not need to be disturbed in order to put in the front building.

Mr. Swift asked if Mr. Hilario could commit to those requests, since so far his answers had been "gray." Mr. Hilario said he is not prepared to answer that tonight, as he would need to see pricing first, though he would like to do so. Ms. Cox noted that tonight's proceedings would be recorded.

Mr. Bloom said he did not understand how the Commission could put restrictions on the order of buildings in construction. Mr. Mitchell and Mr. Swift agreed that it was not legally enforceable, which is why they were not making it a condition of approval. Mr. Hilario explained that he was happy to go on the record to say he will

pursue pricing so he can make a decision, and he does hope to put up the front building second as long as it isn't outrageously expensive.

Mr. Swift made a motion to close the public hearing. Ms. Manville seconded. All were in favor and the public hearing was closed at 8:58 p.m.

**Application 20.12 by HBN Corp Park, LLC, for a Text Amendment to the Zoning Regulations of the Town of Newtown, for a new South Main Village Design District at 153 South Main Street, so as to allow for the conversion of a portion of the existing office space to a restaurant with a patio for outdoor dining, as described in documents submitted to the Land Use Agency 11/17/20.**

Mary Blackburn, Landscape Architect of Solli Engineering, introduced herself as speaking on behalf of a text amendment creating a Special Development District (SDD) at 153 South Main Street. This SDD would allow restaurants and outdoor dining in addition to the existing uses, design standards, and parking. There is an existing office building with some vacancies on the property. Ms. Blackburn said that a mixed use including outdoor dining will bring more vibrancy to the enterprise, in accordance with the Plan of Conservation and Development's (POCD) call to stimulate use in underused/vacant properties. The POCD also encourages shared parking for mixed uses, which is part of what the SDD is proposing.

Ms. Blackburn displayed a conceptual site development plan. Mr. Swift confirmed that this was just a text amendment, and not a site plan yet. Mr. Mitchell and Ms. Blackburn agreed that tonight's application was not for a zone change or a site plan.

Mr. Mitchell asked what was currently in the building. Ms. Blackburn replied that it is mostly medical offices.

Mr. Mitchell pondered the purpose of the industrial designation. Ms. Blackburn said a restaurant would be a compatible use for the area, and the building is already not functioning with an industrial use.

Mr. Swift asked if they have a bit more discretion with a SDD than with a B-2 zone. Mr. Mitchell explained that all of South Main Street is already in a Special *Design* District, which is different than a Special *Development* District (SDD). According to the preamble to the SDD section, Section 2.02.600, such districts should only be created if "design of such elements is so outstanding as to warrant modification of the standards contained elsewhere in these Regulations." What is being proposed now, Mr. Mitchell explained, does not have any architectural "wow" factor. Ms. Blackburn said the architectural component will come when they apply for the site development plan.

As another consideration, Mr. Mitchell pointed out that the applicant includes in the narrative that all uses currently allowed under M-1 would be in the SDD, but that language did not make it into the actual proposed text amendment. The text amendment should be modified to include that language.

Mr. Mitchell asked with whom the parking would be shared. Ms. Blackburn stated it would be shared between the restaurant and the offices. Mr. Mitchell realized the "shared parking" was referring to all on-site parking - usually the term refers to sharing across multiple sites.

Mr. Mitchell invited public comment. No one came forward.

Ms. Cox made a motion to close the public hearing. Ms. Manville seconded. All were in favor and the public hearing was closed at 9:16 p.m.

**Discussion and Action**

**Application 20.12 by HBN Corp Park, LLC, for a Text Amendment to the Zoning Regulations of the Town of Newtown, for a new South Main Village Design District at 153 South Main Street, so as to allow**

**for the conversion of a portion of the existing office space to a restaurant with a patio for outdoor dining, as described in documents submitted to the Land Use Agency 11/17/20.**

Mr. Swift said he is in favor of this text amendment. Ms. Cox commented that she enjoys the design of the building and is in favor of the application. Mr. Bloom said he is "all for it." Mr. Mitchell conceded that although he is having difficulty with the applicant leveraging a SDD just to get an additional use, he would like to see a restaurant in this location. Mr. Swift agreed that this would have been more appropriate as a zone change as opposed to a text amendment for an SDD.

The Commission debated the merits of recommending that the applicant withdraw this application and instead apply for a zone change. This would avoid "cluttering" the zoning regulations with SDDs, Mr. Mitchell explained. Mr. Swift recalled allowing retail sales in industrial buildings. Mr. Mitchell said there is limited retail sales in some industrial zones, but that is as an ancillary use. For long term zoning, it would be cleaner and more consistent to do a zone change, Mr. Mitchell said.

Mr. Sibley shared the site's history, noting that the imaging center was converted to a doctor's office about a decade ago, and the site has shifted away from industrial ever since. The property still abuts other industrial properties. Mr. Sibley said when the applicant asked about the process they could use to include a restaurant in the existing building, they were given no other recommendation than a SDD.

Mr. Mitchell agreed that it is important to preserve industrial zones. Mr. Swift said Mr. Sibley's explanation made a lot of sense. Mr. Mitchell asked if the Commission could modify the proposal to include the "all the uses currently allowed in the M-1 zone." He explained if they approve the text amendment as-is, it means 153 South Main Street cannot use any M-1 uses in the future. Mr. Sibley replied that yes, the text amendment can be modified.

Mr. Mitchell made a motion to modify the proposal to add subsection (d) under 1. Uses, with the text, "All uses currently allowed in the underlying M-1 zone." Mr. Swift seconded. All were in favor and the proposed text amendment was modified.

Mr. Mitchell read the following into the record:

*BE IT RESOLVED that Application 20.12 by HBN Corp Park, LLC, for a Text Amendment to the Zoning Regulations of the Town of Newtown, for a new South Main Village Design District at 153 South Main Street, so as to allow for the conversion of a portion of the existing office space to a restaurant with a patio for outdoor dining, as described in documents submitted to the Land Use Agency 11/17/20 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED AS MODIFIED BY THE COMMISSION.*

*BE IT FURTHER RESOLVED that the approval shall become effective December 26, 2020.*

Mr. Swift so moved. Ms. Manville seconded.

The Commission voted as follows:

Donald Mitchell - AYE  
James Swift - AYE  
Barbara Manville - AYE  
Corinne Cox - AYE  
Dennis Bloom - AYE

The motion to approve Application 20.12 carried unanimously.

### **Proposed Meeting Dates 2021**

Mr. Mitchell made a motion to approve the proposed 2021 meeting dates (see below). Mr. Swift seconded. All were in favor and the minutes from the meeting of November 19, 2020 were approved.

Thursday, January 7, 2021  
Thursday, January 21, 2021  
Thursday, February 5, 2021  
Thursday, February 19, 2021  
Thursday, March 4, 2021  
Thursday, March 18, 2021  
Thursday, April 1, 2021  
Thursday, April 15, 2021  
Thursday, May 6, 2021

Thursday, May 20, 2021  
Thursday, June 3, 2021  
Thursday, June 17, 2021  
Thursday, July 1, 2021  
Thursday, July 15, 2021  
Thursday, August 5, 2021  
Thursday, August 19, 2021  
Thursday, September 2, 2021  
Thursday, September 16, 2021

Thursday, October 7, 2021  
Thursday, October 21, 2021  
Thursday, November 4, 2021  
Thursday, November 18, 2021  
Thursday, December 2, 2021  
Thursday, December 16, 2021  
Thursday, January 6, 2022  
Thursday, January 20, 2022

### **Minutes**

Mr. Mitchell asked that this item be tabled to the next meeting.

### **Discussion and Action**

**Application 20.09 by Paul Hilario, for a Special Exception and Site Development Plan, for a property located at 135-139 Mount Pleasant Road, so as to permit the construction of buildings to store trucks and equipment and to perform repairs, as demonstrated on a set of plans titled "Site Development Plans Prepared for Hilario's Service Center, Inc." dated 3/10/17 last revised 11/20/20, and documents submitted to the Land Use Agency 8/12/20, 8/14/20, 9/2/20, 9/17/20, 9/21/20, 9/29/20, 10/13/20, 10/26/20, 12/1/20, and 12/3/20.**

Before reading the motion into the record, the Commission decided to discuss Mr. Sibley's suggested conditions of approval.

- *Removal of all storage containers on all proposed properties, unless permits are acquired.* The Commission wasn't sure if there were any current storage containers on the site, but Mr. Sibley pointed out that the survey of the existing conditions showed storage containers. Mr. Mitchell thought it would be an appropriate condition, and the Commission was in agreement.
- *Interior wash bays shall be for fleet vehicles only.* Mr. Sibley said he had crafted this in response to a question from a Commissioner in a prior meeting as to whether there would be commercial car-washing. The Commission also thought this an appropriate condition.
- *Outdoor storage of towed vehicles is prohibited for more than 96 hours.* The genesis of this statement came from a Commissioner asking that vehicles not sit on the lot for more than a week. Mr. Sibley reminded the Commission that they do have the right to tell someone what can and cannot be kept on the property. This has nothing to do with abandoned vehicles or vehicles that are being worked on. Mr. Sibley reiterated that this is just a suggestion. Mr. Mitchell felt that "storage" is its own definition, and they don't need to assign a certain number of hours, though he admitted this would make it more difficult to enforce. Yet, Mr. Mitchell didn't want to limit Mr. Hilario's ability to leave his fleet vehicles outside, plus another one Mr. Sibley's suggestions addressed fleet vehicles. The Commission decided on "No outdoor storage of non-fleet vehicles."
- *Removal of all unregistered vehicles and non-fleet vehicles on properties before any building permits are issued.* Mr. Mitchell and Ms. Manville were concerned that Mr. Hilario could skirt this and other conditions of approval by using 131 Mt. Pleasant Road, which is not part of this application. This will be kept as a condition of approval.
- *Removal of all unpermitted lighting and signage on properties before any building permits are issued.* The Commission found this reasonable.
- *No vehicle storage or parking of vehicles outside of designated marked spaces.* Mr. Swift and Mr. Mitchell felt this made sense. Mr. Sibley explained that if someone comes in for a partial Certificate of

Occupancy (in this case, for just the middle building), the ZEO would not sign off unless the regulation-required number of parking spots were available and the remaining spots were at least striped.

At around 9:50 p.m., Ms. Cox disconnected from the meeting.

- *No site work may occur without building permits issued.* Mr. Mitchell was good with this condition of approval.
- *No outside storage of more than three (3) fleet vehicles.* With the current proposed plan, the operation should have plenty of indoor space for fleet vehicles. Mr. Swift suggested changing it to read "No outdoor parking" as opposed to "storage." Mr. Sibley said the number three was brought up by a Commissioner, but the Commission could decide on any number. Mr. Swift also commented that a fleet vehicle is not the same kind of eyesore as a wrecked vehicle, though Ms. Manville said that depends on if Mr. Hilario maintains them well. The Commissioners debated the number of vehicles. Mr. Sibley said that they had asked Mr. Hilario to specify this in the past, and an answer was never provided. Ms. Manville wanted to see three, and Mr. Swift wanted six. Mr. Mitchell pointed out that Mr. Hilario could always come back for an amendment. It was decided that the condition would read, "No outside parking of more than three fleet vehicles."

Mr. Mitchell read the following into the record:

*BE IT RESOLVED THAT Application 20.09 by Paul Hilario, for a Special Exception and Site Development Plan, for a property located at 135-139 Mount Pleasant Road, so as to permit the construction of buildings to store trucks and equipment and to perform repairs, as demonstrated on a set of plans titled "Site Development Plans Prepared for Hilario's Service Center, Inc." dated 3/10/17 last revised 11/20/20, and documents submitted to the Land Use Agency 8/12/20, 8/14/20, 9/2/20, 9/17/20, 9/21/20, 9/29/20, 10/13/20, 10/26/20, 12/1/20, and 12/3/20 IS HEREBY FOUND CONSISTENT WITH THE PLAN OF CONSERVATION AND DEVELOPMENT AND THE COMPREHENSIVE PLAN, AND SHALL BE APPROVED WITH THE FOLLOWING CONDITIONS:*

- *Removal of all storage containers on all proposed properties, unless permits are acquired.*
- *Interior wash bays shall be for fleet vehicles only.*
- *Outdoor storage of non-fleet vehicles is prohibited.*
- *Removal of all unregistered vehicles and non-fleet vehicles on properties before any building permits are issued.*
- *Removal of all unpermitted lighting and signage on properties before any building permits are issued.*
- *No vehicle storage or parking of vehicles outside of designated marked spaces.*
- *No site work may occur without building permits issued.*
- *No outside parking of more than three (3) fleet vehicles.*

*BE IT FURTHER RESOLVED that the approval shall become effective December 26, 2020.*

Mr. Swift so moved. Mr. Mitchell seconded, saying he was relying on the applicant's word for the color of the buildings.

Ms. Cox rejoined the meeting. Mr. Mitchell explained that Ms. Cox could not vote unless she had a chance to listen to the recording of the 20 minutes she missed. Mr. Rosen was appointed to vote in place of Ms. Cox.

The Commission voted as follows:

Donald Mitchell - AYE  
James Swift - AYE  
Barbara Manville - AYE



David Rosen - AYE  
Dennis Bloom - AYE

The motion to approve Application 20.09 carried unanimously.

### **Adjournment**

Mr. Rosen made a motion to adjourn. Mr. Mitchell seconded. All members were in favor and the meeting was adjourned at 10:12 p.m.

*Respectfully submitted,  
Christine O'Neill, Clerk*

A recording of the meeting can be found here:

<https://drive.google.com/drive/folders/1d962GuFLuYFgdykJexT5O2Zi1v9EN5LN>