

Received 11/21/25
11:53 AM Jodi Moore, ATC

**PLANNING & ZONING COMMISSION
REGULAR MEETING
Wednesday, November 19, 2025
7:00 P.M.
Third Floor Town Hall and Via ZOOM
MINUTES**

Call to order

Chairman DeFelice called the meeting to order at 7:00 p.m.

Roll Call

In attendance: John DeNunzio, Kyle Mosher, Josh Eddinger, Michael Fumiatti, Phil Augur, Frank DeFelice, Chris Balay

Absent: Angela Helfrich, Michael Dahlheimer, Jim Martinelli, Jim Piotrowski, Janet Morganti

Others in attendance: Robin Newton; Town Planner, Brendan Rea; First Selectman

Seating of Alternates

John DeNunzio seated for Janet Morganti

Amendments to Agenda

None

Approval of Agenda

A motion was made by P. Augur, seconded by M. Fumiatti to approve the November 19, 2025 meeting agenda as presented. All aye, motion passed

Public Comment

None

Town Planner/ZEO Report

R. Newton indicated there were no ZEO reports, reminded commission to review sections of POCD for next meeting

Receipt of Applications

None

Town of Durham, 8-24 Review, Widening of Roadway within 100' of wetlands, Birch Mill Road, Assessor's Map 68, Lot 08

R. Newton noted that an 8-24 review is not a formal application but is a review by the commission for consistency with the POCD. Brendan Rea reviewed application. Area has had parking issue for decades, only 5-7 cars are triggering parking overflow. There have been no parking signs previously. Current owners do not plan to have late night entertainment which would cause additional cars. Addition of parking area would reduce valet costs for the business. Owners have stated that if at any time the town finds an issue with the additional parking, they are willing to cancel the project and revert back to the no parking area.

Commission reviewed detailed drawings for construction, Brian Curtis discussed details. Discussed history of the property and parking issues. Noted septic system location. Discussed potential issues with abutting property owners. Brendan Rea noted that letters were sent to property owners notifying them of the public hearing

A motion was made by C. Balay, seconded by J. DeNunzio to recommend a positive 8-24 review given it supports economic development and is not significantly opposed to any portion of the POCD. All aye, P. Augur opposed. Motion passed

Public Hearing: Town of Durham Planning and Zoning Commission, Zone Change Application & Noticing Requirements

Text Amendment

A motion was made by C. Balay, seconded by M. Fumiatti to exit the regular meeting and enter into public hearing. All aye, motion passed

All members seated for the regular meeting remain seated for the public hearing

F. DeFelice read into the record a letter from LCRVCOG which stated their opinion is that the text amendment provides greater clarity for applicants seeking to file a special exception with the Planning and Zoning Commission, and that the amendment is neutral regarding consistency with the regional POCD

Robin briefly reviewed the text amendment change and noted that the reason for the change was due to inconsistencies found in recent application processes. Includes regulations for signage noticing public hearings and adds a requirement that abutting property owners be notified. Also added post approval requirements

Public Comment:

- Roger Kleeman asked why property owners across the street would not be notified with abutting property owners. R. Newton clarified that the GIS system creates a list of all property owners within 100 feet of the subject property, which would include neighbors across the street.

A motion was made by P. Augur, seconded by M. Fumiatti to end public hearing for Item 10 and open public hearing for Item 11. All aye, motion passed

Public Hearing: Town of Durham Planning and Zoning Commission, Special Exception Application Procedure Text Amendment

F. DeFelice read into the record a letter from LCRVCOG which stated their opinion is that the amendment is neutral regarding consistency with the regional POCD

R. Newton reviewed the text amendment and noted changes in language made to be consistent with the rest of the regulations. Referenced town ordinance for fees. Changed sign material to remove "wood or metal" and keep "durable material." Added notice to abutting owners which lists in detail that the abutting owners are any properties within 100 feet as determined by assessors maps

Clarified language in the intro to the section to indicate that the requirements would be further explained below

Public Comment:

None

A motion was made by P. Augur, seconded by M. Fumiatti to exit the public hearing and re-enter the regular meeting. All members seated for the public hearing remain seated for the regular meeting.

A motion was made by P. Augur, seconded by C. Balay to adopt the special exception application procedure text amendment to be effective 15 days from publication. All aye, motion passed.

A motion was made by P. Augur, seconded by J. DeNunzio to adopt the Zone Change Application & Noticeing Requirements Text Amendment to be effective 15 days after publication. All aye, motion passed.

Payment of Bills

- a. N. Charest, \$6.50, Secretarial Invoice, August 6, 2025 & August 20, 2025 meetings
- b. N. Charest, \$75.00, Secretarial Invoice, September 4, 2025 & September 18, 2025 meetings
- c. N. Charest, \$125.00, Secretarial Invoice, October 1, 2025 & October 15, 2025 meetings

A motion was made by P. Augur, seconded by C. Balay to pay Nicole Charest \$262.50 for August, September, and October minutes. All aye, motion passed.

Minutes of Previous Meetings

- a. October 15, 2025

A motion was made by J. Eddinger, seconded by C. Balay to approve October 15, 2025 minutes as presented. All aye, motion passed.

Miscellaneous

It was noted that affordable housing bill was passed but not signed by governor yet, will be discussed at future meeting

Adjournment

A motion was made by J. DeNunzio seconded by C. Balay to adjourn. All aye, motion passed; meeting adjourned at 7:51p.m.

Respectfully submitted,
Nicole Charest
Town Clerk, Recording Secretary

To view meeting:

<https://us02web.zoom.us/rec/share/LMisIQ88rxf9i2LQYEBIOmIVDuxjE78E2WbRaWD5HKzvlstnWdMjG2TFaFU7mKiF.9yvGj-E2fXttiTU->