

1. The Joint Meeting of the Town Council, School Building Committee, Planning & Zoning Commission was called to order by Mayor Vin Festa on **March 31, 2009 at 7:00 p.m.** in the Community Room, Town Hall. Members in attendance: Councilwoman Jacqui Denski, Councilman Peter Giancesini, Councilwoman Jeanine Jandreau, Councilwoman DiAnna Schenkel, Councilman Dave Sekorski and Robin Gudeczaskas, Council Clerk.
2. Pledge of Allegiance
3. Fire Exits Notification
4. Open Dialogue/Discussions on the following topics: Mayor Festa thanked the people in attendance for coming to discuss:
  - a. Score Boards of Terryville High School
  - b. Signage at Terryville High School
  - c. Drawings "As Built" Verses "Site Plans"/Wordage
5. To Recognize and allocate time to the Chairpersons of each organization represented to allow them to present concerns, questions, suggestions
6. Recognize and allocate time through the Chairperson to allow for members of the Committees, Commissions, Business Representatives to present concerns, questions, suggestions

#### School Building Committee:

\*John Wunsch, School Building Committee, 10 Armbruster Road, Vice Chair School Building Committee (SBC), apologized because he did not realize Bill would not be here. What brought to head, he was approached by Larry Tomasetti about putting up scoreboards at new high school fields, boys/girls. There have been ongoing things between zoning and school building for a while. They had given approval 2 months ago and last month he came back and zoning would not allow any work at the school until the drawings are completed. We do not understand what zoning is looking for and they never approached him. Felt very badly for Booster Club who bought scoreboards and are sitting in someone's garage and are being used as a pawn to get something done. Asked for joint meeting to discuss this and get things out in the open.

\*Joe Sekorski, member SBC, 47 Town Hill Road, School Building, among other issues beside scoreboard is the fact do not have c.o. for the school and contention between themselves and Chairman of p/z that have not fulfilled obligation of safety. Asking question of what type of safety needs to be done to get c.o.

\*Bill Hubbard, 16 Leslie Street, SBC, came here tonight asking question and hoping for answers. From being on board what is it that they need from P&Z to accomplish what it is to get occupancy. Have asked the question meeting after meeting yet unknowns is the answer they get. He cannot be informed enough on this as a member to make good solid decisions for what they are suppose to do to keep money spent within guidelines and to save money and get everything else done. Do believe committee has never once not wanted to follow with P&Z on how to get there and think rules change as go along. Pertaining to the Booster Club, commend for raising money for signs and helping the town on expense we do not have to incur and all hard work to raise money when in fact the electrical conduits were run to these spots where signs are to go and on the plans and always have been. As to sign being "this way and that way" cannot tell until dig holes. Conduits are on plans to put where signs will be and need answer. And of the other issues and know there are sidewalk things and safety signs, they have tried everything to accomplish all issues and thinks it is disruptive to town that they cannot get together and make go away. Should be able to get here, find out what to do, compromise, do and move on. Gone on too long and as a committee member from last meeting to this one, question is what do we

have left to do to get c.o. and answer he got is unknown. We need to get answer done and feel that whatever is stagnant in air is preventing from finishing project. This needs to be addressed and need to get done. Feels as though why we cannot get answers, have a lot of good volunteers and he has spent 4 years and a lot of us have. Still under budget and to build a high school to come in under budget is a miracle. Think need answer to move forward.

### Planning & Zoning

\*Patrick Herzing, Chairman, 145 Scott Road, P&Z has been pretty clear and thorough since November of 2004 as to what their guidelines are. In the Regulations are 32 steps that need to be followed and have been clear since beginning. Issue as far as signs, the signs were addressed back in December 2005 and Mr. Smolley from JCJ made it very clear they knew there were a need and necessity for a sign plan to be submitted with the application and at that time did not feel they had all the info necessary to do that and stated they would come back to modify a special permit. This is a special permit and everything requested to be done needs to be approved by the Commission and we are not being difficult but following the state law. There have been issues back and forth, time and time again. Sidewalks, have gone back and forth from the day in 2004, they were addressed in 2005 and there was definitely miscommunication, not from his commission, but as to information they turned to the School Building Committee. And if anyone read minutes thoroughly, today he spent a good part of the day, from November 04 to present, reading minutes. And they were all discussed and at the time it was matter of hurry up and push application to make it through the budgeted year being presented and think P&Z bent over backwards to help happen and at the same time made it clear they would have to come back to modify site plan that had to meet Regulations and after that and everything was done they would get c.o. You cannot put the cart before horse and you put procedures in manner in which Regulations dictate. Unfortunate that the Booster Club feel they have been put out there and inconvenienced by P&Z when P&Z commission went out of their way at the last meeting to make provisions to allow Booster to do what need to do within guidelines of Regulations with the understanding JCJ and SBC were on board with their plan. There was no one from those two entities at the meeting saying o.k. P&Z needs some form of communication making it clear that was appropriate and acceptable use of property and within guidelines of Regulations. As far as some of the other issues that have come up, there were safety issues and still issue of intersection that needs to be repaved and put right per the plan and if they aren't, then not in conjunction with plan, and then either need a modification to the plan or make them equal to what the plan says. Not talking about inches of sign but completion of application; completion of what was told was going to happen. And have we in the past year made it a little more difficult, yes; and have done that because of lack of consistency and confidences in what was being presented to them. Cannot be told we are going to do something and then it not happen. Cannot continue to give and give and hope that someday somebody will catch up on this. Regulations are there, guidelines set out and ask to be followed. When make exceptions in 2004 and 2005 to get application through, P&Z did that with the belief they were going to follow through to commitments made. Unfortunately SBC can say they did not know what was going on as they should have been at the meeting. 99% of the time he addresses all people of commissions and committees and sometime more numerous than you know and if they were there he knows it. If not there how can you say they are to doing what was required. Regulations make it clear of what is required, follow and meet guidelines and to get c.o. need completed "as built" that equals what is on the ground. It cannot be "as built" not of application submitted. It has to be a complete application and if not, it needs to be reviewed with revised site plan. What ever else the

Council needs to know he is happy to give it to them.

\*Mayor Festa stated in terms of one issue is to clarify “as built” and “site plan” for clear understanding of the two. Patrick stated when an application comes in it comes in with a site plan on what they plan to do and stuff happens; and if cannot do what agree to and planning to do something different it needs to be on the plan. You get accurate plan submitted that is approved and once done that you need to provide “as built” that gets recorded with the Town Clerk that says everything you told us was there, is stamped by engineer and says it is there. There have been issues as with trees, how many are or aren’t there and questions brought up and those days felt like dead horses but the plan did not show what was provided and until those two things equal, it is not a complete application. If you make a change you have to request a modification to your plan. Once you have done that and you have gotten approval for that modification you proceed with an “as built” which then gets checked by the Zoning Enforcement, Public Works Director and Building Department and they come back and sign off and say all the things are what they are, and are as per motions and plan, and once all of that is done you get signed off and get a certificate of occupancy. Until you do that it will not happen. You will continue to get temporary certificates and the way it is.

\*Councilman Dave Sekorski asked for opportunity to hear from staff on any questions and is that in order and if so he will wait for opportunity to answer questions. Mayor Festa stated that will come under item 6.

\*Warren Brayton, 47 South Street, Plymouth, question to Patrick, (a) most of the jobs he worked on they start with a site plan and after all finished which means for them it would be athletic fields and parking lots in, then the “as built” is in. They do not piece meal the “as built”, they get permission to put something in or not and when finished they get “as built”. It is not a piece meal job. Why would they do “as built” for pipes that are there and “as built” will be done at end of job when everything is physically done. Patrick Herzing stated that is 100% incorrect, they have not asked for “as built” but asked for “site plan modification” which is, you are correct when you start a job you have a site plan. Your commission did not provide with it a signed page on the site plan. It is one of the requirements of the Regulations. JCJ made it very clear in 2005 that they were going to do that at a later date and never been done. It needs to be done and equal that which is your goal. If it changes they are acceptable to changes, they change all the time, one of the most flexible in that area. As far as “as built”, people have tried to push “as built” in front of them but they are not done building. P&Z made it clear by the time you are done will need “as built” for c.o. So someone ran out and said need “as built” and you have to have everything done. One of three things to change: site plan, site plan modification and after that, a plus b equals c which is an “as built”. It is not that P&Z or he understands different, it is. Process that has gone on is just keep sending something in front of them and some days it is like throwing darts and until all done it will not happen. (b) Signs. Patrick responded you are talking about signs, I am talking about everything. The signs are part of the application; if the sign is finished, an “as built” gets done and once everything done, signed and submitted, and at that point decided wanted signs, you would then request “site plan modification” with page, include signs and added to it, and then an “as built” would be reflected for it. Current middle school is digging up stuff 20 years later that people did not know was there and costing over run after over run. It is for the protection of the community.

\*John Wunsch, apologize they keep blaming each other and asked (a) what do you guys need or want. Do not know if anyone on committee knows what they want. The sign thing. Patrick Herzing stated it is not one thing. (b) what is it, what do we need; obviously is there

understanding is everything on the drawing they need and please tell them what they need; if a pine tree they will put it in. Do not know that is holding process up. Not saying you lied or misled that is old; what do we have to do as far as drawings or whatever to get done. This paving on the intersection, does not remember it being brought up in any meeting. Did not know Bill would not be here and he provides SBC with information and he goes to these meetings and then they do not understand. Patrick Herzing stated it could not be any clearer. There is a whole book of plans that were presented to the school building by the engineer and that same book of plans restamped and said o.k. If there is anything different on those plans it is a "site plan modification". So when you have that, either one at a time or collective, you take all site plan modifications and submit to P&Z and they either accept or not. Good example is landscaping. Any trees different than on original site plan and at some point somebody needs to say this is what we put on, do you accept. They go on assumption we accept but have not put it on paper in front of P&Z to see and sign off on. It is from engineer to committee and motion made that says they approve site plan modification, or not and put back to what agreed to in first place. As far as pages omitted that they were told would be brought back at a later date; put them on. The entire site requires a sign plan of what you plan on putting up. The site plan would include all signs throughout location, the signs on building, the sign at the entrance way, billboards, scoreboard, all of those are considered to be signs. The Building Inspector takes care of signs inside the building; P&Z talks about land and what land is used for. JCJ is very clear and knows what is required of them and they were hired by you guys. I just read 60 some pages of all communications between P&Z, JCJ and Mr. Allread, and all items are there and clearly stated and they need to be followed. Do what you got to do; they are not changing them on you. You put something in front of P&Z, I turn to the Planner and say "have you checked all items and is everything the same as what was approved?" and then if find something not, they address it ; if change is being made, if so why not in plans. The engineers know that and the fact they send Bill Allread and you allow that to happen; an engineer who signs off on everything and they are ones responsible for the plan and the ones who know what is required by reading Regulation and no reason it should be flipped flopped between all people. If engineers do it they should do it right.

\*Mayor Festa asked (a) question on what needs to be done; scoreboard, sign off if came back with modified site plan. Is there potential to get o.k.? Patrick stated they already gave the ok. P&Z gave them the ok on the scoreboard with the understanding they got P&Z something in writing from the SBC or JCJ with understanding that it would be reflected in "site plan modification" and "as built" in future. (b) We know there would be entrance sign and does that need modified site plan. Modified site plan is approved all on one for two scoreboards and entrance sign. Patrick Herzing responded no one talked about entrance sign.

\*John Wunsch stated (a) at their meeting last month they were told that they could not do anything with the scoreboard until they provided P&Z with "as built" drawings; so unless something happened since the meeting with zoning his understanding was to do nothing until provided "as built" drawings. The school sign which is being donated by Lauretano, they have nothing on it and that is with BOE. Bill Hubbard stated that was submitted in 2005; John stated that was original sign. Patrick Herzing stated P&Z does not dictate content. If you know you will put signs of a size and scoreboard with size, they are not asking what to be said on them. John Wunsch stated they were of the understanding it was tabled and signs could not be put up. Patrick Herzing stated it was approved with contingency. Steve Burgess, JCJ Architect, if what you are asking about is "as built" drawing, the "as built" is prepared by the surveyor, in

this case Robert Green who prepared “as built”. When scoreboard sign is erected and in place, then Robert Green would go out and locate the sign and draw on “as built”. That is what “as built” is.

\*Mayor Festa noted (a) the question raised is modification, site plan modification issue. As he understands it, it comes through P&Z and not question of “as built” but modification of site plans and request that had come through. In clarification from P&Z it was approved with contingency; is that right. Patrick, right. (b) We are off “as built” and on “modification to site plan”. Patrick Herzing stated it was approved with two contingencies, read into record from his notes which will be in P&Z minutes when posted, “that at some point in the near future the school building committee would have to come back with a site plan modification and that site plan modification would have to include a sign plan”. (c) They can move forward with erecting the scoreboard signs and then take care of modification. Patrick stated not until they get a letter from the SBC stating they understand necessity for site plan modification and locating items on “as built” when done. Without that they say why do you keep adding things to them. (d) it is a letter from SBC stating they will comply with contingency modification.

\*Councilwoman Jandreau noted for clarification as she was at the last meeting last Thursday and SBC has not had a meeting and have not heard this last part.

\*Phil Fowler stated (a) how would we hear it, do we get a letter. The answer is no, you do not send a letter. Patrick Herzing stated the motion was made and public record and how communicate. (b) You sent a taxpayer there to ask. Phil Fowler, 9 Virginia Road, SBC, understanding that when you make a motion they need to have a member of the SBC there to hear the motion, to follow it; and you don’t communicate it back to anyone. Patrick Herzing responded there was a motion made to the applicant. The applicant being the Booster Club, and the motion stated to the Booster that prior to doing something on your property, they would need permission from you to erect a sign on your property, and you (SBC) acknowledge that you will have to come back with a “site plan modification” and follow up with an “as built”. On 2/10/05 is highlighted from your engineer acknowledging the fact and necessity for a site plan. (c) At your last meeting and that means the meeting you and that Larry Tomasetti, he left with no knowledge; he came to us before you and we gave him permission. John Wunsch stated we were told at last meeting he went to Zoning and he said not unless we have “as built”. Patrick Herzing stated he (Larry Tomasetti) was there once and we went above and beyond and made all efforts necessary to give you people what you wanted. John Wunsch stated the SBC has not met since last Thursday. Patrick Herzing stated our meeting is a public meeting and more than happy to extend the invitation if you need one. (d) We do not find it out formally. Patrick stated if you want to see it in writing you need to wait until minutes are published, accepted and request a copy or at that time we hope that Boosters who were the applicant, we communicate to the applicant who was the Booster, that prior to them doing anything they have to follow up with you and get written consent back to P&Z. At that point in time we refer to staff and when they get written consent, the staff will then sign off an ability to erect. (e) So we don’t have any communication; we write you and you do not write us. Patrick stated you are not the applicant. (f) You said to Larry Tomasetti he needed permission and it is in our minutes; you could have come to the meeting. Patrick Herzing stated on 2/10 of 05 Mr. Smolley laid out items that were deficient in the plan and read item 4 into record; stating that is clearly documented in the minutes. P&Z talk about sometime 20-30 different applications in an evening and all of these applicants could have 15-20 different avenues that need to be corresponded with them. It is not the burden of the commission to do correspondence and the burden of the applicant. If P&Z

took on that role they would need 3 people.

\*Mayor Festa asked (a) if an applicant and come into P&Z, is he told when he will be on a particular agenda? Patrick, yes. (b) that is notification on when being heard. If the item is tabled he is told when item will be on next agenda but if not in attendance and item not acted upon, what is reason. Patrick responded if not present, that is why it is tabled. (c) To clarify issues on Booster, they were not present at; Patrick stated there was no application in that time.

\*Scott Ewen, 72 Crestview, stated SBC understands what Pat is explaining and requiring of site plan modification and question for Pat or P&Z, it looks that SBC and the town were looking to go ahead with the track and it will not be done until late spring and run through summer. Question would it make more sense to submit a site plan modification when that is done instead of coming back to do it piece meal and wait until track is done. Problem is now temporary c.o. which expires 7/9. If issue is signage and entrance and all site signs were on plan and if not understand need to submit and ask for input if take on track. Does it make sense to wait until done and how do we get beyond temporary c.o. for school starting in late August. You mentioned inter section and have not heard that. Is that outside school, please clarify.

\*Warren Brayton asked just exactly how definitive with site modification sign on plans and every time do paperwork costs money and is trivial. Most of the town the "as built" are at end and understand he needs something but if something easy do not know. Patrick Herzing stated as far as signs, the paperwork to be submitted, JCJ should have already gotten paid and part of initial application and back in 2005 Mr. Smolley made it clear he would leave page off until later date when he had more clarification of what signs were required by SBC. As far as need for track, if the track is the same track approved, you already have a site plan. If you are doing what is on the site plan you do not need to come if building the way planned and approved. Only need for site plan modification if you were changing. If you decided to leave the barn there and run around they would need to know that. Currently plans have barn moving down toward front of property toward Roy house and if something is changing it will need to be resubmitted. If you are doing what is on plan you do not need to come before. The sign portion was never submitted, it was deferred. The intersection was on original plan and original plans showed that the intersection between Napco and North Harwinton and the entrance to the school; that when all construction was done and all digging, water connection, sewer connections, all connections have separate cuts and plan required that there become one large cut that cuts out that whole intersection, mill it and put down one nice smooth top coat so that the town does not incur an additional cost 4-5 years down when those separate breaks start to break. Goal was one continuous patch. Sidewalk plans are there. If communicate appropriately you will know that you are all ready to have put out to bid the sidewalks and that is part of that entire \$300,000 encumbrance. When you don't do that and when the time comes up if that does not happen, P&Z will take the money and make sure sidewalks are done. There is a plan and part of it, like somebody says, are we going to get our c.o. renewed for July; yes, as long as the things we agreed on are done or being done, if something got in the way we need to be informed. They do not guess.

\*Scott Ewen, (a) you did address issues, but does not make sense to say track "as built" as on drawing. Patrick Herzing stated he is not asking for the "as built". When you do do "as built" it has to include all. (b) We cannot get "as built" done before July. The track will not be done and we can't get c.o. Patrick Herzing responded, exactly, unless you want to take it off your plan. Yes, you are in a lot of catch 22's and no vehicle to get permanent c.o. (c) Is there a vehicle to get extension of temporary c.o.; Patrick yes.

\*John Wunsch asked (a) on each of the different signs on the building, that is one drawing; Patrick, that should be put on plan and on sheet of sign detail. (b) trying to understand is there one drawing that says building sign. Scott Ewen stated it shows detail of configuration of sign.

\*Carl Johnson, sign drawing, 30 Scott Road, P&Z, when ask sign drawing, the architect knows exactly what he needs to give. What sign, sign and how big it will be, certain things in Regulations; and on site plan you need to point where about they will be; personally he would not deny if a few feet off but need to give that stuff to P&Z for approval. It might be off semantics and understanding they will have pass or waive and they should have to do what every developer or citizen needs to do on property. For some reason they are victim of doing what everybody else has to do. We have been talking about sidewalks since on commission and read motion and show on drawings and they send drawings which do not have it on them; they did not know; it is like the track, gave 11-1/2' for sign where scoreboard will go and do not know if lights or marquee and do not know what putting where goes, it was not definitive on drawing; somebody was thinking when ran conduit out there. We need to see that and on cut sheets saw track and did not recall seeing it on site plan and question is as member of commission very confused and in construction, went to college for construction and do not know how to stick drawings to put together for what is out there. Need site plan for what you are building or plan of building for this project. If not building it then take off on "as built" and that way do not keep coming back. These are all site plan modifications; you are modifying original approval of what approved.

\*Bill Hubbard, Leslie Street, see what is going on and everybody is frustrated and not quite sure of answer but one word is communication somehow. Do not know if they are being fed information in a way do not understand it and bottom line, see committee has concern and not trying to pace off against P&Z and have no intention. There has to be common ground where committee can understand this. Maybe it means coming to P&Z meeting and do not have to attend every one and did not go to signage or scoreboard because Booster Club was on it. We had conduit out there and thought that was good enough. Lack of knowledge is because one meeting took place after theirs. One question, need to find common ground that can communicate without going through this as need to resolve. It is that simple and keep hearing JCJ come up a lot and need one response they can answer as to where particular drawings are. He is still lost as to what is needed; knows what "as built" is; feel as thought SBC against P&Z and should not be that way. Do not have answer for it and do know sidewalks as going around and came across there table; voted to do; complications, presented certain plans; one thing is sidewalks are not reimbursable for the state and hard to use that money when we can use elsewhere and have reimbursed and savings to the taxpayer. Whether sidewalks are paid from commission budget or town budget is not going to matter because will not get reimbursed; if apply money somewhere else that is taxpayer savings and get most out of bang for buck from the state while they have it. It comes back to communication.

\*Mayor Festa gave suggestion to one possible solution, communication and conduit; let the mayor's office be conduit for open lines of communication and offering his office as they avenue of approach. From standpoint other issues will not address that need to be clarified because misunderstanding and misgiving; and one is issue on encumbrance of \$300,000 and stated at one previous meeting and reneging including mayor's office and incorrect. The mayor's office has not reneged and as tight as when signed off on that agreement. There are needs for open lines of communication and his office is conduit. \*Patrick Herzing, there are guidelines that are laid out for a site plan and in Regulations, currently has 42 check points and if anybody from committee

or more importantly it should be from engineering firm that went through every one and checked and they would know, item 36 says sign location heights and sizes; there is a different check list and when they review it he turns to somebody and says will you check this and if one is missing then they address it. They are all there, they do not hide anything; nothing to not understand. Entire Regulations are in Land Use office. As far as Mayor intervening with P&Z, he just cautions how do that because they need to remain autonomous as well. Part of process is Land Use Department or P&Z department; they give guidelines from State Statutes and those State Statute keep autonomous so that there is no opportunity for things to be misguided. If somebody had questions on how work there are two professionals in the Land Use office who will work with and understand, Khara Dodds, Town Planner, and Dave Elder, ZEO. Both of them understand these and would be more than happy to go through with anyone. As far as do you as members of SBC need to know Regulations from front to back, he does not know if necessary. What you are able to is to communicate to your liaison which is the architect and engineering firm that they need to make sure that all of these checkpoints are done and when they are, everything will fall together and get signed off. Remind them as often as you can of outstanding things and hopefully to prevent there from being misunderstanding and tonight was somewhat of a misunderstanding that no one from SBC knew that Booster did not come 3 weeks ago and only came last Thursday. Escalation of he said/she said, they do not fall into that. They have too much on plate to do things without it being in writing in front of them. Only action that which is in writing as that is what the State gives jurisdiction to do. The State tells them, they follow guidelines and does not matter what anyone else says. As far as sidewalks, look at funding, to P&Z they do not look, they look at it as being black/white issue and agreed on in 2005 and what was agreed on was what need to follow through. If you hope to change that you would need a very good argument to sway Commission who is very set in ideas of connectivity to keep Plan of Development and sidewalk connection to meet safe environment of children to walk to school and also meet guidelines for any developer in one mile radius of school. If you do not believe it you can challenge Regulation and request portion to be changed but until changed, read black and white. Try to go in gray areas if can and did do that last Thursday when approved contingency upon. Every time put contingency they have take the olive branch one step further. They do not have need to see SBC together than for items outstanding and if all done they would be happy never seeing you again other than enjoying the school.

\*Bill Hubbard, can he meet with you; Patrick responded he can meet with Khara and David who are professionals to do that.

\*Warren Brayton, signs for the fields were originally not on site plan because not going to put in and only put in piping to signs where thought a good position for signs. The Booster Club actually came forward. Patrick responded and they would not have to be on and because not through c.o. process they need to be added.

\*John Wunsch, thanked P&Z for putting up with him and questions and trying to work out everything and for the Council going through this. Mayor Festa responded it was not a waste.

\*Councilwoman Jeanine Jandreau, want to know that intersection that talking about was talked about months ago and talked about with Mr. Allread and he knew it. You do not have to go to meeting and next week call Land Use and ask them to send you a copy of the minutes and then you know what they did because you are not getting everything being said at meetings and remember when Patrick gave list of things that needed to be done and completed before getting c.o. last August it was given to the Board to what needed to be done and she was at that meeting. The signs were not on original which is fine but Patrick at last meeting when Larry



came is exactly what he told them is needed, letter in writing so that is all you have to do and can put signs up. Again, there was a meeting that happened after your meeting and evidently Larry did not let you know results and he was applicant and they did not need to communicate with you because it was Larry's application they were discussing and he should have let you know. You can get minutes from town hall, town clerk and they are on line. If you don't think you can depend on writing reports that is what can get done. I can only vouch for what Patrick said tonight because I have been at those meetings. You do not have to get at a meeting, go on line or call and they can send copy of part that pertains to your committee.

\*Bill Hubbard, communication, those minutes will not be approved until the following meeting; Councilwoman Jandreau noted they are available in 7 business days to be posted.

\*Councilman Dave Sekorski, thanks for coming tonight. Questions (a) who maintains list of outstanding items, list provided in August; Khara Dodds stated she has list in files. (b) Is there any outstanding request of modification site plans aware of, changes to original site plan that you put requirement on that you needed modification of site plan other than one just did. In other words you have plan and said changes were requiring modification. Let's say did not what to build sidewalk and take of that would request plan modification. Patrick Herzing responded any change requires a site plan modification and does not mean you will get it and it also means you just opened the door for them to look at everything else on the entire site. (c) There are no outstanding site plan modifications other than one just put on for condition. Patrick Herzing stated we do not know that because we do not know if they plan to leave barn on track. (d) There is nothing outstanding to the best of commission's knowledge, no more gray areas. Khara Dodds stated unless they propose a site plan modification. Patrick stated sidewalk. (e) do not want to talk about that as no request for site plan modification for sidewalks. Your expectation is they are going to build sidewalks. Patrick Herzing noted there is a site plan modification in the works which is to move sidewalks to same side of the street as high school is on and not submitted to them formally yet. Khara Dodds stated it is approved already. (f) Other item outstanding with respect to the master list that you go by for application is a sign plan, is that correct. You have no sign plan. Khara, correct. Patrick stated landscape plan is due to commission. (g) Was an "as built" ever submitted to commission. Patrick, yes, he has a copy of it. (h) Why submitted to commission and why did submit "as built" to commission prematurely. Patrick, because they thought it would get them a c.o. John Wunsch stated in their meetings they have always talked about submitting "as built" drawings and not modification plans and that is why they got drawing as far as he knows as up to date as can be. (i) Important because a big miscommunication, terminology, talking about "as built" and then we don't need. Can you explain steps that SBC need to submit to P&Z to extend c.o. and conditions; and what are time lines for that submission. Patrick Herzing stated all of the items would be addressed, emergency road and some may have been, by the time done, sidewalk, cross walk, side stop signs and curve, sunken road, cross walks, stops sign, sunken, trench in street, handicap ramps that did not project stands, silt fence near catch basin, landscaping plan did not reflect current plan, culvert in back of building, entranceway to building, water leeching from concrete to be watched and noted, curbing not installed in driveway and believe addressed, construction driveway was not removed and done now, handicap sidewalk and springs popping out of track area and today addressed, sewer profile and whether complete or not; hopefully engineer will say done. A lot referred to building official to tell these are what they should be. (j) Thank you and core of issues of who owns and existed. Heard landscaping was not built to specs and who identified that and what is variance. Patrick, responded he identified it and not sure by

variance. Dave clarified to mean difference between plan and on ground. Patrick noted there were places stated there would be 50-some trees along certain area and there were 48; and other areas no trees specified and trees are planted. By end of process need what is on plan has to equal that which was approved and if changed it, asks for site plan modification and whatever that site plan modification has to equal what is in the ground which needs to equal "as built" for those hard areas; and soft scapings they do not put on "as built" and do not morally require. If a very big difference can say it is obvious landscape is a lot different than agreed upon and therefore want "as built" on landscape. They can say no and the answer would be to pull out what you have and put exactly as on plans. (k) There is no site plan modification for that item. Patrick, right, but there was a gentlemen's agreement to outstanding issues and that still needs to be reflected in site plan.

\*Councilwoman DiAnna Schenkel (a) to the SBC, you have to go back to first and look at plans and analyze and what have we done that is different than what is presented. Do you have expectation that your Chair goes to meeting or you rely on your Chair to provide commission solely. John Wunsch stated Bill goes to all these meetings as does Rich and Dave and Steve and Joe and Barbara and at meetings. They come back and give update on what goes on. (b) what you are relying on is his interpretation of what happened and he has been figurehead of group. What we have here is famous law case of and supreme court decision is what you have is stewing chicken and you have frying chicken. When say "as built" you understand requirements, and there are certain steps to be done that was not communicated back and forth. To

P&Z: Patrick is very intelligent person and did not understand what he was saying until tonight and you guys are experts at what you are doing and to volunteers this is the project the town has undertaken and you are right in holding to task; as a community can we somehow, through Khara, try to help each other along. Not saying expect you to do their job and now from list can Khara be go between. SBC needs to first do letter. Patrick Herzing responded we as a town pay JCJ and Industrial an extremely large amount of money to do what you have just asked Khara to do. Khara should not be doing their job, she has too many other things to do. (c) another thought, all listening skills in this room need to be developed. We have one of the largest projects that is so important to our town but obviously this group is not grasping language or terminology you are saying and can someone give list; just wanted to know herself what is the list and get them a list and they take it to their engineer and hold accountable. Carl Johnson responded they had several meetings trying to establish who held the towns best interest since this project does not have Clerk of the Works to review drawings, and we tried to establish and went through general conditions of contract documents and JCJ said building committees and their frustration fell on Bill Allread because they said he was the person to present project and found out every time JCJ had to come to meeting they billed the town to come to our meeting, or general contract and did not quite know who was holding best interest and who do we talk to. Where are checks and balances and it fell on Bill. (d) we took on a massive project and will be mistakes and learn through experience; and if we do it again maybe need a designated person. She is saying have a meeting of minds for the sake of the kids; want to do right safety wise she gets it; SBC has pride in project and need to work together to get accomplished. Steve Burgess is architect. .. to educate her, you start with project and have general contractor; Steve responded this is construction manager form; (e) is it true we get charged every time representative goes; Steve, have not charged anything extra above contract. (f) are you able to attend meetings of site plan modifications to follow through; Steve, have been to every meeting and yes. (g) did you get insight as to what is needed to complete project in time or by July

expiration of temporary c.o. Steve stated he is not sure. They have list and he and the construction manager, who has addressed every item mentioned tonight and believe are done with the list. (h) when address, repair or complete on "as built" or address on modification. Steve responded the list of items have been addressed and items to go on "as built" drawing. (i) someone needs to go back with "as built" to be sure they are addressed. Richard Wisniewski, Construction Manager, stated one other point they too have not billed for any meetings; list, all items have been addressed and completed and on "as built" plans and only thing not completed is any work to entry intersection with paving and getting ready now. (j) when say for example the stop sign and are all complete. Patrick Herzing stated most were worked on and completed and think that all of us are aware that JCJ and Industrial is part of their contract to follow through any meeting of a government nature and P&Z is a government board and will need to come to there meetings whenever necessary without additional cost and do not know where that came from. (k) application was Booster Club and because on physical property of school why need site modification. Patrick, any change to the original plan has to come back to P&Z. (l) never seen a site plan, a big picture and you can see every bit of landscape and signs where located. Patrick stated it is a lot of detail that tells where things are and what should be with symbols. (m) when missing on sheet you know that and need to have modified and say we are putting on a scoreboard sign and make part of modification. Patrick everything you do for time of application and time of "as built" being signed off, every change needs site plan modification. (n) can they submit site plan modification with every change or individual. Patrick, they prefer one.

\*Councilwoman Jacqui Denski asked (a) for Booster Club scoreboard clarification stating at Thursday's meeting you gave ok that they can put sigs up with contingency they get a letter stating ok with building committee to use land and building committee will submit sign modification. Patrick, the contingency was need letter from the School Building Committee confirming the SBC acknowledges necessity for a site plan modification and reflection in "as built". Everything goes back to site plan modifications required for change and everything changed goes on "as built". (b) to put up need letter. Patrick, trust signature and when get to next modification will be able to say you promised you would add to modification and trust they will do it.

\*Councilwoman Jeanine Jandreau stated you are all right, it is a matter of communication and would like to invite the building committee who have never been to a P&Z meeting to go to one as you have never been there. And you are right your architect were there too and know these things were said and needed to be done and last meeting just Larry and he did a good job and Patrick was very nice to him, telling him what was needed and will be ok'd, need letter to acknowledge and it was not a big deal and unfortunately you have not had a meeting and no one told you what was discussed and to be done. Sometime take initiative and ask someone who was there. Minutes from town clerk, or on computer or call Land Use and they can highlight your section and send to you. Please take initiative and do that. We will get it all done and over and get c.o. for high school.

\*Joe Sekorski, 147 Town Hill, there has been a lot of talk about one committee and other and disturb most it seemed like onus of blame on construction manager and architect and without their help we could have never built this building and with money given to us as we started two years late, prices up and these guys worked their butts off and saved us money and happy we selected those guys.

\*Clarence Atkinson, Building Inspector, comment if not, work was being done and with

temporary c.o., and extended until July 9th and talked about earlier and original date was April 9th and can be extended from progress in work toward goal and still opened; would prefer to see whole thing done and willing to work with everyone.

**7.** To bring closure to issues as presented - Mayor Festa thanked everyone for coming and believe a few issues could have been contentious in nature and due to nature and professionalism and to effective communication, extend his office and do not hesitate from here on to forward communications. Thanks for coming and for SBC to recommend holding meeting and appreciate effort to commissions.

**8.** Adjournment

**MOTION:** To adjourn by Councilman Sekorski; second Councilwoman Schenkel and the vote unanimous

Meeting adjourned at 8:55 p.m.

Respectfully submitted,  
Robin Gudczauskas, Council Clerk