



**Town of Marlborough  
Zoning Commission Meeting Minutes  
Senior Center  
17 School Drive  
March 7, 2024  
7:00 p.m.**

1. CALL TO ORDER – ROLL CALL (Designation of Alternates, recognition of guests)  
Mark Merritt called the meeting to order at 7:01 pm

Present were Bill Lardi, Rob Fraulino, Mark Merritt, Charles Denler, and Peter Hughes-  
Director of Planning & Development.

2. PUBLIC COMMENTS

3. PUBLIC HEARING

Mr. Merritt opened the public hearing for Application # Z-01-24 and Application #Z-02-24.

- a. Application #Z-01-24 – 138 Flood Rd (Applicant) Matthew Chojnicki (Property Owner)  
Construction of accessory building

Mr. Chojnicki explained his application. The proposed building is within setback  
allotments.

**Mr. Merritt motioned to close the public hearing for Application #Z-01-24. Mr.  
Fraulino seconded. All in favor and public hearing closed.**

- b. Application #Z-02-24 – 25 South Main St (Applicant) 96 Apartments on South Main St  
and Johnson Rd

Mr. Hughes explained the application was being submitted for reapproval with no  
changes to the conditions of previous approval.

**Mr. Merritt motioned to close the public hearing for Application #Z-02-24. Mr.  
Fraulino seconded. All in favor and public hearing closed.**

4. OLD BUSINESS

- a. Application #Z-01-24 – 138 Flood Rd (Applicant) Matthew Chojnicki (Property Owner)  
Construction of accessory building

**Mr. Fraulino motion to approve Application #Z-01-24 for dry storage building.  
Mr. Denler seconded. All in favor and motion carried.**

Minutes are considered 'DRAFT MINUTES' until approved at the next meeting.

- b. Application #Z-02-24 – 25 South Main St (Applicant) 96 Apartments on South Main St and Johnson Rd

Mr. Hughes reviewed the application; it had no changes. Application had lapsed.

**APPLICATION #Z-02-24- Austin HGB, LLC Bill Gjonbalaj (Applicant / Property Owner) Map 6 Block 28 Lots 4,5,6, 12 and #25 South Main Street Provide apartment housing by building (2) 48-unit buildings.**

**Whereas, the Marlborough Zoning Commission has held public hearings on March 7, 2024**

**Whereas, the Commission has reviewed the following information from the applicant:**

Traffic Report prepared by F.A. Hesketh & Associates Dated

Site Development Plan - Marlborough Multi-Family, Special Permit Application, South Main Street & Johnson Road – Marlborough – CT, Map 6 - Block 28 – Lots 4,5,6, 12 & 25 South Main St. , Dated 7/25/22, Revisions 11/7/22, 11/14/22, 2/17/23, Prepared by Design Professionals

Architectural Plans – The Village at Marlborough, Dated 7/25/22, Prepared by Polymorphous Architects LLC

A-2 Survey – Limited Property Survey Prepared for 21 Austin HGB, LLC, South Main Street, Marlborough Connecticut, Dated 12/05/20

**Therefore, the Commission makes the following Motion to APPROVE Special Permit APPLICATION #Z-02-24- Austin HGB, LLC Bill Gjonbalaj (Applicant / Property Owner) Map 6 Block 28 Lots 4,5,6,12, and 25 South Main Street to Provide Apartment Housing by Building (2) 48-unit buildings, with the following conditions and modifications:**

**Conditions**

1. The applicant shall perform permeability testing for the water quality basin and below ground stormwater system upon reaching final grade. Test results and confirmation of the stormwater design based on permeability testing shall be submitted to the Commission for final approval prior to construction and installation of these stormwater facilities.
2. No construction vehicles shall enter or exit the site between the hours of 8:00 a.m. to 9:00 a.m. and 2:30 p.m. to 3:15 p.m. Monday through Friday between August 25<sup>th</sup> and June 15<sup>th</sup>. The applicant shall post a sign to this affect at the wetland crossing and prior to the South Main Street existing sidewalk.
3. The applicant shall submit calculations, design specifications and plan with cross sections for Fire Protection storage tanks to the Commission for final approval prior to issuance of a building permit.
4. The applicant shall submit for approval to Marlborough Water Pollution Control Authority the final design of the sewer collection system prior to issuance of a building permit.

5. The applicant shall set aside 10 units for affordable housing at 80% or less of Area Median Income in accordance with the Standards of CGS 8-30g. These shall be two 2 bedroom units and eight 1 bedroom units designated as affordable units split equally between the two buildings. Additionally, the applicant shall designate the units by number and submit an affordability plan in accordance with CGS 8-30g for approval to the Commission. The Town of Marlborough shall be the entity designated as the Affordable Housing Administrator. Further, the applicant shall submit annually no later than July 1st of each year after issuance of a certificate of occupancy for each building to the Town a notarized compliance statement on the affordable unit's rental rate and occupancy.
6. The applicant shall submit a bond estimate for all erosion and sediment controls for approval to Town Staff. Prior to endorsement of the final Mylar the applicant shall post a bond in the amount determined by the Town Staff.
7. The applicant shall submit a maintenance plan for the pervious pavement area of the parking lot.
8. The applicant shall maintain the sidewalk access on South Main Street during construction.
9. The applicant shall submit for approval an easement document in favor of the Town for access and right to inspect the stormwater system. Said document shall be recorded on the Land Records with the final Mylars.
10. The applicant shall have a State of Connecticut Registered Professional Engineer inspect and certify to Town Staff the construction of the temporary sediment basins, underground stormwater storage facility, and water quality basin have been built in accordance with the final plan as these facilities are constructed.
11. There shall be no burying of demolition, stonewalls, or stumps permitted on-site.
12. All work conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, fills, obstructions, encroachments, or other activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in its modification, suspension or its modification, suspension, or revocation.
13. The applicant or its representative shall inspect the erosion & sediment control devices daily and keep a log of inspections and any corrective actions, and said log shall be made available to the Town Staff on request.
14. The applicant shall prior to the issuance of a certificate of occupancy shall complete all work and plantings shown on the approved final plans. If any work is incomplete the applicant shall submit a detailed cost estimate for completion of said work to Town Staff for the determination of a performance bond.

15. The applicant prior to commencing any work shall hold a field meeting with his professionals and contractor and Town Staff to review the plans and permit conditions.
16. Prior to commencing work the Owner and his contractor shall submit a notarized letter acknowledging that they have reviewed this permit and the plans and understand all conditions of approval and the approved plans.

### **Modifications**

1. On Sheet C - SP1 - Add a note the applicant shall repair the existing stonewall along the frontage on South Main Street.
2. On sheet C - SP1 Delineate the section of stonewall to remain.
3. On Sheet C – SP1 add a note the existing stonewall abutting land of Thibodeau shall not be removed. Any section disturbed during construction shall be rebuilt.
4. On Sheet C - SP1 change the note for the Dry Stonewall dimensions to 30" x 24".
5. On Sheet C - SP1 Add a note that the cross walk on South Main Street shall be TrafficPatterns Colonial Brick for 5 courses brick and White for 5 courses of brick, and white borders. .
6. Add to the detail sheets all cross walk construction and materials specifications.
7. On Sheet C – UT1 add a clean out manhole to the sewer line between the parking area and the wetlands.
8. On Sheets C – ES1 & ES2 – After the completion of clearing and grubbing for Phase I the driveway 100 feet from South Main Street shall have pavement at least 20 feet in width and the construction entrance pad installation shall be commence at the end of the pavement.
9. On Sheets – ES1 & ES2 – Add a note the Applicant is to sweep South Main Street if materials tracking takes place or at the direction of Town Staff.
10. On Sheet C - LS1 – Add a note that The Wetland Mitigation Plantings process shall be overseen by Wetland Scientist or State of CT Licensed Landscape Architect. Said Professional shall submit a notarized statement to Town Staff the work and planting species are in accordance with the approval once complete. Said Professional shall monitor the Wetland Planting Mitigation area for three years from the date of certificate occupancy for the first building. Such report shall include recommendations for care, repairing, replacing, or otherwise correcting all damaged, defective, or otherwise deficient plantings. The applicant shall take any correction actions the report states within 60 calendar days of the date of the report. The applicant shall submit said inspection report to Town Staff annually within 7 calendar days of the report's date.
11. On Sheet C – LS1 – Add a note – The applicant shall have a State of CT Licensed Landscape Architect submit a notarized statement to Town Staff the work and planting species are in accordance with the approval once complete.

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The Landscape Architect shall inspect all plantings and submit a report annually for three years from the date of certificate of occupancy of the first building. Such report shall include recommendations for care, repairing, replacing, or otherwise correcting all damaged, defective, or otherwise deficient plantings. . The applicant shall take any correction actions the report states within 60 calendar days of the date of the report. The applicant shall submit said inspection report to Town Staff annually within 7 calendar days of the report's date.

12. On Sheet C – LS2 – Add to Note #9 - and approval of Town Staff.
13. On Sheet C - LS2 – Add to Note #12 – The projects Landscape Architect shall review the results of soil testing and approve the recommendations for soil enhancements prior to planting. The applicant shall submit copy of the soil test report and Landscape Architects recommendations to Town Staff prior to planting.
14. On Sheet C - D4 add the height of the light pole to the detail.
15. The final plans shall reflect the comments of the Town Engineer's final report.
16. Add a plan and profile sheet for the driveway.
17. Add a note and detail for the walking path that reflects a 4 foot wide stone dust or similar material surface with 2 feet clearing on each side.
18. Add a detail and construction sequence for the installation of the fire water storage tank(s).
19. Plans shall be revised to incorporate all conditions of the Marlborough Conservation Commission approval of 1/09/23.
20. The full text of this motion and the Conservation Commission approval motion shall be reproduced on the final plan set.
21. On Sheet C- LS1 change the arborvitaes plantings from Dark American to Green Emerald species.

**Mr. Fraulino motioned to approve Application #Z-02-24 with the same conditions as previously approved and drafted. Mr. Lardi seconded. All in favor and motion carried.**

5. NEW BUSINESS

- a. Application #Z-03-24 – 314 Jones Hollow Rd (Applicant) Kirsten DellaRocco (Property Owner) Construction of Accessory Building

**Mr. Fraulino motioned to set a public hearing for April 4, 2024, for Application #Z-03-24. Mr. Lardi seconded. All in favor and motion carried.**

- b. Marlborough Associates LLC – Jones Hollow Design Informal Discussion Assessor's Map 6 Block 10- Lots 16, 17A, 17B, 17C, 18A, 18B

Applicant's representative, Brandon Hanfield, PE – Yantic River Consulting, presented the proposed plan,. There was a previous subdivision on the property with residential zoning. They will be requesting a zoning change to multifamily and are proposing four buildings with 6 units each totaling 24 units. The proposal meets zoning regulations

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once changed to multifamily residences. It will have a public water supply well and septic system(s). The fire chief has already requested measurements for fire equipment turnaround and to provide dry hydrants. This will be addressed in the design phase. The right of way onto the property do not belong to the town. Mr. Lardi questioned ownership of the right of ways since GIS shows it is 'unowned'. Mr. Hughes confirmed it is part of the property owned by Marlborough Associates. Three of the 24 units will be designated affordable housing. Questions were presented and answered by Mr. Hanfield.

- c. Application #Z-04-24 86 East Hampton Road (Applicant) Farm on Carter Hill (Property Owner) 2024 Public Events

**Mr. Merritt motioned to set a public hearing for April 4, 2024, on Application #Z-04-24. Mr. Fraulino seconded. All in favor and motion carried.**

**Mr. Fraulino motioned to add to the agenda to add:**

- **17 East Hampton Road LLC 4-8 East Hampton Road Change in Starbucks Signage**
- **27-29 No. Main Street Change of Use James Pasternack**

**Mr. Merritt seconded. All in favor and motion carried.**

- d. 17 East Hampton Road LLC 4-8 East Hampton Road Signage

Applicant presented a signage for change for Starbucks. Signage remains within the 250-sf allotment.

**Mr. Fraulino motioned to accept the signage change as presented. Mr. Denler seconded. All in favor and motion carried.**

- e. 27 -29 North Main Street Change of Use James Pasternack

Jim Pasternack presented details on his application. He proposed parking two mobile trailers to operate on the weekends and major holidays falling on non-weekend days. Trailer sizes are 8 x 16 and 8 x 18. Trailers are currently run by generators. He may run electricity line and add signage later. There is a handicap restroom on the first floor in the building.

**Mr. Fraulino motioned to permit the use as presented. Mr. Merritt seconded. All in favor and motion carried.**

## 6. OTHER BUSINESS

- a. Amendments to Article Six A.1 Parking and Storage of Recreational Vehicles and Trailer's

Mr. Hughs asked for comments from the Zoning Commission members on the proposed amendment (copy below). Mr. Fraulino asked for clarification of setback areas and asked Mr. Hughes to address the length of trailers. Trailers and/or mobile homes must be disconnected from utilities. Discussion ensued regarding boat storage around the lake. Question was posed as to who will enforce and regulate. Mr. Hughes asked for comments be forwarded to him on the draft amendment.

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- b. Amendments to Article Six Residential Zone  
Tabled
- c. Commissioner Training  
Mr. Hughes reiterated the training regulations.
- d. 4-8 East Hampton Road Signs  
Addressed above.
- e. Marlborough Elementary School – Electronic Sign

Mr. Hughes also reported the school is looking to install an electronic sign. This item was tabled for the next meeting.

7. ZONING ENFORCEMENT OFFICER REPORT

Mr. Merritt asked about the EV charging station near Fire Station 1. Mr. Hughes provided the status.

8. APPROVAL OF MINUTES AND ACTION TAKEN

**Mr. Fraulino motioned to approve February 1, 2024, minutes. Mr. Lardi seconded. All in favor and motion carried.**

9. ADJOURNMENT

There being no further business Mr. Merritt adjourned the meeting at 7:50.

Respectfully submitted,

Tracy Monterville  
Board Clerk