

SOUTHINGTON PLANNING AND ZONING COMMISSION  
Regular Meeting  
February 6, 2007  
Town Hall Council Chambers, 75 Main Street, Second Floor

MINUTES

Chairman Zaya Oshana, Jr., called the Southington Planning & Zoning Commission to order at 7:04 pm with the following members in attendance:

John Carmody, John DeMello, Michael DelSanto, Francis Kenefick  
James Sinclair and Patrick Saucier

Alternates: Lisa Conroy

Others: David Lavallee, Ass't Town Planner, Mark  
Sciota, Town Attorney and Anthony Tranquillo,  
Town Engineer

Absent: Brian Zaccagnino, Alternate Commissioner  
Richard Hart, Alternate Commissioner  
Robert Borkowski, Alternate Commissioner

John Weichsel, Town Manager

A quorum was determined.

The Pledge of Allegiance was recited by everyone in attendance.

Zaya Oshana, Chairman, presiding:

Approval of Minutes - Regular Meeting of January 16, 2007

MR. DEMELLO: So moved.

MR. CARMODY: Second.

MS. CONROY: Mr. Chairman, there is an error, I think, in the attendance.  
Mister, Commissioner Kenefick is listed as being both present and absent.

MR. SINCLAIR: Yes.

MR. KENEFICK: That's the way it is sometimes.

(Laughter)

THE CHAIR: We'll make an adjustment. Mr. Kenefick was present at the  
beginning of the meeting.

ATTORNEY SCIOTA: Present, but tardy, I believe.

THE CHAIR: Okay. And, for the record, just for the record, I have not only listened to the tapes, but have read the verbatim Minutes, both for the meeting of the 16<sup>th</sup> and the meeting of January 2<sup>nd</sup>.

Let's have a roll call vote on this, please, David.

(Motion passed 7 to 0 on a roll call vote.)

Unfinished Business:

A. Open Public Forum - Subdivision Application of Woodruff Street Associates proposing to subdivide property for purposes of creating 8 single-family lots within an R-20/25 zone, property located at 137 Woodruff Street S #1245.

THE CHAIR: Before we get started this evening, I just want to talk a little procedure, please.

This is a subdivision application and typically in a subdivision, as part of our regulations, we do not have a public hearing nor do we have public input. The applicant comes forward and presents, as part of our regulations, present their subdivision application, goes through the process. Presents their data to the Town Planner, the Town Engineer, there is give and take back and forth and discussion amongst the Commission and then there is discussion as to whether it's going to be approved or denied.

This application, I think based on a lot of discussion and a lot of input has some, a lot of interest in Town. Based on that and based on some discussions amongst the Commission and conversations amongst the Commission, we have decided to allow public input this evening. This is not a public hearing. We are not having a public hearing.

So, what we have done is we have set some ground rules for this. This evening what's going to happen is the applicant is going to come forward as per the normal course of action and is going to present their subdivision proposal.

Following that, we are going to allow public input from the public. People are going to be able to come forward and present information they feel is salient to this particular application. This particular application.

We are going to limit the public input to one half hour for public input. And, we're going to ask that people keep their comments to three minutes. A 3-minute --- Mr. Lavalley is going to keep a timer. He's got a little egg timer over there. Three minutes of public input per person. I'm going to ask, please, let's try not to repeat. Let's keep it respectful and dignified. Let's try not to repeat and at the end your time, the timer will go off. Let's just be cognizant that other people are going to want to speak and at the end of the 30 minutes, we will move on in our process.

All right?

Subdivision application for Woodruff Street.

ATTORNEY DENORFIA: Mr. Chairman, members of the Commission, my name is Anthony Denorfia and I'm an attorney with offices at 133 Main Street, Southington. We represent the applicant and owner of the property, Woodruff Street Associates which my client and his family have owned the property since 1978.

The parcel of land consists of approximately 12 acres. It's on the south side of Woodruff Street. It is an R-20/5 zone. It has public water and public sewer. My client would like to develop the property into 8 residential

building lots. There is presently one home on the property, which will remain, and a nonconforming industrial building, which will be removed. Therefore, seven newly constructed homes along a cul de sac.

We believe that the application meets or exceeds all the requirements of our regulations, including the IW regulations, filling of floodplain regulations, the zoning regulations and the DEP requirements for storm water management.

I guess that's all we have to say right now, so we will defer to the public.

Thank you.

THE CHAIR: Are there any questions for the attorney? Short, sweet presentation by the applicant. Thank you, Attorney Denorfia.

What we will do now is if there is anybody that is interested in providing public input, public comment, I ask you to come forward please to the podium. It's a little difficult to hear in here, so I ask you to please speak into the microphone. Please give your name and address for the record. And, state your business, please.

ARTHUR CYR: Good evening, Mr. Chairman, and welcome back.

THE CHAIR: Thank you, sir.

MR. CYR: Arthur Cyr, 103 Berlin Avenue. Mr. Chairman, I don't live too, too far from this proposed subdivision and what amazes me about the whole thing is this is not the first proposal for this site. There was a previous proposal and I believe that if all members of your Commission don't have all the reams of information on that denial, the members of Town Council requested it and got it. That was denied and I don't remember exactly what year it was. But it was denied by this Commission, 7 to 0.

It amazes me that now in 2007, people think they can go in and get that many homes in here. Even though IW may have approved this and may have said that it wasn't going to make the situation any worse, we should not be having proposed homes this close to wetlands. And, in an area that has historically had flooding problems. How people can claim that they've met all the minimum requirements --- did anybody walk the area? It's heavily wetlands.

On top of that, we don't need any more cul de sacs in this Town. Too bad the Town Manager isn't here because I know how much he loves cul de sacs.

So, based on that, we shouldn't be approving any more cul de sacs. And, the fact this was already turned down on a 7 to 0 vote, I ask this Commission, again, to do the same thing. And, let's not build in the wetlands on Woodruff Street, on West Street, um, find some good site plans.

Thank you.

JANET FARAZEE CARTER: I live at 144 Woodruff Street, Southington and I have lived at this address for close to 40 years. (Read the letter, which is on file in the Town Planner's office.)

Thank you.

(Applause)

BONNIE SICA: 73 Huckleberry Lane. Good evening. First I'd like to say that to build on Woodruff Street would be a pretty silly thing to do. I mean, it's already been decided and here we are again trying to build on marginal

land, yet again. Why? Because we've used up pretty much all the good sites in Southington. So, you know, I don't blame the developers. They have a job to do and they want to develop. But we need to stop the development on marginal land in Southington. The only way to do this is to change the regulation or the developers will continue to take you to court and continue to overturn you in court because your regs don't hold up.

So, I would like to propose that you do switch to a resource based zoning regulations and to contact Claire at the Center for Land Use and Educational Resources at UCONN Agricultural Department to help you with these changes. This is exactly what they do for the State of Connecticut. They help Towns develop zoning. And, I've spoken to them and they believe in resource-based zoning. For anyone who doesn't know that is, resource based zoning is zoning that -- it's not up zoning. It's saying you might have a parcel that's ten acres and you have wetlands on that or shallow rock, that you're not allowed to build within so many feet of that area.

So many you have a parcel of 20 acres and you thought you could get 40 houses in there, half an acre each. Under resource based zoning, maybe, if there is wetlands, you might get 10 houses. So, it will put a reduction, but still allowing the developers to develop. But to develop in a way that conserves the land and conserves our wetland.

I would also ask you to look at adopting immediately a minimum site disturbance. Obviously, we've seen this on West Street and I can tell you as a Kelley School parent, that I am probably one of the younger people in this room and I have a large constituency of parents behind me. I work very, very strongly in the education arena and we are disgusted that it looked like logging being done in our Town. Disgusted.

And, it is the talk of Kelley School. They don't even realize that's quarter acre and what is going in. People think they're going to put in ten big houses in there. Wait until they find that out.

But without a minimum site disturbance, you have no trees between West Street and that road. And, no trees between West Street and Holly Hill. I mean, it's disgusting. It looks terrible. Now all you see is the highway and the Marriott and the Dunkin Donuts.

This has to stop and there is no reason why the Town of Southington doesn't have a minimum site disturbance. I mean, how far behind in the times are we? People have written you. They have called you. They have e-mailed you. They have petitioned you and this Council has continually not listened.

And, I am telling you tonight: start listening. Because we're talking and we're talking clearly and we're talking loudly. The destruction of Southington is going to stop. And, we're going to petition and we are going to write letters and we're going to call and we're going to keep pushing until you do something.

You are a democratic majority Council. You have a democratic majority Town Council. You cannot tell me that there is not a reason why you cannot change the regulations in this Town. And, anyone you talk to knows, we are overdeveloped. Our Town services are pushed to the maximum. Our education system is pushed to the maximum.

I'm here to ask you to deny this petition that was denied before. And, to aggressively, quickly start to implement these changes that you've looked at before and that you have done nothing about. Because I'm not going to stand back and let it happen any more and I have a lot of people behind me that aren't going to, either.

Thank you for your time.

(Applause)

MR. HAIGH: 170 Woodruff Street. (Submitted a letter, which he read into the record. Letter is on file in the Town Planner's office.)

(Applause)

SANDRA FELD: 821 Glacier Way. May I say in starting, that I respect your service to Southington and I appreciate the efforts of everyone who serves our community? But to paraphrase what we have here appears to be a failure to communicate.

Southington residents have repeatedly expressed their dissatisfaction with the out of control building before this Commission and it seems to fall on deaf ears. One wonders why? Why don't you hear the mounting protests of the residents who elected you?

Why do you allow developers to overbuild and overcrowd our Town? In all candor, I have to tell you, that suspicion abounds in this Town as to your motives for repeatedly favoring developers' interests over the citizens who elected you.

There are many reasons why this application should be denied in my opinion. I'm not going to go into the fact that the IW Commission never answered the citizen protest concerns, though we had an engineer who testified. I'm not going to discuss the fact that the IW Commission accepted the testimony of the experts paid by the applicant rather than get their own experts in when they've been offered that opportunity by the Town Council over and over again.

One of the reasons that this application should be denied is because it will create a dangerous overcrowding driving situation on Woodruff Street. Another reason is it will add to the already dangerous flooding on Woodruff Street. It has the potential of adding more children to an already overcrowded school system and would cost the taxpayers potentially \$10,000/year per student.

As you know recently, the Superintendent of Schools asked for a 6.5% increase over last year's operating budget. Partly, he said, because there are 95 new students at a cost of \$10,000 per student per year despite the fact that TPA who did your Plan of Conservation and Development claimed that the student population was on the decline.

This plan should be renamed: Plan of Conservation for Developers.

Another reason is, there's a building in the back where painting has been occurring, I believe, painting on cars. And, we're seriously concerned about what kind of dumping has been going on. It may be toxic.

But the single most important reason to deny this application is the people who elected you, the citizens, the residents of Southington have demonstrated repeatedly their objection to this application and because we elected you, you need to listen to us.

You must understand you are accountable to us, those who elected you. It's too late to change the regs in time to deny this application and we're certainly hoping that you're going to change the regs very quickly, even though it's late --- it's never too late.

We ask you to do the right thing in this case and deny this application. Thank you.

(Applause)

ELAINE HAIGH: A couple of things.

THE CHAIR: Excuse me, Ma'm. Can I just get your name and address, please?

MS. HAIGH: Okay. My name is Elaine Haigh and I live at 170 Woodruff Street and when I wrote this letter, I did not know I had three minutes. So, this is the situation, okay? I want to be able to go to the map. I have a letter from --- oh, gosh. I'm a little nervous here.

I have a letter from Alphonse D'Angelo. He gave me the letter. It's in his handwriting. He wants me to read it because he wants it in the Minutes and in the record.

I have my letter. I have pictures. So, the pictures are going to relate basically to his letter and I would like to be able to read his letter for him because he gave it, he handed it to me, and then I will read my letter and want to go to the map and I want to show you what he just showed me recently about that property. And, I don't believe that you are aware. Has anyone walked that property? Has everyone here also read um, my letter in its entirety, to the Town Council? Okay.

VOICES: Yes.

MS. HAIGH: And, all the concerns and references to the wetlands regs that I thought were not addressed that were specific in the letter? Okay. Has everyone walked that property?

THE CHAIR: I have, yes.

MS. HAIGH: You have? Has anyone else?

VOICES: I have.

MS. HAIGH: Okay. I am begging you, I'm asking you, I don't know if I have to get on my knees, I'm asking everyone to walk that property when the ice and the snow melt because that's when you are going to get a better indication of what I'm going to be talking about. And, I would like you to do that before you make a decision on that property.

Now, may I, um, would you like the pictures and me do the map or the letter from Mr. D'Angelo? Which? Excuse me?

THE CHAIR: This letter you submitted is a letter from you.

MS. HAIGH: There's one from my husband. There's one from me and Mr. D'Angelo did not make a copy. I just have his handwritten letter.

THE CHAIR: You're submitting that as a letter from him to the PZC?

MS. HAIGH: That's what he wants me to do but I want to make sure that I'm doing the right thing.

ATTORNEY SCIOTA: Actually, the letter from a different individual, you give it to Dave and Dave can read it.

MS. HAIGH: Okay, excuse me, Mr. Sciota. I attended a wetlands meeting and a person spoke on behalf of his daughter and he read, he read ---

ATTORNEY SCIOTA: I understand. The thing is if you are submitting an original letter for the record, the Clerk normally reads the letter. So, you

can read your letter, that's fine. David can read Mr. --- I forget his name. Then you want to go up to the map, that's fine.

MS. HAIGH: I want everyone to hear the letter so that I hope that whoever is going to read it ---

MR. DELSANTO: Where is Mr. D'Angelo tonight, Ms. Haigh?

MS. HAIGH: Excuse me?

MR. DELSANTO: Where is Mr. D'Angelo tonight? Why is he not here at the meeting?

MS. HAIGH: Why is he not here? Because he has important business. He travels a lot. Okay? He would've been here. When you ---

THE CHAIR: Here's what I'd like to do. Why don't we do this. Why don't you read your letter and why don't we submit Mr. D'Angelo's letter to or as part of the record. We'll make that as part of the record tonight and we'll read it into the record, out loud, as part of the record. And, then we'll go over the pictures, also.

MS. HAIGH: You know, something is upsetting me right now, okay? I can't speak for why a person isn't here. You know, they have their personal, you know, life.

MR. KENEFICK: Take it easy. Relax.

THE CHAIR: What we'll say is we'll have that letter read into the record.

MS. HAIGH: Okay, because that is what he wants.

ATTORNEY SCIOTA: Right after you are done, David will read it into the record, out loud, in front of everybody.

MS. HAIGH: Okay. In the meantime --- excuse me?

THE CHAIR: Let's do yours.

MS. HAIGH: I would like to address that map, first.

THE CHAIR: Sure.

MS. HAIGH: And, show you pictures pertaining to that property. Please, may I?

Is there a pointer? I hope you all can ---

ATTORNEY SCIOTA: Is there a pen? Do you want to borrow a pen to point?

MS. HAIGH: No, I ---

THE CHAIR: You know what's easier? Why don't you go up and just point.

MS. HAIGH: Okay. Here. I would like these pictures returned to me, please.

This is a picture of that property. We tried to take pictures of as much of that property. Okay?

(Pause)

Is there a pointer here?

ATTORNEY SCIOTA: No, you can use your finger.

MS. HAIGH: Okay. (Indicating on the map.) I know this is Woodruff Street and Alphonse D'Angelo, he would live, he would live somewhere I believe around here. Okay?

And, he and another property owner at Old Towne Village because he lives at Old Towne Village, would live in this area. Then there was someone else in Old Towne Village that brought me into their condo and they're in this area.

All in this area here, I witnessed, I witnessed um, swamp. I witnessed the ponds. I witnessed a swamp-type, I call it swamp. Alphonse D'Angelo will call it a swamp that goes all along, all along here and ends up -- and ends up up around here.

Then when it rains very, very heavy, and these, let's see. These people, these people on Woodruff Street flood. Then across the street from me, all in this area, now there is um, pooling of water that you see in the pictures that did not occur um prior to around um 2002. We didn't have all of that. We didn't have all this area in here just swampy, for lack of a better way to put it. All right?

Then, what you have here on Woodruff Street, you have some storm drains. They don't function. Right now as I'm talking to you, they're full. They're not functioning. Then you have a storm drain over around in this area. Is this not the driveway right here? Okay?

And, I believe to the left of it is the storm drain? That's not functioning. All right? As I'm talking to you.

Then we have um, my culvert, which I believe is over here somewhere, all right? My culvert is undersized. You read that in my letter that Tony, Tony Tranquillo stated that our culvert is undersized. So, it can't handle any more capacity of runoff, of water, of drainage, whatever you want to call it, whatever word you want, it can't handle it right now. All right?

And, then he stated and he stated that um, the um, this poor drainage of the brook now you have the runoff from the street that runs into this culvert on Woodruff Street that's next to my house. All the runoff from the street goes into a storm drain into that brook. All right?

Then you have all that other runoff that now gets backed up by all those storm drains because they're not functioning, all right? This is before you even build on this property. Please, please, I beg you to retain, you know, remember this because this is so important to us.

This is not about a builder's right to build. It's about our right not to flood any more and have no further damage to our property. That's what this is about.

I will read my letter.

Here ---

THE CHAIR: You can submit that to David, please.

MS. HAIGH: David has a tendency not to read too loud and I do want everyone to hear.

(Chuckles)

(Pause)

I'm sorry. I'm thirsty.

(Read her letter, which is on file in the Town Planner's Office.)

I thank you very much for your time. I thank you so much.

(Applause)

THE CHAIR: Sir, before you start, we're going to have Dave Lavallee read into the record the letter from Mr. D'Angelo. Thank you.

(Mr. Lavallee read into the record the letter from Alphonse D'Angelo, which is on file in the Town Planner's Office.)

(Applause)

THE CHAIR: Thank you, David.

Sir?

DAN FRANIK: I'm from Watertown and I am representing Ms. Colleen Wells who lives at 175 Berlin Avenue, Apartment 45 or building 45.

A couple of weeks ago, a gentleman was in the area passing out information concerning this and she uh, it was probably the first time that she actually heard about it. Well she did mention she heard about it once.

We took it upon ourselves to come down here and pull out this map and uh, she is, her place is right here. Just behind where this Lot 5 is proposed to be, to be built on. We looked at this map. We've had the opportunity to walk from her backyard and this is a --- it is a ridge. It is a good 50 to 75 feet down to each side of these ponds down here. Ponds/swamps.

After hearing everybody talk here, I haven't been aware of and have not known the problems of flooding and I don't think she has. But we have had the opportunity to walk from her backyard there and they're proposing a lot 5 with a house, which is going to be 25 feet from her backyard. And, she's very upset about.

And, uh, one of the reasons we got this other information, that the Town Engineer has said that particularly that lot is undersized. It does not meet the square footage, it's by 1900, I think, square feet, smaller than it should be. She urges that you do not approve any change to that which would allow them to build on that lot.

And, uh, the uh, I just can't see how you can build on there. That ridge would have to be bulldozed down 25, 30 feet. You're going to push this dirt into these two ponds, which is going to actually force the water that people're talking about, it's going to be closer to Woodruff Road (sic). Without any drainage.

So, the Town Engineer urged that this lot, 5, if this goes through, to be eliminated and to be uh, it says right in here that he urges this to be eliminated and um,

(End of Tape #1, Side A)

(Beginning of Tape #1, side B)

(Continuing) --- water is going to go and like everybody's talking, I don't know. But uh, these ponds, I've seen ducks. I've seen deer here. I've

seen turtles in the pond. You know, I mean, this is wetlands. You know? You're going to eliminate this.

It is a little bit swampy, as other people have indicated that I've seen. So, I urge you to go with the Town Engineer's recommendations if this thing is proposed, but I'm sure if she could be here, she would undeniably want to have you deny this proposal, also.

Thank you.

THE CHAIR: Thank you.

(Applause)

MEGAN MARUZZO: Hi. Good evening. My name is Megan Maruzzo and I live at 172 Marcy Drive, Southington, CT.

I don't know the protocol of this, but one of the other people who wanted to be here tonight had to work. And, so she put together a letter. Rose Purcell. And, she just asked me if I could drop it off.

ATTORNEY SCIOTA: David can read it.

THE CHAIR: Drop it off with Dave. Thank you.

MS. MARUZZO: Good evening, ladies and gentlemen. Thanks for your time to address the new development proposed for 137 Woodruff Street. I will be brief and ask only that you listen carefully, very carefully and also listen to my neighbors all of whom are potentially impacted.

First of all, know one is denying the right for anyone to develop their property at a profit. We only seek to insure that those already living in the area do not incur any type of a loss. As one of the neighbors directly across the street who already lives with four permanently installed sump pumps and pays for flood insurance, I strongly request and implore this Commission that if in fact you go ahead with this which I would sincerely hope you do not, whatever guidelines and requirements are established, that there is a clearly defined checklist and follow up. I stress follow up, after the fact. So, it does not evolve into a situation post development that cannot be corrected.

As a former member of the Town Council, I've sat where you sit and heard residents come before us out of sheer desperation to voice their concerns about property damage, and unfulfilled promises of retention ponds and every other thing that goes along. We, unfortunately, sat there with a sympathetic ear thinking we're so sorry, there is not much we can do after the fact.

This does not make much difference other than it gives the residents something to mull over as you monotonously wet vac your basement for the umpteenth time.

The owners of the property currently are not good neighbors. This has been glaringly evident from the state of the current historic house and property left in disrepair and filled with junk. I look out my kitchen window every day and have the pleasure of staring at the peeling paint, garbage in the yard and the scaffolding that is now happily piled against the house after being up on the house for over three years. I wrote a letter several years ago asking them to paint or yank the scaffolding. Unfortunately, they decided to just pile the scaffolding and do nothing.

I live for the day that it becomes vacant, as I will be first in line to submit a complaint under the Blight Ordinance. I am only interested in the property being cleaned up, repaired, and brought up to the standards and pride that we the neighbors set for our own properties.

If you feel compelled to approve this development, please insure for your sakes and for those of our new unsuspecting neighbors that we end up with a safe, carefully planned and executed neighborhood and not a new neighborhood water park.

Thank you for your time.

(Applause)

THE CHAIR: Excuse me, Ms. Maruzzo? We have a question for you.

MR. KENEFICK: Ms. Maruzzo, I was out in the area today and I just got a question for you. Right across from your house, between 111 and 137, there seems to be a watercourse with a pipe that goes under the road? Does that watercourse flood into your yard?

MS. MARUZZO: Yes.

If you were, the deck runs the length of the house, if you are facing the red house across the street, the left side of our yard, we literally have ducks swimming around in on certain time.

MR. KENEFICK: Okay. But that watercourse, that over floods, overflows and goes into your yard?

MS. MARUZZO: Sometimes.

MR. KENEFICK: The one I'm talking about.

MS. MARUZZO: No. If, it probably more comes from the one next to the Haighs. But the other one has on occasion flooded over. The primary problem is to the left of our yard when it comes in.

MR. KENEFICK: The one that goes between 186 and 170?

MS. MARUZZO: Yes, yes. Because we have a sump --- a sub flooring built in our basement now, which raises everything up three inches so every time it rains, it goes under the sub flooring and into the house.

MR. KENEFICK: Tony, do you know the watercourse I'm talking about? It's right across from her house?

MR. TRANQUILLO: Yes. That is the watercourse I believe that runs by Mrs. Haigh's house? It's actually ---

MS. MARUZZO: No, no.

MR. TRANQUILLO: This is further to the west? Yes. I am familiar with that one, too.

MR. KENEFICK: Where does that pipe go?

MR. TRANQUILLO: That pipe, I believe, goes under Marcy Drive to the culvert we installed.

MS. MARUZZO: Which is probably between 156 and we're 172.

MR. KENEFICK: So it hooks up to the main watercourse on---

MR. TRANQUILLO: Yes.

MR. KENEFICK: --- Marcy Drive.

MR. TRANQUILLO: Yes.

MR. KENEFICK: But that does flood in front of your house?

MS. MARUZZO: Yes. Not every time. The primary problem is to the left, but yes, it has flooded.

MR. KENEFICK: Do you have a problem getting flood insurance?

MS. MARUZZO: No, because I sell it. No, they have to give it to you. If you'll pay, FEMA will give it to you. Yah, yah.

MR. KENEFICK: Thank you.

MR. DELSANTO: Ms. Maruzzo, how often do you get water --- how often do the sump pumps work? How many times -- how much rain does it have to take for them to kick on?

MS. MARUZZO: A drizzle? No. If there is any type of a steady rain, I would say for over, a good downpour or steady couple of hours, it's going to rain, I can lie in bed and hear them kick on. Throughout the spring as the snow melts, they kick on constantly.

THE CHAIR: Thank you.

EDWARD NORTON: Old Towne Village, Unit 21. The culverts in our place drain down into a bank that serves about 12 or 13. Every year, when we have a lot of water, it floods like a big pond back there. Right to this day there's ice back there. If they go to develop this place and they disturb that bank, it's a culvert like that holds all our water, all our water, where is our water going to go? That's my problem. It's not my problem. It's going to be a problem for the people on Woodruff Street and the developer who is developing this.

That's all I have to say.

(Applause)

THE CHAIR: Thank you.

Is there anybody else this evening?

MR. LAVALLEE: One more letter that was submitted. (Read letter into the record from 564 South Farms Court, Rose Purcell. Letter is on file in the Town Planner's office.)

THE CHAIR: Attorney Denorfia?

ATTORNEY DENORFIA: Mr. Chairman and members of the Commission, I promised my wife I wouldn't lose my cool tonight before I came to this meeting. So, I just have a few comments.

First, mention was made of a previous proposal for the Board and the only proposal I know is for a zone change application made by Kastner Construction which was denied.

As far as I know, there has never been a land use application for construction on this property.

Second, this approved by IW because we are not disturbing any wetlands. And, that's what's there.

Third, as far as the flooding, as you know, we have to provide for ZIRO. According to the computations which I believe were verified by Tony but I know he is relooking at them again, we are providing 3.5 times the flood storage that is required.

Next, with regards to the flooding across the street, there has been a detailed hydrology study or whatever you want to call it, that wasn't done by a consultant of a developer but done by the engineering department back in 1989 and it's, I don't know, this (indicating) thick?

Basically, they went through all of what happened in the area. One thing that we cannot control, okay, is what was done in the past across the street. What was done in the past across the street, for the people who are complaining, is the fact that in the 1960's they filled in a pond. They filled in the pond, they built their houses. When they built their houses, they build their houses below the 100-year flood elevation, which as you know, since that time, is illegal. As a matter of fact, the Haighs house right now is 3.5 feet below the 100-foot flood elevation. We can't control that. There is nothing that we can do hydraulically across the street, which is going to impact on their house to the positive because it can't be done. Their house was improperly constructed 40 years ago.

I hear a lot of --- a couple of comments and again, I wasn't going to speak that long, but I guess I will. There were a couple of comments that I made to the IW which I think are pertinent. Again, first, when we come before a Board like that, as you know it is every person's right to use their property and develop their property in accordance with existing land use regulations and laws. That is something that is fundamental. That is something that we're here --- and when you took your oath to become a commissioner, your oath was to uphold the laws of the United States and the Town of Southington, including the zoning laws. And, that's all that we're --- that's all that any developer, at least any developer that I represented, asked before you. We are not here to ask for favors. We're asking to use our property the way that property can be developed. Used.

Secondly, it is incumbent on any property owner to minimize any drainage impact on downstream properties. And, in fact, our regulations provide for ZIRO to protect the downstream properties.

And, third, it is not the responsibility of someone developing their property to cure all the mistakes created by other individuals when they developed their properties in the past. We don't have control over that. All we can constantly say is that we meet the regulations and -- we meet the regulations. You know, when you go back to the 1989 proposal and proposal and probably what bothers me most the study that Tony Tranquillo did, is that probably a lot of the things in that proposal are things within the control of the property owners here.

Such as they dump their lawn clippings. They don't maintain the watercourse that goes through their property. I mean, these are things that you know are normal maintenance, which are not items --- which are not items, you know, that is the Town.

Just as we're not responsible for people building 3.5 feet below a 100-year flood elevation, neither is the Town.

That's all I have at this time. Thank you.

THE CHAIR: Any questions for the Attorney? Fran?

MR. KENEFICK: Tony, all this open space, all this wetlands, what're you going to do with it? What do you propose to do with it?

ATTORNEY DENORFIA: Well, you can do one of two things. It was mentioned at the IW, either we can donate it as open space or if you want, we can just chop it up and make it part of the lots. That's up to this Board to decide on whether or not the Town wants to own it or not.

MR. KENEFICK: Mark, what's our feeling on wetland open space?

ATTORNEY SCIOTA: Every committee, we've gone back and forth over the years, Tony and I were talking about this, over the last ten or twelve years, each Conservation Commission versus Planning & Zoning, Conservation always wants the Town to own everything, because that way we have control over it, but the Manager and the Highway Department who maintains all these things, say, well, let's look at each one on a case by case basis. So, I don't know, Tony and I will obviously discuss it with the new Planner and David, along with the highway department to see where we want to go on this, assuming it gets approved.

MR. KENEFICK: By chopping it up, you mean just put it as part of other lots?

ATTORNEY DENORFIA: Yah, we'll just extend the lines to the --- you know, extend these property lines out to the end, something like that.

MR. KENEFICK: Yup.

MR. DELSANTO: A gentleman stood up before representing and I forgot his name, but had said something about lot 5?

ATTORNEY DENORFIA: Oh, Sev was going to -- yah.

MR. DELSANTO: Being only 25 feet from ---

ATTORNEY DENORFIA: Well, that's in violation of the zoning regulations, so that's not possible but maybe Sev can speak.

MR. BOVINO: Good evening, Sev Bovino, Planner, with Kratzert, Jones representing the applicant. The rear setback requirement to the lot is 25 feet. The house is not at the 25-foot setback. As you can see, that house is probably another 30 feet in addition to the setback that's required. But that is the requirement, 25 for the rear setback.

MR. DELSANTO: So, what is the setback, 35 feet?

MR. BOVINO: No. It's probably 50 to 55 feet away from the property line.

MR. DELSANTO: Thank you.

FROM THE AUDIENCE: Can you build on an illegal lot?

MR. BOVINO: And, by the way, the comment regarding it being an illegal lot, that was an oversight. The area has been adjusted and the lot area meets the regulation.

(Pause)

And, also the issue of the fill, the fill would not be placed in the wetlands or the floodplain, otherwise we would be requesting permission to do so. And, uh, it is a cut, which will take place in that area and the fill will be relocated in the roadway area, which is needed in the roadway, road base.

MR. KENEFICK: Sev, you're saying that lot 5 is 2.5 acre, then?

MR. BOVINO: Yah. Lot 5 is the minimum area, which is 67.5 required by the regulation, and actually it is 67,636.

ATTORNEY SCIOTA: It's required to be three times the zone.

MR. BOVINO: Three times the zone.

I'd like to submit this breakdown for the record. We submitted it for the Wetlands Commission. We'll give it to the PZC. It shows each lot area, which is proposed, and actually all the lots are above the lot area requirement.

And, by the way, talking about resource-based development, this property is 12.7 acres. If you did the division based on the current zone, you could fit 24 houses. We're proposing eight houses. And, uh, basically we are doing an open space subdivision without requesting one. Because we are putting eight houses on 12.7 acres.

MR. KENEFICK: It's 12.7 acres? How much of that 12.7u is wetlands?

MR. BOVINO: Five acres, plus or minus, yes.

Again, for the record, we're not proposing, all the houses are above the floodplain. They're not in the floodplain. And, the wetlands impact is only in the beginning where the roadway is proposed, about 100 sf and that's where the discharge pipe is. So, whenever everybody speaks about wetlands filling, floodplain filling, that is not the case.

We have wetlands and floodplain on the property, but we are not filling it for the purpose of building the houses.

MR. SINCLAIR: Sev or Tony, I was just wondering. It came up a couple of times. Contamination from this factory? Have there been any soil samples there?

MR. BOVINO: The report was submitted during the wetlands application process. So, there is a report on file.

MR. SINCLAIR: Okay, can you give me a brief summary? Was there anything there? Is it --- not?

MR. BOVINO: We didn't do the report and I don't have it in front of me but basically I understand there was no ---

(Audience comments)

ATTORNEY DENORFIA: I reviewed that report years ago and we, you know, financing on the property ---

(Audience comments)

THE CHAIR: Excuse me. Hold on guys, hold on. Hold on.

ATTORNEY DENORFIA: I don't, we really don't have anything more to say tonight, Mr. Oshana.

(Audience comments)

We don't need, I mean, you may have to put up with this because you're a politician, but we really don't.

(Audience comments)

THE CHAIR: Folks, come on. Let's try to be a little bit respectful, you know? Okay. We just want to hear all sides of this conversation.

(Pause)

All right, folks. I think we're looking for a table.

MR. CARMODY: Motion to second.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

B. Special Permit Use Application of LePage Homes proposing to establish a 19-unit multifamily housing development (West Street Condominiums) within an R-12 zone incorporating two (2) existing residential homes and two (2) proposed buildings, property located at 179 & 191 West Street SPU #434.

(Pause - room clearing)

THE CHAIR: David, where are we on this?

MR. LAVALLEE: We have the consulting Planner just submitted a review of this application, so a table would be appropriate.

FROM THE AUDIENCE: Can't hear you. Speak up.

THE CHAIR: Say it again, David?

MR. LAVALLEE: The consulting Planner has issued a review for this project so we feel that it's appropriate to table at this time.

MR. DELANTO: Move to table.

MR. SINCLAIR: Second.

(Motion passed unanimously on a voice vote.)

C. Earth Filling and Grading Application of Lake Compounce Limited Partnership proposing earth filling and grading activities in conjunction with a proposed water park facility at the existing Lake Compounce amusement park facility, property located off Mount Vernon Road EE #119.

MR. BOVINO: Sev Bovino, Planner with Kratzert, Jones representing the applicant.

We revised the maps according to Tony's request. We have provided in the record information regarding the restrictions with the neighbor that lives on Panthorn Trail. A meeting was held with the police chief of the Town of Southington and the City of Bristol and I'm submitting for the record a letter recollecting what took place at the meeting.

Basically, there was a recommendation that the road be closed during the operation, during the excavation period. A proposed temporary cul de sac is to be built at the north end of the project where the gate is in front of Lake Compounce and on the southerly side, the Welch Street would be gated at the end of Welch Street and Mt. Vernon Road. The emergency access which exists right

here to come around the lake will be maintained so for emergency vehicles to be able to get to the main facility.

And, phasing will be, one phase will be started at the north end and move southerly and the trucks will move in a southerly direction to Welch Road and to the gate, Tilcon gate, which is on Welch Road. And, that's where the material is going to go. Straight to that facility.

This is the letter for the record. You don't need it?

MR. TRANQUILLO: Mr. Chairman, for legal reasons, I am going to submit that letter that he's talking about for the record because he's really not allowed to submit further documentation.

ATTORNEY SCIOTA: We had a public hearing.

MR. TRANQUILLO: Basically, the letter is regarding a meeting that was held with the applicant and two police chiefs of the two Towns where they discussed the closure of Mt. Vernon Road and agreed to the details.

THE CHAIR: They've both come to agreement?

MR. TRANQUILLO: Yes.

MR. BOVINO: Do you have any questions on any of the items? We responded in writing to Tony's checklist.

THE CHAIR: Ms. Conroy?

MS. CONROY: Sev, how long will the road be closed and traffic detoured?

MR. BOVINO: Three months, I understand.

(Pause)

THE CHAIR: Anybody else? I think this is ready to go forward.

MR. SINCLAIR: Move to approve.

MR. DELSANTO: Second.

(Motion passed 7 to 0 on a roll call vote.)

D. Site Plan Application of LePage Homes proposing to construct a 19-unit multifamily housing development (West Street Condominiums) incorporating 2 existing homes and 2 proposed buildings totaling 22,828 sf property located at 179 & 191 West Street SPR #1448.

ATTORNEY DENORFIA: Mr. Chairman, Anthony Denorfia representing the applicant. I just would like a clarification here. Since the close of the public hearing, which has been well over a month ago, there've been two memos submitted by staff. We haven't seen the latest one but it seems to me that those memos pertain to the site plan issue? I'm not sure where or how they're being submitted and for what purpose.

ATTORNEY SCIOTA: They are, correct me if I'm wrong, Tony, I, the one I read today had to do with the SPU, the number of units, specifically. SPU issues.

MR. TRANQUILLO: Yes.

ATTORNEY SCIOTA: That's the one I saw today. You probably haven't seen it. It's from Dom Caruso.

ATTORNEY DENORFIA: No, I haven't. As you know, density, a lot of times depends on the size of the unit. I mean, that is something that is usually left up to site plan. So, I'm not sure where these memos are ---whether they should be put in that part of the record at this point, what their use is.

ATTORNEY SCIOTA: I think they are appropriate for SPU because they're talking about the density of the area and whether the number of condominiums is appropriate for that area, not only is the condominium appropriate, but the number of condominiums proposed.

ATTORNEY DENORFIA: Which is usually left for site plan, historically, in our past.

ATTORNEY SCIOTA: Well, we have also talked about numbers. We set specific number stipulations in the past for condominiums. So, I have no problem with it.

MR. KENEFICK: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

E. Site Plan Application of Sachsel Commercial Contractors, Inc. proposing to construct a 423 sf addition to the existing building at the Apple Valley Veterinarians veterinary hospital facility, property located at 1218 South Main Street SPR #1449.

MR. LAVALLEE: Mr. Chairman, we have a request for a 65-day extension.

MR. KENEFICK: What's the delay there? What's going on?

MR. LAVALLEE: The applicants have created an area that could be construed as parking. Totally cleared, under the power lines. And, now there is some sub base on the north side, I believe. So, I just want to make sure that you're aware that it's planned for overflow parking. It's not indicated on the plans, at all. There's no drainage proposed in the area. It's adjacent to wetlands but not within the upland review area. So, it's important that we have that on the plans.

MR. SINCLAIR: Motion to grant the 65-day extension.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

MR. DELSANTO: I have a question for Dave. Are there any other outstanding issues with regards to this application?

MR. LAVALLEE: Most of it is screening issues that we don't have a response yet from the applicant. Just because of the zone that it's in. We'll address those by the next meeting.

MR. DELSANTO: Are they preparing a plan for the parking?

MR. LAVALLEE: Yes, I've been in contact with them weekly. So ---

MR. DELSANTO: Thank you.

Move to table.

MR. DEMELLO: Second.

(Motion passed unanimously on a voice vote.)

F. Site Plan Application of Briarwood College, Inc., proposing to construct a 16,500 sf dental school building with associated parking area in conjunction with the existing college facility, property located at 2279 Mount Vernon Road SPR #1451.

MR. BOVINO: Sev Bovino, Planner with Kratzert & Jones representing the applicant. We have responded to Tony's checklist in writing. We returned the revised plans last week. I saw Tony today and I was hoping that he would have had the chance to finalize his review.

MR. TRANQUILLO: Actually, I promised Sev that I would try to get to it. About 2:00 I promised him that. And, I didn't get to it this afternoon.

MR. CARMODY: You broke your promise?

MR. TRANQUILLO: Well, I promised him I would try. And, I did.

MR. BOVINO: If the Commission had any question, maybe we can address? We got the waiver of sidewalks last time, thank you. And, we've done everything else that we needed to do.

MR. KENEFICK: Tony, do you see any other problems? I mean, have you seen other problems with it?

MR. TRANQUILLO: Actually, that's a fairly wide-open site. The only thing that concerned me was I read the response to my checklist and a couple of the items were: to be addressed or the drainage conditions in the back of the building are appropriate. That's really not a response. I have to spend some time to look at a plan when they make responses like that.

So, I have to take a look at it.

MR. LAVALLEE: It is due for a 65-day extension.

THE CHAIR: Yes.

MR. LAVALLEE: Do you want to request that, Sev? Do you want to request that 65 day extension if they don't act on it.

THE CHAIR: The date is it is actually expiring on February 6<sup>th</sup>, which is today.

MR. BOVINO: If we need the 65 days, I'll be happy to --

MR. KENEFICK: Move to grant a 65-day extension.

MR. BOVINO: --- on behalf of the applicant, I request a 65 days extension.

MR. DEMELLO: Second.

(Motion passed unanimously on a voice vote.)

THE CHAIR: We're looking for a table.

MR. CARMODY: Move to table.

MR. SAUCIER: Second.

(Motion passed unanimously on a voice vote.)

G. Subdivision Application of Magnoli Enterprises, Inc. proposing to subdivide property for purposes of creating 4 single family lots (April Estates), property located off Burrirtt Street known as Assessor's Map #040, Parcels 012, 013 & 021 S #12346.

MR. GUIDICE: Good evening, Mr. Chairman, for the record, Stephen Giudice with the office of Harry Cole & Son. At this time we are in the process of revising the plan based on staff comments. So, we would request a table of this application.

MR. SINCLAIR: Move to table.

MR. DELSANTO: Second.

MR. LAVALLEE: There is a question. A request.

MR. SINCLAIR: I'll remove my table.

MR. DELSANTO: I'll take back my second.

MR. LAVALLEE: There is a request from one of the neighbors regarding a waiver of the sidewalks. He's concerned that he'd have to maintain a significant amount. I do have a copy of the memo for you.

FROM THE AUDIENCE: Louder, please!

MR. LAVALLEE: There is a concern over the sidewalks in the area. One of the neighbors would ask for those sidewalks to be waived on his side of the street. He's concerned about maintenance.

MR. GIUDICE: I believe that was already waived.

We did waive the sidewalks on ---

MS. CONROY: The east side.

MR. GIUDICE: --- the easterly side of the street.

MR. LAVALLEE: That was already done?

MR. GIUDICE: At the previous meeting.

MR. CARMODY: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

H. Site Plan Application of Mark & Gregory Ali proposing to construct a 4500 sf building for retail use, property located at 1416 Meriden Waterbury Turnpike SPR #1453.

FRANK CAYHILL: Good evening, my name is Frank Cayhill with --- professional engineer with Jones Engineering. Since we've submitted the

application, we've received the Town Engineer's comments. I've submitted those in writing. Made revisions on the plan.

We've also received comments from the Acting Town Planner. We received those comments last week. We've just finished up addressing those comments today. I have a letter that I wrote up and revised plans that I just finished up to day. I can submit them this evening or tomorrow at the planning office.

Other than that, I have nothing else to say unless the Council members have any comments regarding this application?

MR. KENEFICK: Are you demolishing the house that's there now?

MR. CAYHILL: Yes, it will be demolished.

THE CHAIR: Thank you.

MR. DEMELLO: Move to table.

MR. SINCLAIR: Second.

MR. DEMELLO: I remove my table.

(Undertone comments)

GREG ALI: My name is Greg Ali. There was a few questions at the last meeting that maybe I'd like to address as far as use of the building and what it was going to look like for in harmony with the area.

I have some pictures of what we're proposing. I don't have a building plan, yet because we don't have approval on the site plan, so we're doing one thing at a time. I don't know if it's kind of jumping ahead to start this stuff tonight or the next meeting?

THE CHAIR: Let's take a look.

MR. ALI: There's actually a few issues from the Town Planner.

We'd like to model it after that building. Friends of ours built that building. I think it was a question if it was going to be warehousing looking or --- if we're going to use it as a nursery use. And, we're not. We're commercial real estate investors part time. So, I just want to share with the Board that it's going to be for retail service use and we're going to rent the building out, we're not using it ourselves.

(Undertone comments)

There was also some landscaping issues with or from the Town Planner and um the owner of Ali's Nursery and Landscaping, I don't know if he knows what we do or who we are but ---

ATTORNEY SCIOTA: You know something about landscaping then?

(Chuckles)

MR. ALI: It would be in our best interest to make that property look good.

We also just completed a landscape plan that we're giving to the Town Planner also to look at.

Is there any other questions?

MR. CARMODY: Greg, where is that building in the picture?

MR. ALI: Where is it? Middlebury. Middlebury.

MR. KENEFICK: Let's get going!

MR. ALI: That's what I want to do.

MR. KENEFICK: Okay, we're all set? Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

I. Site Plan Application of Birch Street Properties, LLC proposing to construct a 2016 sf storage warehouse to an existing industrial facility, property located at 89 Birch Street SPR A#561.2.

MARK VIGNEAULT: Good evening Chairman and Commission members, Mark Vigneault, Managing Member, Birch Street properties. This application is at 89 Birch Street, Southington, CT.

Today we received comments from the zoning department around noontime today and I'd like to submit our written responses to those comments and we've made adjustments to the site plan in concurrence with those responses. And, I can submit those site plans tonight and I've submitted those responses, the written responses for the record, tonight.

I believe that we've addressed all the comments and if we can review the responses, possibly, we could have action on this application tonight.

THE CHAIR: I think we'll probably look at the application and look at your responses, but I think the staff is probably going to need time to take a look at this.

MR. VIGNEAULT: Very good.

MR. CARMODY: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

#### NEW BUSINESS ITEMS

A. Site Plan Application of Kenneth Harwood proposing to construct a 2-story garage within an I-1 zone for purposes of housing hobby race car fabrication and street rod storage, property located at 154 Pine Street SPR #1452.1.

MR. LAVALLEE: This item is currently under wetlands review, so a table is requested.

MR. SINCLAIR: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

B. Site Plan Application of Ralph Ricciardelli for Childhood Dreams Foundation proposing placement of a clothing and shoe collection bin on the lawn area of the existing Midas Muffler auto repair facility, property located at 90 Queen Street SPR #452.1.

DAN CONACKY: Mr. Chairman and Commission members, thanks for having us. My name is Dan Conacky, I'm the president of Childhood Dreams Foundation. We just, we've got a donation container that's currently at the Midas location. It was requested by Frank Vinci for us to seek approval, permit approval, through the Commission.

In front of you is a site plan, which shows a position on the grass where it exists presently.

(Undertone comments)

We are a nonprofit organization that helps children.

THE CHAIR: Where're you going to put it on the site?

MR. CONACKY: It's right on the grass. There should be an arrow that goes down to it.

I'll open up my up.

(Undertone comments)

(Chuckles)

Just so you know, we are listed with the charities bureau, Blumenthal's office, 501C-3. It is looked at through the eyes of the federal government.

It's the real deal. Nobody gets a paycheck.

MR. KENEFICK: Dave, you are all set with this? Do you have a problem?

MR. LAVALLEE: I think we just might need a little more time to review this between the ZEO and myself and the new Planner that is going to come aboard.

MR. CARMODY: Can you put this in the back of the building?

MR. CONACKY: We can put them in the basement. The key, sir, not to be offensive is public recognition. If they're not up reasonably close to the line of sight, it doesn't make any sense. People don't have a place to put their clothing and shoes.

It's clean. It's been out there for a period of time. We have a truck there every other day. It's off the road. It's not in obtrusive view of oncoming traffic in either direction.

MR. CARMODY: I know where it is.

THE CHAIR: Mr. Sciota?

ATTORNEY SCIOTA: Mr. Chairman, if I may, at your last meeting, you may have read in the Minutes, we talked about these and we're trying to establish a new form of guidelines for them. And, I know that Dave, Frank Vinci and I were talking. Of course, we have a new Planner starting tomorrow and we're hoping to at least talk to her. So, we would hope that you would table this to give us at least two weeks to discuss the ramifications.

THE CHAIR: Is the issue here, just ---

FROM THE AUDIENCE: Can't hear you!

THE CHAIR: Is the issue here with these particular documents that we got that these people did not submit site plans?

MR. LAVALLEE: We would like to require site plans, like you said, for uniform guidelines so we know where they're going, so we can have some input on where they area. Each one is different. Each one is a different color. You know, each company or nonprofit has them --- it could be an issue with sight lines. This one may not be, but where they place them could be an issue. We just want to make sure they all fall within the same guidelines.

THE CHAIR: Okay, so the reason that we got this packet here is because these people -- we're looking to get some uniformity and some consistency and plus these people have them on their site that have not come forward and applied?

MR. LAVALLEE: Right.

MR. CONACKY: We have been, I've received some letters from Frank and we've responded to everything that he has asked including removing containers from existing sites where they were questionable in terms of being in a residential area, you know, delis and such, grandfathered in.

We're doing our best to work hand in hand with Southington. We're interested in helping the children of Southington, directly. I will say that our experience, if you will just give me a moment, I won't take all of your time, where there is a problem with children, we're right there. There's no paperwork.

People that have burned out in Branford. There was a family. The children went off to school. They came home, the mother was dead. The children were without a home. We were the first ones there offering our hand, giving them money to give them a place to stay. We're the real deal.

If there is a child in Southington that needs our help, we're going to be there. We need your help to do this.

This uniform clause that this gentleman was speaking with, we would like to be a part of that and follow those guidelines. There are some guys out there who aren't doing what we do. And, they're the ones who aren't responding. They're the ones that aren't standing here. I've seen the containers. They're a mess.

Ours are clean. Ours are new. It's the real deal.

MR. DELSANTO: Are you, Dave, have you seen the one at the site?

MR. LAVALLEE: Yah, I've seen just about all of them.

MR. DELSANTO: I mean, with regards to sight line, it is the first thing you see. You see that before you see the Midas. So, when you're pulling out of Midas, I mean, I think that is something we have to look into.

We're not questioning the work that your organization does. We're just questioning the feasibility and safety.

MR. LAVALLEE: And, it's currently there. You won't lose anything now.

ATTORNEY SCIOTA: That's our point. We are not asking you to remove it in the next two weeks. What we are saying is we need uniform guidelines. We

start approving these, like you are asking us to do today, we just can't do that because then we have to follow, we have to treat everyone equally.

Give us a couple of weeks. Sit down with the new Planner. Uniform guidelines. They may not be something that you're happy with. People are talking about --- we may not want these in the front of the buildings where we have the sight lines issues because these are commercial areas and this may not be the first thing that you want to see.

Maybe you want to see the actual building it's at, first. And, then have these in a different area. Certainly, we don't want them hidden because no one will know they're there. But they shouldn't be the first thing you see, either.

And, I'm not saying your company, but there are several out there that I've worked with the ZEO on this and that's the first thing you see. They're right when you pull in. There's sight line issues. There's screening issues and there's maintenance issues. And, you may be talking about this other group that seems never to pick up their stuff because it's hanging out all over there.

So, we have to treat them all as in the worse case scenario. So, we're setting forth some guidelines. It's going to help you in the long run.

THE CHAIR: We're not going to ask you to take it away.

MR. CONACKY: Okay, thank you.

I've got half a dozen in Town. I've removed half a dozen as per Frank Vinci's request. I'm staying put to get response and seeing how the flavor of this meeting went so we can find some kind of common ground.

MR. KENEFICK: Think we can get this done in the next two weeks?

MR. LAVALLEE: Yah, I think so.

MR. KENEFICK: So, you don't have a problem right now. We're working on it.

MR. CONACKY: I don't have a problem. Okay. Is there something I can do to help to put my beset foot forward and be part of this because we want to be part of the Town of Southington to help people?

ATTORNEY SCIOTA: If I may, Mr. Chairman, you could certainly give your input as to some of your ideas to Frank Vinci who will be the key man on this. So, if you have ideas as to what the policy should be or what you'd like to see ---

MR. CONACKY: One of my questions coming in is that there aren't any existing guidelines and you're calling it a dumpster and I don't like to relate this to a dumpster.

ATTORNEY SCIOTA: You are under site plan. You're in here for modification of a site plan. So, there are guidelines in the site plan regulations.

MR. CONACKY: On something that's movable?

ATTORNEY SCIOTA: Yup. That's what you're here for. You are here for a modification of a site plan.

MR. CONACKY: I'm not trying to be ---

ATTORNEY SCIOTA: I understand. That's why you want to make sure that what you're doing is applicable to our site plan regulations and we understand it's got to be a little bit different than a normal structure, this is permanent there.

MR. CONACKY: So, you want me to come back next time? Come back here in two weeks? A letter will follow this?

(End of Tape #1, Side B)  
(Beginning of Tape #2, Side A)

Thank you for your time.

MR. KENEFICK: Move to table.

THE CHAIR: Thank you for your work, too.

MR. SAUCIER: I've got one. This is not for the applicant but more for Dave.

MR. KENEFICK: I'll take the table off.

MR. SAUCIER: Um, you know, this is a site plan modification and one of the things I did notice on that site is they have trash receptacles in the rear of their property that's not screened. So, you would need to take a look at that as part of the site. It's not related to this one, but -- I was out there.

MR. LAVALLEE: Sure. Yup.

MR. DEMELLO: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

C. Site Plan Application of James Larkin proposing to modify an existing residential structure into 2,643 sf mixed use consisting of residential and business office space, property located at 247-249 Meriden Waterbury Road SPR #1455.

MR. GIUDICE: Good evening, for the record, Stephen Giudice with Harry Cole & Son. I'm here on behalf of the applicant, James Larkin.

Mr. Larkin does home improvements and he has purchased the property at 247-249 Meriden Waterbury Turnpike. Um, this property is adjacent to the Henny Penny that was just constructed. We're just next to it.

And, what we are proposing on this site is a mixed use, residential and office space. Residential use for the first and second floor and office space in this location. We're not proposing really at this time any site improvements other than a dumpster, screened dumpster pad at this location and striping of the parking lot.

This property historically was used for residential and office space I think quite a long time ago. Recently, I think it was just used for residential. We would like to re-establish the office use in this location here.

Some of the issues that we've --- we've received review from the Town Engineer. That some of the issues that came up were regarding sidewalks.

Obviously, we would be requesting a waiver of sidewalks based on the development in either direction. There are not developing properties in this area. I may be incorrect, but I believe the sidewalk was waived for the Henny Penny.

Again, in this direction, we have residential homes developed up to the intersection of 691 and in this direction the Henny Penny intersection. No sidewalks in either direction.

The other issue is the curb cuts. We have two curb cuts proposed --- two existing curb cuts. This curb cut accesses a garage and the basement. This is our only means of access to that garage. The Town Engineer requested that we leave that or close that curb cut, but we really would prefer to leave it open. This curb here, he suggested some modifications to reduce the width of it and we would be willing to make those changes.

We have not addressed all of Mr. Tranquillo's comments at this time, so I guess we're just here to answer any questions and request a table.

THE CHAIR: Any questions?

MR. DELSANTO: Tony, are there sidewalks at the Henny Penny?

MR. TRANQUILLO: No.

MR. DEMELLO: They're on the other side.

(Undertone comments)

MR. CARMODY: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

D. Site Plan Application of Mountain View Farms, LLC proposing to construct a 35-unit multifamily development for ages 55+ and older (Elizabeth Gardens), property located off Meriden Avenue known as Assessor's Map #55, Parcels 16 & 17 SPR #1456.

MR. KENEFICK: Mr. Chairman, I have to step out on this.

THE CHAIR: All right, Mr. Kenefick will be removing himself. We will seat Commissioner Conroy in for this application.

(Mr. Kenefick left the room.)

MR. GIUDICE: For the record, Stephen Giudice with Harry Cole & Son, here on behalf of the applicant, Mountain View Farms, LLC.

The parcel is a 6.58-acre of land located on Meriden Avenue. It's a portion of the former Poriello Farm. It's known as Lot 17 of the Mountain View Estates Subdivision. As you know, this property is part of the subdivision that was approved by this Commission in August. This was the remaining land and we labeled it Lot 17 for clarity purposes and the parcel is bounded on the west by Immaculate Conception Church cemetery, on the north by land of Patricia Griffin. And, on the east side by Meriden Avenue and on the southerly side by Mountain View Farm subdivision.

It's zoned primarily R-12. We have a small strip of land that is zoned R-20/25 and aren't proposing any construction, building construction in those areas.

The parcel is subject to a special permit hearing for 55 and older multi family development. That application was approved by this Commission, I believe, it was last summer. It might have been early fall. My memory is slipping a little bit.

The applicant's proposing again a 35 unit 55 and older condominium development. The layout is consistent with the layout plan that was submitted at the time of the public hearing. The 35 units are contained in ten buildings located throughout the site. The plans propose a gazebo located in the rotary of the driveway. And, we're also proposing a community building located to the rear of the development.

The project is proposed to be serviced by public water and sewer, which will be connected on Meriden Avenue through the main entrance.

We have designed a system to handle storm water runoff. We're utilizing grass swales around buildings, flared ends to collect water and catch basins. We have a subsurface drainage system and storm water detention, a sub surface storm water detention system that runs along the front of the property. This is in conjunction with the subdivision and was part of that approval.

And, we have a storm water quality basin that was designed to serve two purposes. One is to provide additional storage for ZIRO and also to provide some storm water quality measures to clean the water before it leaves the basin and heads down towards the wetland pond at the north.

The basin that we propose is to be privately owned and maintained by the condominium development. We are proposing numerous plantings and shrubs and seed mixes to develop that as a functioning, almost like a functioning wetlands, more or less.

The plans as designed are done in accordance with the Town zoning regulations. We have minimum separation distances between the larger buildings of 45 feet. We have a separation distance between the duplexes at 30 feet. Where we have a duplex and a larger building, we've averaged the separation distance between the duplex and the larger building at 37.5 feet.

The units are all designed with first floor bedrooms and at least a one-car garage, the majority of the units do have two car garages. There are a few, only a few units, we have one unit here and here with a one car garage. But the majority of the units will have two car garages.

The unit construction will be consistent with the materials presented at the public hearing. At that time, we presented the siding, the roofing materials and some masonry materials that we're using on the property in some earth tone colors to be used for the units themselves.

Each unit is proposed to have an outdoor patio where the grade permits around the back and a few units will have decks instead of patios just due to grading issues. We weren't able to provide a patio, so we are proposing a deck.

The site plan documents also contain an extensive landscape plan and in that plan we have a landscape buffer around the perimeter of the property as per your zoning regulations.

I believe that we have additional plantings within the site to try to enhance the development, as well.

The plan is designed with phasing. We have Phase I, which is located with the front units and the detention basin, that's to be constructed first, and actually to be constructed as part of the subdivision application. The basin was approved on that application.

Phase II would be the units and this portion of the driveway and Phase III would be the top units.

This plan was approved by the Conservation Commission at their last meeting and at this point we're waiting for review from the Town Staff. We request a table. If you have any questions, I'd be more than happy to answer them.

MR. DEMELLO: Steve, just on the units, I just wanted to show you, 91 and 92?

MR. GIUDICE: Which ones?

MR. DEMELLO: The ones in the back there, 92?

MR. GIUDICE: Okay, yes?

MR. DEMELLO: Unit 92 there, should it be 91 and 92?

MR. GIUDICE: I appreciate it. I'll fix it.

THE CHAIR: Any questions, folks?

Thanks, Steve. Looking for a table.

MR. DEMELLO: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

THE CHAIR: We'll reseal Commissioner Kenefick.

E. Site Plan Application of 1103 Queen Street, LLC proposing a modification of the previously approved Site Plan approved 10/4/05 to modify the parking area and the removal of billboard, property located at 1103 Queen Street SPR #1410.2.

WILLIAM KATT: Good evening, Mr. Chairman. My name is William Katt - K-a-t-t. I'm a professional engineer and I'm representing the application this evening.

You gentlemen have seen this application several times before so I didn't bring a pretty board. However, if you do want one, I have a helper back here that'll hold it up for me.

Basically, this is a revision on the original site plan that was presented prior to this time. The site plan before you shows the billboard to be removed. The billboard has been removed. Unfortunately, the last three days since the change. It's down.

That was one of the basic bones of contention earlier in this application. I would ask you to go forward with the application at this time. I understand there are some concerns that were raised by the Planner and the Environment Planner. And, I believe we've addressed his concerns that were originally there on the plans, one of them being that they wanted spot

elevations along the flood mitigation line. We've provided that data. Removal of debris, the debris has been removed from the rear of the building that they've been looking for. I think it was supposed to be done before we got here.

The wetlands markers that have been asked for, unfortunately, this time of year it's very difficult to put those in. We do have the markers and we'll put them in as soon as weather permits.

Landscaping is to be completed. Again, at this time of year, we can't do any plantings. We'll do those gladly at a future time and we're willing to bond for all the items that are undone.

THE CHAIR: So, what you are saying is that based on the original site plan application that you had, there were some discussions at this Commission and I think there was a proposal, recommendation made that if you remove the billboard we might go forward.

MR. KATT: You might go forward with this application, correct.

THE CHAIR: The billboard is gone.

MR. KATT: The billboard is gone.

THE CHAIR: The application is as it was originally proposed at this point?

MR. KATT: The application has changed. There's a little additional parking because we did get a small triangular piece of land that has been included, also. That was discussed in the last application.

THE CHAIR: From the other piece of property.

MR. KATT: Right.

THE CHAIR: Dave?

MR. LAVALLEE: There's also an area of riprap that was added. There was some trees that were cleared and as part of restoration of that area to stabilize it, um, along the southern property line, riprap was added and plantings were added within the riprap. That was last summer, I believe.

THE CHAIR: What do you see, David, as issues right now?

MR. LAVALLEE: I'm just seeking clarification on one item. There's an area in the northeast corner that says: transition area. Said lawn area on the previous site plan. I was wondering why that was.

MR. KATT: Basically, that was a transition area from where --- when we were doing the flood mitigation work. That was an area where it was going to be --- basically going from what was the existing grade --- grading transition.

MR. LAVALLEE: Will that be planted?

MR. KATT: Yes. That will be planted. That's --- there was a question, I believe Tony has a question concerning the stone at the back of that area.

MR. TRANQUILLO: I went out just today and looked at this particular site and we have a couple of issues that are not serious but I think we need to be at least mentioned on the record.

The landscaping that was mentioned along the south edge by Dave, they don't indicate what type of trees those are and the sizes. We need to have that shown. That's one issue.

The second issue is if you look behind the rear building, you'll see that there is about eight or ten trees shown. The original site plan showed the gravel parking lot on the west side of those trees. What is actually out on the site is a far more extensive gravel area behind the rear building basically in the floodway, which violates the original approval. So, I'm recommending to the Board that this plan be modified so that it shows the gravel limits that were shown on the original site plan rather than what is out in the field.

MR. KENEFICK: How far over that line do you think that is?

MR. TRANQUILLO: They're probably sixty feet over.

MR. KENEFICK: Quite a bit.

MR. TRANQUILLO: It's a very large area in the back of that building that's being used now which really should've been stabilized because it's in a floodway area adjacent to the river.

The third item is the wetland markers have not been placed which Bill Katt mentioned that.

And, obviously, the billboard has been removed. We verified that in the field today. So, if the Commission is amenable to doing something with this tonight, you should add those as conditions and also I think they're looking to move in. So, we would have to grant a temporary waiver of site plan compliance and we'd compute a bond for the unfinished work for you.

ATTORNEY SCIOTA: It would be a bond to be determined by the engineering department.

I would also like the stipulation and I already talked to the attorney for the applicant on this and that is that it says billboard to be removed. It has been removed but I'd also like any elements of the billboard to be removed. I know there was unpermitted electricity and stuff like that. I assume it's been removed, but I want it stipulated, anyway, to make sure.

MR. DELSANTO: Does the applicant have any questions or problems with those?

MR. KATT: No.

THE CHAIR: I have a question. Just curiosity, why was the parking area built sixty feet larger than it was originally approved?

MR. KATT: I am not sure. I can't answer your question. I was not involved with the actual construction.

ATTORNEY SCIOTA: The trees and the size, too, sir? What size and what size?

MR. KATT: I did the original site plan. The trees showed up and I thought that the trees were part of a discussion or an agreement that had been made between the applicant and the wetlands ---

ATTORNEY SCIOTA: Would you be amenable to: to be determined by the engineering and planning department?

MR. KATT: Yes.

ATTORNEY SCIOTA: Okay.

MR. LAVALLEE: I'd just like to say that if there is material in the floodway, that's in violation of planning and zoning statutes and wetland statutes. So, it's got to be removed.

MR. KATT: I would expect we would remove it before we could do any grading back there, landscaping anyway. I'm sure you would want to see it.

ATTORNEY SCIOTA: It's got to be taken out and restored. That's part of the bonding.

MR. KATT: That was a foregone conclusion.

ATTORNEY SCIOTA: That's going to be part of Tony's bonding number is the removal and the reseeded, so if you don't do it, obviously, there'll be bonding money.

MR. KATT: I understand that.

MR. CARMODY: Okay.

MR. DEMELLO: Mr. Chairman? This is ready to go, right?

I'd like to make a motion for approval of this application with the following stipulations ---

MR. KENEFICK: I'll second that.

MR. CARMODY: We've got to put them on the record.

MR. LAVALLEE: The restoration of the floodway. He had noted on the plan it is to be brought to the original accepted line. All elements of the billboard are to be removed. Wetland markers are to be installed. Landscaping is to be bonded. Note the size and species of the plantings along that bank and anything else?

ATTORNEY SCIOTA: Let me just add to that: the landscaping and trees should be determined by the planning and engineering department and all elements of the sign including but not limited to the electricity.

MR. DEMELLO: Sounds good.

ATTORNEY SCIOTA: And, the bond to be determined by the engineering department. That's correct.

MR. TRANQUILLO: Before you act on this, I have another question to ask.

MR. CARMODY: Is there a second for your motion? If there's not, I'll second.

MR. SINCLAIR: Second.

THE CHAIR: We have a motion and a second.

MR. KENEFICK: Changed my mind.

THE CHAIR: Is there any discussion?

Tony?

MR. TRANQUILLO: Well, the only issue I had is I was going to ask if the applicant was asking for a waiver of site plan compliance. The site is basically usable.

MR. KATT: Yes.

MR. TRANQUILLO: In it's present condition. But we have a few minor items that have to be done that'll be bonded. Ordinarily, they would ask for a 90-day waiver. I know they're anxious to move in.

THE CHAIR: I think the reason we're doing this is so we can get this guy in there. Get them to work.

ATTORNEY SCIOTA: You could orally request that, sir. Is that something you are requesting?

MR. KATT: Yes, we request it.

ATTORNEY SCIOTA: You can act on that first, Mr. Chairman.

THE CHAIR: So you're requesting a waiver of site plan compliance for a period of 90 days.

MR. KATT: Yes, correct.

MR. CARMODY: I'll make a motion for a site plan compliance waiver for 90 days.

MR. SAUCIER: Second.

(Motion passed unanimously on a voice vote.)

ATTORNEY SCIOTA: Now you have the original motion on the floor.

THE CHAIR: We have a motion for approval with the stipulations as read into the record. Any further discussion?

Hearing none, David, would you call the roll, please?

(Motion passed 7 to 0 on a roll call vote.)

MR. KATT: Thank you very much.

THE CHAIR: Good luck!

F. Site Plan application of Queen Street Car Wash, LLC proposing to construct a 2,965 sf car wash facility, property located at 973 Queen Street SPR #1457.

MR. BOVINO: Sev Bovino, Planner. This proposal is north of the office building that D & J Putnam Realty --- this is the proposed carwash, right? North of that building and it requires a special permit use, so at this time I don't think we can talk about it.

ATTORNEY SCIOTA: No. I need an immediate table.

MR. DELSANTO: Move to table.

MR. DEMELLO: Second.

(Motion passes unanimously on a voice vote.)

G. Conceptual Site Plan Application of Meridian Development Partners proposing to establish a multifamily complex in accordance with the Residential Overlay District zoning (Greenway Commons), for properties located at 167 Center Street, Map #99 Parcel #151: 217 Center Street, Map #99, Parcel 149: and 66 High Street, Map #111, Parcel 15 (SPR #1454 & ROD #1)

MR. SCHLESSINGER: That is an honor. Hello. Good evening.

THE CHAIR: Good evening.

MR. SCHLESSINGER: We are ROD #1. And, we have a lot here. I have just one logistical question. We have two sets of boards.

ATTORNEY SCIOTA: Why don't you introduce yourself, first?

MR. SCHLESSINGER: I'm Howard Schlessinger from Meridian Development Partners Southington, LLC. And, just a logistical question was we have two sets of boards. Would you like us to present both sets, so they can see it as well?

THE CHAIR: Yes.

MR. SCHLESSINGER: There's a fair amount to present here tonight.

(Pause)

First of all, I'd like to say that I'm happy to be back. It's been a long time since we were here formally with you all and we've been working very diligently to get tonight and have resolved all our issues now so that we can move rapidly through the next stages of the process.

One of the things that happened in the interim while we were gone is that Mary left and I just want to introduce the fact that we called TPA because they were very familiar with the ROD as well as with the Brownfield issues that we have and the order of management site that we're dealing with. So, we asked TPA if they would help as a consultant to us and that's why TPA is here with us tonight.

In addition, I want to also just to bring us all on the same point, the ROD which was approved put us in a situation and what we have is a three step process. First the ROD was approved which designated our site amongst some others as an overlay district. And, then once that was established which has been done, there are two more steps that we need to go through for an approval. There's the concept stage of that process where we're going to present the concept of what we've been working on and overview. Once that's approved, we are going to go through site plan approval, which is a formal site plan approval, which is more typical to any development.

Tonight what we are here to do is to do the concept plan. So, we're going to speak a little more in generalities, still, but you'll find that we are very consistent where we left off with you when we presented our plan at the earlier stages in the ROD.

We have done some improvements. We hope you see that we are doing that and we still invite comment and we still have opportunity to do some of the changes if you have comments that you'd like us to incorporate.

Right now, what we're going to do is introduce you to our team. We have brought our architects, our environmental engineers and also our traffic engineers to talk about their respective parts of the project. Then when we're done, I'll come back and we'll talk about questions and answers.

So, Bill, if you'd like to start?

BILL RICHTER: For the record, my name is Bill Richter, partner in the firm of Richter and Seegun, Landscape Architects, Urban Designers out of Avon.

While Howard is handing out the booklet, these will be presentation panels we'll be going through tonight and a little personal assistance with those for you.

(Pause)

(Undertone comments)

Thank you. While it does seem to be a lot of information, we're trying to be as explicit and clear about everything that we're trying to achieve on this property towards the direction of creating a new amenity and asset within the downtown area.

The project itself flanks both sides of the Farmington Canal greenway from Center Street to Mill Street with High Street splitting the two pieces that are closest to downtown.

This is a Brownfield site. It's the old factory site. With the Quinnipiac River as one edge. There's a lot of amenities and assets that can be tied together.

The aerial looking north, um, show you the nature of really the --- the undeveloped nature of the greenway and the existing facilities that are on the property and how it fronts on Center Street and High Street and Mill Street. But this photograph also shows the relationship to the Quinnipiac River as well as the relationship to the Town ball fields.

As I go through these, if there are questions, please interrupt and we'll do that.

The aerial looking south is a little from a larger angle but does give you a clear direction of how the property does focus on Center Street and further relationship to Main Street. While we are only a block off of Main Street, the ability to walk from Main from the Town Green, from Town Hall to this property, is very real.

The existing conditions on the site, obviously, these are the existing buildings that are out there now. The keynote here or the key fact to keep in mind is that over or almost sixty percent of the site is under some kind of coverage now. Historically it had been obviously a lot more but we're dealing with present coverage of the existing buildings along Center and the parking lots.

Now we get into important information. Site conditions. There are a lot of parameters that affect this site, not only the existing physical structures that are on the site that would have to be dealt with but there are a lot of regulatory issues. The most important, well the set of important things really focus around the Quinnipiac River. We do have the 100-foot watercourse setback off the river. We have the floodway, which is the purple line, which is, in terms of the floodplain, which is this line here, the 100-year flood with the stronger non-penetrating areas are in the floodway. So we have to completely stay out of that. But most of the site is within the 100-year floodplain and all development has to obviously deal with that.

But the key things to note about this site are that we have direct access from Main Street on Center with the main retail and business areas. We have the connections, the back door from the Y at High Street and Mill Street

flanking where the existing park on that side. And, then importantly is having that greenway as an asset through the middle of the site.

Any improvements on the site are obviously going to take this as a major amenity to downtown.

(Pause)

The revised design approach is Meridian has been in front of the Commission for some informals previously. This basically is the driving diagram of the thoughts of how we want to approach the site. The key things to keep in mind for this residential development and retail development is that this is in town housing. It's not suburban housing.

Too, with the Quinnipiac River, we have the opportunity within the 100 foot setback and the floodway areas of creating a park along there to try to work in the edge of setting those parameters.

This site gives the municipality an opportunity to extend downtown because of its linkages on Center Street, Mill Street and High Street. This is a residential support to the downtown activities, but is also gives the opportunity for downtown to walk, penetrate the site, and get to the park as a way. We've shown, if you took High Street and extended it, people can walk from Main Street directly to the potential of a park. They can walk directly along Center Street. They can walk directly along Mill Street.

We are also looking at the opportunity at the corner of Center Street and Center Street South is that you would, if you took the existing buildings down and you took that corner and you took the first couple of floors away and imagine standing on the greenway looking under the building and through the building and actually looking out to the park. That would be a major asset that we are looking for.

We're also anticipating to connect Mill Street to Center Street so there is what we are going to be calling the Park Road. Because this park space is not only an amenity for the residential development, it is a public amenity for the community and having that easily accessible and having what looks like a Town road what is that goes along the green space then it feels very public and that is the intent to try to do that.

The other major asset that is part of our premise is along Factory Square was to put first floor retail in the development with residential above so that again, we are extending the downtown on to the site and marrying the site with downtown.

But importantly, in terms of the housing is creating the quad concept and so within the edges of the project, we are creating three green spaces on which the housing surrounds each of those green spaces. So, you have smaller identifiable residential neighborhood within the development as well as the ability to have the public go through those private spaces to connect the park to downtown.

So, this is a very strong feature on the concept of how we want to work this. And, then this project overall creates a new frame for the greenway. Having those buildings, having the improved landscaping, all of a sudden that greenway becomes a really dynamic public space rather than just that open trail at the moment.

So that design approach comes to the concept plan which is part of or obviously the subject of the ROD concept plan approval. This plan does carry forward the revised design concept in all of the aspects that we talked about. The public penetration through the site, the connection from downtown to the

park, the announcement of the project at the corners of the greenway and Center Street, the framing of the greenway and those three quads.

Now, just to take you from the bottom, the MR buildings are called midrises and those are --- the lower building is first floor retail, parking underneath it, three floors of residential above it.

The others, MR-1, 2 and 3 are ground floor parking. Three floors of residential above it.

In the center of the project are townhouses, standard product, more in town. And, then what we call the T-T, those are two over two's, it's like an expanded garden apartment/townhouse combination. So we have three different product ranges within the project itself.

Overall, the 14-acre site allows little over 280 units as part of the ROD regulations. This proposal at the moment is demonstrating 273 units with nearly 600 parking spaces on the project.

As part of this, we are also providing retail parking down here, which does satisfy the 28,000 sf of ground floor retail in MR-3. And, we are also providing some public parking along the park so that would be, so that park becomes a public amenity and public accessibility.

Any questions at the moment?

(No response)

As I explained this is the parking concept plan relates how the parking is under the buildings in the all of the MRs or midrises. It shows that you have to basically obey parking for the length of the building at all times.

The townhouses would each have two car garages for them. The two over two's, each of those blocks has a two-car garage beneath each block of two units, so it's one garage per unit for that product.

The target for parking is trying to achieve the two spaces per unit. The regulation has a minimum of 1.5. We are presently at 1.9 across the site. As we work further, we will try to do better with that.

(Pause)

Some images of part of the site components that would be a part of the project from more decorative pedestrian level lighting, strong landscaping, providing public amenities and benches in materials trying to upgrade from standard to concrete to different kinds of concrete pavers or other materials so that to add an aspect of quality to the project and really introduce the urban feel of the site and create intimate spaces and quality spaces along the street and within all of the quad spaces.

The site sections board kind of gives you a relative massing to space scale that you, as I had mentioned, like on the midrises, the lower level, ground floor parking, three stories of units above it. As your tallest structures, your townhouses are represented in the lower section and your two over two's are represented in your upper section.

But you can see in that section the kind of overall open space you would have in the quads, so there's a very nice containment but not crowded space between buildings and you can also see in the sections the relative openness of the park along the Quinnipiac River that would be a part of the project.

I'll just --- these are some proposed architectural elevations. This is the two over two product. What you see is a townhouse scale, a lot of

definition, bay windows and dormers. Colors. This is really a collage of what could occur. This won't necessarily be a quilt that's out on your streets, but it gives us an opportunity of introducing and mixing brick and color and clapboard and shakes. This is kind of a demonstration mix of what we are doing but it also represents a scale and the imagery of what we're trying to achieve in this project.

And, with that, um, imagine on this view that you are standing on the far side of the greenway crossing Center Street and you're looking through that corner of the midrises and you have that diagonal view across two, the one building that we're going to be saving and turning into a community facility on the back of the property along the park, but you would have that linkage from the street all of the way to the park. You would have that kind of view.

And, then this is kind of bringing the features of a clock tower. Again, the introduction of the brick and clapboard or shake mix but then the view of what you would feel along the greenway. How the buildings will actually improve the framing of the greenway along with the landscaping.

With that, and if there's no questions on this part of it, I'll turn it over to Steve Ditsko from Milone & MacBroom to talk about some of the engineering aspects of the project.

MR. DITSKO: Stephen Ditsko and I am a professional engineer in the State of Connecticut and Vice President of Milone & MacBroom based in nearby Cheshire.

I want to talk to you tonight on a conceptual level just about some of the parameters that affect our design of the site as we come into it from a concept level. Bill Richter told you about some of the aspects from a design and the blending of the site to the existing infrastructure and the character of downtown. From our end, things are heavily driven by those engineering aspects of the site that you are all very familiar with: floodplain, floodway, Quinnipiac River.

What you see here is a graphic, I believe, Val, from the library of congress?

MS. FERRO: From 1914.

MR. DITSKO: From 1914, nearly a hundred years ago that shows what the site once was perhaps out of all of our memories but you can see the site was heavily covered with buildings. Even had a rail line moving in there. Significantly more coverage and buildings than currently exist there today.

That being said, where we start from today in our design to convert this over to the proposed Greenway Commons is from the ground cover that we have on site and that, I'll go back to a previous board, and just to elaborate a little bit more on the aspects of the site. About 14 acres comprised of one major parcel here and two adjunct parcels and then this small kind of a remnant piece between the greenway and factory square, nothing planned for that. But it is essentially part of the ROD, part of the overall boundary of the property.

The site has on site elevations ranging from about elevation 146.5 to up to about 150. It's very flat. It is about 60 percent impervious, ranging from buildings to parking areas, gravel drives. As you know, the site, portions of the site are contaminated and that is a factor in some of the work that we do as we move forward with the proposed development plan.

The Quinnipiac River runs through the site from north to south. It has significant watershed upstream of here of about 17 square miles, contrast that with our site of about 14 acres, um, we comprise a part of that and we happen

to be next to the floodplain. It is defined by two lines. The light blue line is the 500-year limit and the area between the blue line and the purple line is commonly referred to as zone X. The area that we most are concerned about is that which is represented by the purple line, which is, zone A-E. And, zone A-E represents the limits of the base flood or the 100-year event. That which has a 1 percent chance of occurring in any given year. That encompasses the majority of the site. And, it ranges from elevation 150, approximately, at Mill Street down to elevation 148 or so at Center Street. Not a significant conveyance of water through there in the context of high velocities. Shallow flooding almost is what you have.

The area in the dashed purple line represents the floodway and the difference between the floodplain and the floodway on this site is significant. We have about 2.5 acres of the site exclusively in the floodway. An additional 6.5 acres in the floodplain. That floodway from a technical and regulatory purpose, from a technical purpose, the represents the line by which you can place fill from both sides coming into the watercourse. The maximum amount of constriction that you can have on that watercourse. And, that is allowable per your regulations.

Fill within the floodplain from the zone AE line down to the floodway line is something that is allowed within your regulations.

Filling within the floodway is something that occurs occasionally when the DOT builds a bridge, things like that. For regulatory purposes that is something that is not handled at the local level. That goes up to FEMA. This project proposes no fill within the floodway, but fill within the floodplain.

Finally, the 100-foot upland review area recently instituted by your Conservation Commission is represented with the red dashed line.

So, to put things in context a little bit ---

(End of Tape #2, Side A)  
(Beginning of Tape #2, Side B)

(Continuing) --- here is our site about 14 acres down on the Quinnipiac River here. So, it's easy to see that we are much more impacted by the Quinnipiac River, as it comes towards our site than anything that we could possibly do on our site to affect anything up or down stream.

That being said doesn't mean that we aren't paying attention to what we need to do to conform to regulatory criteria to make this a safe and buildable and usable site.

So, under the proposed conditions, what is proposed? We will demolish the existing buildings. We'll provide a green corridor buffer up here to represent very close to the 100 foot upland review area of the Conservation Commission and then per Section 6.05 of your zoning regs, we will propose no fill within the floodway. We will have fill with the floodplain, but there'll be no net fill within the floodplain. In other words, where we place fill within the floodplain, we will have an offsetting amount of excavation. So, when we, and this plan here is in your packet and it's black and white and I apologize but you can see the conceptual contours here. I've just put a few on there ranging from elevation 144 to 150.

And, the intent is what we would have is the area adjacent to the Quinnipiac River, we would have net excavation. So, we want to enhance the conveyance and the water carrying capacity of that section of the floodplain. Most of that happens to be almost coincident with the floodway. That's where we will allow the water to move through the site.

The upper part of the site we'll place fill. Across the site, we'll make sure that we have no net fill within there. We recognize that your regulations require residential structures, the first floor including the basement to be elevated 2 feet above the base flood or 100-year flood and we'll do that.

Commercial spaces or non-residential, I think the criteria is 1 foot. And, that's the way the plan here is currently reflected.

In addition to that, what we have also done is we've procured the original FEMA hydraulic model that they used when they modeled the Quinnipiac River. The Quinnipiac River in this area has almost 2000 cfs (cubic feet per second) flowing through there in a 100-year storm event. We're lucky to have a gauging station basically right on our site over at Center Street. And, the hydraulic model, what we're able to do is manipulate the model to demonstrate existing conditions, insure that we match what's published in the FEMA study and then we superimpose the proposed conditions basically as depicted on this plan.

So, we have talked about no fill in the floodway. We have proposed fill within the floodplain, but no net fill within that area. So, a balance of cut and fill.

And, then the final thing we want to check on that is as the water moves through the site there are some other things that can affect the elevation of the water: obstructions within the waterway, changes in the friction characteristics of where the water has to flow through. And, we want to make sure as the Quinnipiac River and it's over bank flows and the flood event move through the site that we don't have an increase in the base flood elevation, occasioned on our site or upstream or downstream as a result of the development to this property.

And, that's what our conceptual design represents when we come into you with the actual design documents with all the back up computations to demonstrate that.

A related item is storm water management. And, storm water management, the existing system on site is very limited. Much of the site sheet flows to the Quinnipiac River. There are some limited elements of catch basin and pipe systems that discharge to the river in a few locations. But as I said, the existing site is about 60 percent impervious.

We believe that we'll have a slight increase in impervious cover on the site that therefore would generate an enhanced potential, an additional potential for storm water runoff and what we want to do is for storms up to the 100 year event, we want to make sure that we have no increase in runoff.

The way that we're allowed to do that in Southington under your regulations for sites that are within the floodplain, is that we provide additional offsetting volume or additional excavation in the floodplain below the base flood elevation that offsets that potential increase in water runoff volume between those two conditions existing to proposed.

So, we have no net cut and fill. We have a net balance. And, then we're going to take some additional excavation in there to offset the potential additional increase in runoff.

Storm water quality is going to be an important aspect and we will certainly deal with that in the context of the storm water quality guidelines that's published by the Connecticut DEP.

And, then the final engineering issue, at least on a conceptual basis, would be utilities. The site is served by public sanitary sewer and municipal

water supply and we'll continue to hook into that and work with Tony Tranquillo to verify the capacities and connections there.

The site also is approximate to the other relevant utilities: gas, cable TV, telephone and electric.

So, from a conceptual point of view, that's where we are. Our design basis for moving forward will be premised upon your floodplain and storm water regulations as I outlined and before we move on to someone else, I'd be happy to answer questions if there are any.

MR. KENEFICK: Tony, I guess we'll talk to you better, I think. No net fill, that means that they are not going to bring any fill in and they're going to use all the existing fill they have on their land?

MR. TRANQUILLO: Well, not exactly. What it means is if they excavate material --- I'm sorry. If they do any filling in the floodway with on site or off site material, they're going to create equivalent volume of storage. Some of it may come from off site because some of the on site material may not be suitable and they may have to truck that away.

But the theory here is that for every yard of storage that you destroy, you are going to create a yard of storage somewhere on the site so the net effect is no change in the storage.

Did I make it clear?

MR. KENEFICK: I think so.

MR. TRANQUILLO: I think the question was the on site material? There's no way to know what exactly is going to happen with the on site material because they may have contamination or they may have unsuitable material, organic material they can't use so some of that material may have to leave the site.

MR. SCHLESSINGER: We don't have GZA, which you know is working with us, tonight on the remediation side of this but we are working very closely between GZA and with Milone and MacBroom's office to manage all of that because there's parts of the site that are going to be removed completely because of the contamination and they will be trucked off site and new soil will be brought in.

The answer of net zero will be a net zero. But because of the contamination we're looking very closely as to how we get some of that soil off site.

MR. CARMODY: The width of this project from Mill Street to Center Street is --- I'm trying to get it to scale on here. Do you know? About?

MR. DITSKO: It's about 1200 or 1400 feet.

MR. CARMODY: And, the entire width of that, we're only seeing 2 feet of elevation change? Is that right?

MR. DITSKO: In the floodwaters you mean? Or in our proposed grading?

MR. CARMODY: In the floodway. No, in existing grading.

MR. DITSKO: Yah, the existing site is very flat. I think some of your exhibits can better see the existing topography. Right down next to the river we're about at elevation 146, 145. As we move up to the top of the site, we're at about 148.

MR. CARMODY: That's it, huh?

MR. DITSKO: Yah, about two to three feet.

You know, there is some bank height at the river obviously, but kind of a bench heading down to the river.

THE CHAIR: Anybody else?

Thank you. Oh, Ms. Conroy?

MS. CONROY: Yes. Um, this is also kind of for Tony as well, but um, actually the um, the next Agenda item, um, when that was discussed when it was previously before this Commission, I know there was --- this is only a few blocks away from where this location is and there was a lot of concern, um, from the residents about um, existing flooding conditions and what these sites will do um. Of course, we don't have any analyses here but um, that's I guess, just making you aware that they are obviously very sensitive to that and um, it sounds like you're very thorough. You've looked into a lot of this and you're going to be using, um, that material to go ahead with the analyses but I guess just be aware.

MR. DITSKO: Comment well noted. We are aware of the concerns of residents both up and down stream. We have even received some calls from a few, um, and clearly we are going to make sure that we have no increase in runoff from this site even or the smaller storm event and we're going to make sure that we check things in a number of ways as I explained to not have any rise in the water surface elevation.

I mean, obviously, with 17 square miles coming at us, you know, there's really not anything that we can do to create a gigantic detention basin to help everybody down stream. Even if we didn't build anything on this site, it wouldn't be big enough to do that but um, clearly we are aware of the down stream concerns.

THE CHAIR: Thank you.

MR. SCHLESSINGER: We will also address our traffic issues that were brought up as part of the ROD.

MICHAEL GALANTE: (Inaudible) I'm a principal in the firm and a traffic engineer. And, if I can, before I get started, I'd like to summarize the traffic reports that we've prepared but I have submitted a report a few weeks ago through the Planning Department but in the last few weeks since our last meeting with staff, we've updated that report and I want to hand them out tonight. But I'm not going to hand them out right now because they're in three big boxes at the back of the room.

But what I've done just to show you is there is an executive summary that summarizes the whole report itself. There's a volume one which is the text, figures, charts and tables of the report itself and the volume two which is the bigger one and better reading is all the back up, capacity analyses that support what I will talk about tonight.

In the interest of not handing them out right now, we'll wait until later in and I'll drop them at the office.

ATTORNEY SCIOTA: Take your time. We want to go through every page.

(Chuckles)

MR. GALANTE: Thank you.

Again, Mike Galante for the record. We've been working on this site for just over a year as far as analyzing traffic conditions in the downtown area, Main Street and the other east/west roads in the area itself. I'll just run through some of the graphics that are in the report. Val's going to face the audience with similar graphics.

You've seen this before. This is an aerial photograph of the area just so you can for reference purposes, Main Street or Route 10 is on the bottom. We've analyzed eight intersections in the study area. There are only seven on this map because one is off the map on Water Street to the north or west of the property itself.

In addition to the eight intersections where we've conducted manual traffic volume surveys, weekdays, weekends. We also looked at the three major access drives that will serve this property in the future. I'll touch on those in a minute.

This is just a graphic for reference purposes, it shows the -- the stars show where the intersections are that we included. Certainly along Route 10 we looked at Mill, High Street, Center Street and so on. And, all the intersections around the property itself.

THE CHAIR: What did you use? Mill, High, Center and what else?

MR. GALANTE: Starting from the top, if you will, Mill Street, High Street, Center Street and we included, not in detail, but the commons intersection, then along Center Street at Liberty Street, Factory Square, the South Center Street intersection and of course the Center Street and Water Street intersection which is off the map on the top. Of course, there's an address missing, but the Water Street/Mill Street intersection. So we surrounded the property as far as intersections.

We conducted manual traffic volume surveys at each of these intersections, which means we had someone sitting on the corner counting cars by movements for several hours at different days, weekdays, Fridays and Saturdays. This is a little different type of graphic presentation, but this summarizes and identifies the --- what we call current street system characteristics. Turning movement lanes, parking characteristics along Main Street, along Center Street, posted speed limits, type of traffic control and so on.

Along Main Street, the key intersections have traffic signals. It's a state maintained highway so the state maintains and owns the traffic signals. So, this report ---yes?

THE CHAIR: Go ahead. I like to count.

MR. GALANTE: What's shown on this map is simply the, in blue, the turning movements which are the arrows which are the lanes approaching the intersection. The red are stop signs and the green marks are the traffic signals along intersections.

We identified the volumes at each of these intersections. We've identified the peak hours, weekday morning was typically 8:00 to 9:00 am. Friday afternoon, which is a peak time for retail and certainly commuter traffic, we identified the afternoon as 5:00 to 6:00 pm. Saturday, peak hours are 11:00 to 12:00 noon. And, we used those volumes from the peak time period for a base condition.

Now we arrived at those volumes by counting traffic beyond the hours, of course, I have just mentioned as peaks and we identified the volumes that are peak at the intersections. In addition to the manual traffic volume surveys,

we installed hoses across the road and measured traffic on Main Street, by direction, for a week at a time and identified the hourly volumes and matched that data to the Connecticut DOT data. The reason for that is so we can seasonally adjust and match the volumes we've collected at one time against what the State has collected over a period of time.

In this case, we adjusted or raised our numbers to be seasonally appropriate to the State data.

This graphic, 18, which is in the summary report, just describes how we arrived at the traffic patterns for our site traffic. Now as it's been mentioned a couple of times tonight, we have a site that's located west of Main Street, of course, has access to Center Street, High Street and Mill Street. So, we have three major access points serving this development. From a traffic point of view, that's key because we are able to spread our traffic out and mitigate our impacts on any particular roadway in the downtown area or certainly west of the downtown area.

This graphic is a summary of the patterns that we've developed for traffic to/from the site. And, we used these patterns for different time periods. The development of this type and one of the reasons for the updated report is the development that we are proposing has actually decreased as far as the number of units and also decreased slightly as far as the retail space/commercial space. This traffic study is based --- the traffic study that we have tonight is based on 273 apartments or dwelling units and about 28,000 sf of retail or general retail space.

That type of mixed development will generate anywhere from 145 trips during the weekday morning to about an average of 250 trips during a Friday afternoon or a Saturday mid-day.

The beauty of this type of mixed use development is that we can separate our traffic as far as not everyone is leaving in the morning other than in this case the morning traffic is the residential traffic but the Friday afternoon and the Saturday, the site traffic is almost 50/50 split entering and exiting. In other words, not all traffic arriving at the end of the day to come home or not everyone leaving at the same time so we're able to disburse our traffic on the road system by three access points, different types of residential development and retail development and to split the type of traffic patterns and then of course, distribute that traffic on to a variety of roads surrounding the site itself.

That's important because I think we all know and certainly we know from traffic studies, Main Street is the key as far as traffic congestion, traffic conditions in the downtown area in this part of the Town. And, we can certainly talk about that further on in the report and I'll summarize that tonight.

If you take these distribution patterns and apply it to traffic, this is a sample, which is the Friday afternoon peak hour, this shows you the amount of site traffic that we are adding to the roadway system. Blue is leaving the site and red is arriving at the site itself. About 45 or 50 percent of the site traffic will hit or use Main Street as its access point. Again, we're adding site traffic to four or five intersection and not just one intersection on Main Street, so again, we are spreading the traffic out.

This is part of the whole analysis that we've always kept in check if you want to mitigate impacts both through the site planning, site access, connecting road through the property itself between Mill and Center Street and certainly a connection on High Street itself.

What we have done through the analyses that we've submitted already to the Town and the STC and the DOT is analyze what is the impact of our traffic

on the roadway system. To do that, we go through a process. We first look at what is happening today as far as road conditions. What are the issues? How are they operating? And, we measured that based on standards that we used from the DOT process. Without going through lots of details as far as how the intersections are operating, I think it is safe to say that the Main Street intersections, mostly the Mill Street intersection and the High Street intersections are really the key intersections as far as what you see as far as traffic congestion today. That's a combination of two reasons.

One is the volume of traffic on Main Street. You have about a thousand vehicles to as much as two thousand vehicles on Main Street during the peak hours. Saturday actually is the peak or the highest volume recorded between the morning peak, the Friday afternoon peak and the Saturday peak.

We add our traffic. Again, I mentioned before we have about 145 to 250 vehicles to the roadway system during a one hour period and the traffic engineering always deal with one hour periods in doing our analyses. We analyze the before and after. We look at this traffic condition in a 2008 --- what we do to get to that point is we take our 2005 volumes. We expand it to a future condition by growth rate. General growth as far as what's happening in the area and we've added traffic for six other developments. Some that are already under construction such as the Apple Valley Bank, some residential development on Liberty Street. That's added into this mix for future no build condition.

On top of that we add our site traffic, distribution patterns I mentioned before, the site volumes I mentioned before. We analyze a before and after. And, the key here is really the Main Street intersections. If I can just take all the stop sign controlled intersections to the west of Main Street --- they're generally operating with very little delay. We measure that at level of service A, B & C. In this case it's mostly A and B. Which says there is very little delay at the intersection, a stop sign controlled intersection.

If you look at the intersections along Main Street, North Main Street, Main Street itself which is Route 10, there is certainly traffic delays and congestion that have been identified. We've analyzed and determined some of the reason for that congestion, other than yes, there is a certain volume on that road. So, but it's how the traffic signals are set up. They're all coordinated traffic signals. In other words, they operate together. What happens at one street affects the next street and so on.

We've developed and it's in this report, we've looked at different options to mitigate how these intersections operate today with and without our site traffic. What we have done and I'm not going to go through lots of details, but we've changed the timing and the coordination of these traffic signals so if you are traveling southbound on Main Street and hit the light at Mill for example, that turns green, but you can't move towards High Street because that one hasn't turned green yet, you can't move.

In very simple terms, there is traffic congestion. What we've done is change the timing so the High Street intersection turns greens first while Center Street turns green first so you can process through and that's based on the directional flow in the peak direction during the different periods.

In very simple terms, we've changed the timing of the traffic signals.

Look at another analysis which is in this report and this will be given to the Town and the State, the State has --- we've discussed this with the State already and they're ready to look at the timing and phasing of these traffic signals and work with the Town as far as changing them to mitigate some of the congestion you are experiencing today. I think that's very, very important.

We've looked at another analysis and it's in the document which favors Main Street during certain times of the day where the side streets are not green for as long so they favor a green on the Main Street cars so you move that traffic. That's another option.

Some of our discussions with the Town a couple of weeks ago, we were asked to look at well, what if you add turning lanes at the Mill Street intersection with Main Street by the Apple Valley Bank. We've analyzed that with the two different sets of timing plans that we've provided in the report. Very simply, if you add a turning lane, for example, a northbound left turn lane on Main Street on to Mill, you would certainly get a better condition.

You take left movement traffic out of the mainstream and the Main Street traffic and travel northbound without any restrictions. So, it's certainly better.

The other option was a right turn lane southbound on Main Street in front of the bank itself to turn on to Mill Street.

The last option was if you have a two lane approach on Mill Street, instead of the one lane, we put that all together and we've analyzed that and I've provided all the good details in the report itself and how things change -- we'd make these changes to the traffic signals, in this case, the option of possibly adding some turning lanes to Mill Street itself.

Very simply, we can improve how these intersections operate by simply changing the timing and the coordination. That's the first step. The second step is we can change it in a different fashion and favor Main Street during peak hours and quite frankly the traffic on the side streets may wait a little longer to flush out the traffic on Main Street.

And, the third option, which is an A & B, if you add turning lanes at the Mill Street intersection.

So, in summary, we've done a lot of homework, a lot of analyses, we've provided this information to the Town and we're going to give you more information tonight and we have been sharing this information with the DOT and their traffic department as far as how we can mitigate and help the Town as far as changing the timing and coordination of these traffic signals and hoping to make traffic move quicker. I'm not promising that it's all vanishing. Certainly traffic on this road we have to accommodate with our without our development but in essence what we are saying is we can mitigate our traffic, 145 trips during weekday morning and 250 trips on Saturday afternoon, by making these changes.

I think it's important that not all our site traffic is hitting Main Street. And, what is hitting Main Street is hitting Main Street at four or five different intersections. So, again, the site is spread out with different access points to different streets. There is a connection between all the property and the different uses of the property to other streets and the option really of a grid pattern of streets serving this property and the mitigation of Main Street is not hitting Main Street at one location but at several locations. And, of course, the timing and coordination changes that we've suggested in this report itself.

That's a summary of a very detailed traffic report. I can certainly answer any questions you may have tonight.

THE CHAIR: Well, I think ---

MR. GALANTE: And, beyond tonight.

THE CHAIR: Well, I think it is going to be important to look at your report, but I'm just --- and I am not a traffic engineer, that's for sure.

MR. GALANTE: That's okay.

THE CHAIR: I am just having such a difficult time in my mind understanding how adding 300 or 278, whatever it is down to now, condominiums in the center of downtown Southington is not going to have a significant affect in downtown Southington or in the general surrounding areas. Not only on these eight intersections that you look at but when you broaden out beyond that.

Were you involved in any of the site visits when you were looking at the actual looking at the streets and the intersections?

MR. GALANTE: Sure. Absolutely.

THE CHAIR: I mean, when you go downtown itself, I mean, the streets they're not that big. I mean, they're pretty narrow streets when you actually get into downtown.

MR. GALANTE: Yah, I mean, Center Street, for example, is one way and I think it's one way for a reason. It's a narrow street.

THE CHAIR: It's narrow. I think when you start talking about where the buildings are going to be and the width of the streets and how close they're going to be the street itself, there is not a lot of opportunity to grow those streets wider.

MR. GALANTE: That's correct. And, that's the reason why I mentioned, I think a couple of times that we purposely have three main access drives to the site.

THE CHAIR: Right.

MR. GALANTE: To disburse that traffic.

THE CHAIR: And, I think that's good. I think that's important. I just, I think that you know, what I'm looking at is if you start getting beyond the general vicinity of this particular area, what I see in my mind happening is a bottleneck in downtown Southington. We have a problem now. And, you mentioned we have some issues right now. And, there are ways of dealing with that.

MR. GALANTE: Absolutely.

THE CHAIR: We're looking at them as a Town now. But I can foresee if this were to ever happen Southington residents aren't going to go downtown any more. You may have some good walking traffic to some of these businesses downtown, but no one is going to drive down there any more. The YMCA is going to die because no one is going to go there except the people that live in Renaissance Commons.

MR. GALANTE: Oh, it's pretty busy.

THE CHAIR: It is now. Because now you can still get downtown. You were talking about 273 units, 521 parking spaces for those particular people. I think we have to look at your report.

MR. GALANTE: It is a fair statement that there is a concern with traffic because I think you were experiencing traffic congestion and delays on Main Street without a doubt today.

THE CHAIR: Well, I think it goes beyond Main Street, too, when you start looking at --- if you go the opposite direction up towards West Street, for

example. And, the intersections on West Center and West. And, Middle and West. And, some of the other West Street intersections where you try to take a --- taking a right hand turn is not so bad. Try to take a left hand turn, you're probably taking your life in your hands sometimes.

MR. GALANTE: Well, we've analyzed ---I'm glad you mentioned that. We've looked at accidents, also. I didn't touch on that. That's one of the graphics. But we've gone through a very detailed accident analysis from the data that's available and that is included in the report itself.

But your point is well taken as far as there is traffic on the streets today and not just Main Street but certainly the Town Streets. We are adding traffic to the road system. There's no doubt. That's why we have a traffic study. But I think what we are trying to do is mitigate those impacts.

There is an impact no matter what the traffic volume is that we add to a street system. We're trying to mitigate those impacts. And, I think again, we have three driveways. We're spreading the traffic out. There is traffic on the streets, the local streets, to the west of Main Street that we are adding traffic to but again, these intersections are operating at fairly good levels of service. In other words, there are not great delays at these intersections.

I'm not saying that some intersections don't have longer delays than others. They're all stop sign controlled intersections and quite frankly the next step beyond a stop sign is a traffic signal. These intersections don't have the volume to switch from a stop ---- in very general statement, from a stop signed controlled, whether it's all way or just side street controlled stop signs, to traffic signal operation.

You have to have a lot of traffic all day long to have that level of change in types of traffic control. I'm not saying that -- you would say there is a lot of traffic on a certain street but you have to meet certain criteria. Which the State, quite frankly, doesn't want a lot of traffic signals everywhere.

THE CHAIR: Right. And, I think it makes sense. And, the other thing we could look at too is besides a one-hour peak period in the morning and one-hour peak period in the afternoon is the impact throughout a real day. What's a real day consist of?

MR. GALANTE: Yah. And, if I could touch on that. Again, in the report there are graphics that show the volume patterns for all day long. And, if you look at the pattern, it's not surprise that the morning peak is a plateau. It drops off and it peaks again after school, commuter time, 5:00 to 6:00 at night.

And, then Saturday is a similar mid-day peak on the graphic.

We've analyzed those peaks. So, we're looking at really the worst-case scenario as far as our traffic on the road system and the highest volume recorded on the road system itself. If we were to analyze another time period, noon to 1:00 on weekday, quite frankly, there's traffic on the roads but the volume is not as high as the 8:00 am or 5:00 pm. So, we're looking at the worst case. Whatever answers we have for the peak times and the recommendations for traffic mitigation as far as traffic signal timing, changes in coordination, we think and we know it will work better at the lower volume period. So, we're looking at all the time periods but the result of the analysis is really focusing on peak volume because that's the worst-case scenario. And, that's what we need to do with the analysis that we give to the Town and certainly to the State.

If I can just touch on the State for a moment. We've submitted the documentation to the State. They've reviewed it. And, what we are going to do

in the next few days is send this documentation so they have more information to look at the traffic signals and opportunities to change that timing and phasing. So, in a way, we're doing the work, helping the Town in giving that information to the State so that the State can come out hopefully and make some changes with our without this development.

And, that's where we are trying to go with this whole thing.

MR. CARMODY: This is more a comment on the traffic for the Commission actually. I mean, they're going to submit everything to the State anyway and get their stamp of approval on it. But given the significance of the development and the size of that traffic report, I'm thinking that maybe a peer review, if we could commission someone on our behalf to take a look at this report would probably be a good idea. I don't know what you think, Mr. Chairman? But, you know ---

THE CHAIR: I think there is going to be a lot of data coming in besides this particular book and that we may want to look at a peer review. This is a big issue for us. I agree.

MR. CARMODY: I don't know if now is the time to talk about that or Commission that or not but I figured I'd throw it out there while we are talking about it.

ATTORNEY SCIOTA: If you want a peer review, you want that person in at the ground floor so if you're looking for something like that, we've done it a couple of times. And, I know, obviously, if you want us to do that we can get you some names.

MR. CARMODY: We might want to do that. Unless Fran, unless you want to prepare a study after you're done.

THE CHAIR: I think it is a good idea, John.

MR. CARMODY: All right.

THE CHAIR: Ms. Conroy?

MS. CONROY: You said---

MR. SCHLESSINGER: Since this is a concept plan level ---

THE CHAIR: Can you come on up to the mike?

MR. CARMODY: I know what he's going to say. Is that site plan related, right?

MR. SCHLESSINGER: Yah because this is really, I want to separate, if I could, this process, the ROD set up because we are giving you a lot of information and we're trying to be as full of information for you so you can make decisions accordingly but this is a concept plan stage. And, there's a lot to come, yet. I was wondering if a step at that point ---

ATTORNEY SCIOTA: The traffic aspect of it, I don't think that's going to change very much from concept to site plan. It is really just at this point he's starting to review --- he or she is starting to review the materials that the Commission gets. So, therefore, if the Commission is reviewing the materials and they have questions, they could not only bounce the questions off the applicant but they're also their own peer review person. I don't see a big harm in that aspect of it.

MR. SCHLESSINGER: I am only concerned and we'll talk about in the summaries scheduling and how we're going about the process. And, doing that --

I don't want that to effect the concept stage of this which is really a presentation of where we are in a stage, going to site plan approval which would then be more of that review.

ATTORNEY SCIOTA: I think that would be more a person answering questions the Commission may have during the concept phase but absolutely when you are talking about the concept aspect of it, this isn't a final thing. Part of the ROD regulations say that this is the --- this is what we're looking at in a general sense and the Commission giving you it's ideas and then telling you okay, move forward to the next level.

THE CHAIR: Well, I am going to take exception to that. I think the concept plan is pretty much a very important process. I think the concept plan in our ROD regulation purposely had teeth put into it that we want the concept plan to get as much data as possible so that if we didn't feel the concept plan was where we wanted to go, we could say "no".

ATTORNEY SCIOTA: Right. But what he's talking about there is there may be, there may be with the traffic aspects ---

THE CHAIR: I understand. But I think it's important enough, that's why the concept plan was there.

Commissioner Conroy?

MS. CONROY: Um, getting back to this whether or not this is the appropriate time to discuss it or not, I know that there is only so much that can be done to optimize the signals like you had given, the constraints that are there right now as far as, you know, the available lanes, the amount of traffic that's going through. I know there might be --- um, do you recommend any of these other changes other than the timing? You brought some of them up like adding, um, left turn lanes or right turn lanes, um, I don't know if you thought about if you add any of those would be there an associated, um, green advance for people to make the, say the left turn um, are these any things that you're at this stage willing to or ---

MR. GALANTE: Let me just touch on that comment and actually where our next step is. If this development meets the criteria of the State Traffic Commission, STC, as far as is it a major generator. So many parking spaces in the square footage of the property itself. The site does not front on a State highway, but we have the obligation to submit this application to the STC and the DOT for their review. We've done that.

That was done several months ago. They haven't written the final determination on that but I am told that the determination is this is not considered a major generator. They understand the issues on Main Street itself and I understand they've met with the Town and the State DOT is planning on working with the Town to look at Main Street and answer the exact question you just brought up which is turning lanes at certain intersections along Main Street.

We can't --- if I can just --- we can't make the recommendation to add a turning lane, for example, if there's no right of way to do that. In the case of the Mill Street intersection, I believe the Town has acquired some land from the Apple Valley Restaurants ---- Applebee's right? --- Apple Valley Bank as far as land on both Mill Street itself and Route 10 itself and has the opportunity for that land to be available for turning lanes. That's why we were asked to analyze that particular intersection.

The State and the Town can acquire land and make those improvements and that's what the State has told us that they're planning on looking at and that's why this document is important to them because we've done the homework for them. Not all of it, but certainly a lot of the homework.

And, that's where we are at this point to answer the next question.

MS. CONROY: Yes, um, and I am sure they will do a very good job in reviewing it.

But, and they might, the STC might not consider it an impact to State roads but it certainly is as Chairman Oshana had emphasized, is an impact to Town roads and I guess we just want to make sure that we address whatever we can to make sure that we aren't getting the gridlock that might even be on top of what we have now.

MR. GALANTE: Yah. And, keep in mind, in an STC review process they do look at the site plan, they look at the distribution to all the roads, they look at the traffic volumes and they go through the entire process. They don't just focus on Route 10 in this case. They do look at the bigger picture. Certainly their focus is Route 10, because it's their road, but the side streets in this case and the intersections affect their roads. They look at the entire plan. Trust me. Trust me, they do.

MS. CONROY: I know.

MR. KENEFICK: You said the State was looking into an extra turning lane on Mill Street?

MR. GALANTE: No, no, no. They haven't specified any intersections yet, but they have said ---

MR. KENEFICK: I was going to say that now is the time to do it as these people are in the process of building a bank and they're supposedly supposed to do sidewalks. As a matter of fact, I think I brought it up I think we ought to wave the sidewalks and have them make the road bigger now. But it didn't work.

But, let me just ask Tony. I know the Town Council is looking into trying to make this traffic run a lot smoother through Southington. The main road and everything. What are some of the ideas that they have brought up?

MR. TRANQUILLO: We took a look at that. It was brought up by the Council about a month or so ago. And, the area of concern was from about Center Street northerly to Hobart Street. As the traffic engineer has indicated, there are no turn lanes at those intersections, which clogs up the entire, flow path there. So, the thinking is to try to create one lane in each direction and then either turn pockets or a shared left turn lane through that whole section.

Also, to add right/left turn lanes on the side streets and also to try to "T" up the intersections at High Street and Merrill and also Hobart Street and the school driveway.

If we can get all that, I think we'll see a tremendous improvement in flow.

We've already had some meetings with the State. We had a meeting with CCRPA. The Council has authorized the staff to hire an engineer to do a feasibility study, which we're in the process of making a final decision on. I think you'll see within the next three to four weeks, a preliminary plan for that area. And, a submission, an actual application to CCRPA by March 1<sup>st</sup> of this year.

THE CHAIR: As part of that process, are they going to look at this?

MR. TRANQUILLO: Yes, the engineer that we're going to hire is going to have this traffic report that's being submitted and that will all be part of

the analysis. You talk about peer review, we're not positive what our recommendation will be but I would think the engineer we hire to do this feasibility plan may be the same engineer who does the peer review since he's going to be looking at the whole situation for the design of North Main Street. It might be a good idea to hire the same guy to look at their traffic study.

MR. KENEFICK: Do you think that changing the traffic sequences on the lights would help?

MR. TRANQUILLO: That will have a minimal impact. Minimal effect. Because the main problem there is that if you look at the volumes at those intersections, the volumes are not unusually high. However, if you have one left turn, northbound or southbound at those intersections, it backs up the flow to the next intersection, screws up that intersection, and it is a domino effect. So, the left turns are the problem there and until you solve those, timing will only have a minimal benefit.

MR. KENEFICK: There is also a big problem right out there on this intersection with people going straight and people coming out of Columbus Avenue. I mean, that's dangerous.

MR. TRANQUILLO: That's a different problem. That's an alignment problem. The lanes don't align properly and we don't have enough room to put enough lanes in, particularly on Berlin Avenue.

MR. GALANTE: Thank you.

THE CHAIR: Any other questions?

(No response)

Thank you very much.

(Pause)

MR. SCHLESSINGER: Just as part of the ROD we also were asked to talk a little bit about schedule and what our anticipation is in terms of what we're going to be doing next.

And, um, you have this in your books, although the graphic is somewhat smaller. As of this presentation which is the concept presentation, what we're looking to do is to move this forward to a site plan submission and get a formal process going on a site plan submission.

This Thursday, part of the concept effort, we're also going to be meeting with the Conservation Commission which is in two days just to start that process going and our intention right now is with your support that we could start talking about looking at demolition to get some of the blight off of this site as soon as May/June. That's aggressive. But that is what we are trying to do is start getting those dangerous buildings off that site.

When we start getting that confidence we shared with you back when we were going through the ROD, as soon as we have a confidence that we're moving forward, we'd like to start cleaning up that site. We're working very closely with GZA right now to get them geared up to be able to start doing the remediation work that needs to be done to clean up the site.

And, as I shared with you, this is an aggressive schedule. We recognize that. It's not necessarily cast in stone, but we would like to move rapidly if we can because we're concerned about the buildings and the conditions that are there now.

THE CHAIR: Any questions?

VOICES: No.

THE CHAIR: Question, when Commissioner Carmody asked about the peer review, there seemed to be some concern on your part. What is the concern about a potential peer review on this process on the conceptual side?

MR. SCHLESSINGER: The only concern is --- I welcome a peer review. I, I encourage you to have a peer review. The only concern I have about the peer review is that it slows down the process, which could be part of the site plan approval, which gives you all of the decision processes that you would want to have anyway. It's just the cycle that we're in right now that there is a two-step process here. We can't go to step two until we get through step one which is now this concept plan.

THE CHAIR: I think as part of the concept plan, when I look at this, and don't take this the wrong way. And, I don't mean to sound rude. You know, Val was very, very helpful in the plan of conservation and development.

MR. SCHLESSINGER: That's why we asked TPA to help us.

THE CHAIR: And, in the development of the ROD. The TPA expertise.

I feel a little uncomfortable with you on the other side now and I don't mean that, other side, meaning the enemy or the friend or however you want to put it. I think though that we worked very closely in developing the ROD. You were obviously instrumental in developing the ROD so you intimately know the pros and cons of what we did in our discussions and in our meetings, what our feelings were. Public meetings. Everybody was invited. Anyone could've been there. A lot of people were.

Just kind of feels that, like you know, you look at that Washington thing where people are, our politicians and senators and they retire and then they come consultants to people and lobbyists and it just feels weird having you on the other side now in this whole process.

When we did this thing, I think if you recall, one of the things that we pushed very, very hard for in the conceptual plan was and I know --- I'll just talk personally. And, others can talk what they want to.

In the conceptual plan, I know I made a point that we wanted to make sure that there was enough bite in the conceptual plan that if we didn't like it, we could turn it down. There were discussions that we could do that. And, that we made sure that it was written in here that it was not then going to lead us to lawsuits or problems or concerns. So, that I think is why the conceptual plan is there.

I think there is timing in there that is not going to delay if we go through some of these things. So, that's why I think at least from my prospective the conceptual plan is very, very, very important from a timing prospective.

MR. SCHLESSINGER: I think that you see how much we consider it to be very important in terms of the amount of work and effort that we put into all of our consultants ---

THE CHAIR: Understood.

MR. SCHLESSINGER: --- to insure that we are dotting our I's and the thoroughness of the work that our traffic people did, that Milone and MacBroom are doing, even at this concept stage is well beyond what is actually called for in the concept stage. We're just preparing ourselves for that going forward stage.

I'm only concerned, like I said, I do absolutely do want to be on record that I encourage peer review on every level from the traffic, to what Milone is doing on the water management and all of this. We want this to be a team effort. We do not look at this as anything except that we are on the same side of the table with you. We've always felt that we are on the same side of the table with you. We've been in this for over two years.

THE CHAIR: Absolutely.

MR. SCHLESSINGER: Working with you very closely and the incorporation of TPA which was a sensitive issue was because we felt that this is all about teaming and understanding what the Town is looking for, understanding what is important to the Town and individually and collectively your group so that we respond. And, I think that you've seen over the two years that we've been at this, we have been adjusting and modifying and listening to all of the comments that you had and have made significant changes.

When we did the ROD with you, there was a 20-per acre plus 10% bonus on what we do in terms of anything of open plan. We chose not to utilize that for the betterment of the plan and the response to your desire to keep the numbers down and still have what would be a project that would be affording in terms of what this costs to be able to clean up the site, get rid of the blight, get rid of the dangerous buildings that are there right now and provide the Town with something that really benefits the whole community.

There is no sides here. This has always been an effort to work with you and to listen to you and incorporate your words into what we're trying to produce.

VAL FERRO: TPA. Um, I'm not sure the context of your personal comment but I've only been involved on this team for about three weeks since Mary Hughes left. And, um, it's been an interesting ride because I was very clear to them that when I agreed to be part of the team that I would provide an objective voice.

As some of the team members can attest to, I've been quite objective. And, we have collectively ---

(End of Tape #2, Side B)  
(Beginning of Tape #3, Side A)

(Continuing) --- very best for the Town. So, I don't think you should be concerned that I'm involved. I'm just trying to translate the intricacies of the ROD because clearly Mary was going to be the go to person. When Howard called me, he said, you know Mary was helping me relay the details and would you do that for me?

I said, sure. So, we still have some work to do on the design side. But I think as far as this discussion of the ROD and how it fits and how you want to make sure that it's the right thing before you move on to the site plan approval, you are asking good questions.

I think it's sort of this weird sort of place we're all right now because this is the first time we've all done this together. I think we've had those discussions about geez, how do we do this? And, um, I think Howard does have concern not just because oh, it's peer review and he doesn't want it because I think those are fabulous ideas. He just wants to make sure that, you know, we work at the concept level and you understand that while we're still at the concept level we could share certain things with you.

Certainly, the traffic is a slam-dunk because we really felt Michael had to do his stuff first. He was doing that way before, you know, any of us

really even knew there was an ROD out there. So, you know, I think with the traffic and if you look at the ROD regs and see what you are supposed to submit, traffic is one of those things. But I think it's just one of those -- - uneasiness because we're not quite sure how to dance together because we've not done this before.

THE CHAIR: Well, I think and I don't mean to interrupt --- well I do. As we start looking at this and as you are working with them as part of this team, I think one of the advantages of that is that you can take back some of the comments that you heard during the ROD development process. I hope you will.

MS. FERRO: I have, I have.

THE CHAIR: And, the ones that I hope you will take back are, and I think that and again it's an advantage of having a seven, nine, seven, eleven persons involved in this board with seven voting members, you've got a lot of different opinions, but there was still a lot of discussion of density.

MS. FERRO: Right. Right.

THE CHAIR: We started at 300 and we're down to ---

MS. FERRO: 273.

THE CHAIR: --- 273. Only, opinions are opinions. The 273. And, then the flooding issues. You know? We had a discussion at one of the meetings. I brought my little camera phone thing in and showed you where all the flooding was the day that we walked around the site.

MS. FERRO: Right.

THE CHAIR: And, you know, where the flooding is versus where some of these housing units are laid out now seems to be right where the housing units are.

We talked about where the cars are going to go, underground cars, where the flooding is. The cars can be off site or are we going to put them off site if the flooding takes place. Those are the sorts of things in the conceptual plan, at least from my prospective, I think, need to be taken into account before we move on to anything further because flooding is a big deal.

Density --- big deal. At least from my prospective. So those are the sorts of comments I'm hoping would be brought back further and taken further in the conceptual plan before it gets any further.

MS. FERRO: Well, I think they have all those answers. They threw a lot of information at you tonight, but I think if you go through your package again in the next few days, you'll see that you know, this team is already working towards that. And, again, you know, I think that picture is worth a thousand words when you see the huge watershed and you see our little site and you have to understand that there's going to be flooding around us irrespective of this site. I mean, that's one of the things that I deal with.

But they're going to take a crack at doing the best they can to alleviate as much as they can and this is a way to work through that.

THE CHAIR: Absolutely. And, I think that the design of that big picture of the watershed and the little red dot in the middle is saying that we're not going to, what we do on this site is not going to effect that much below and above us, that's true.

But I think what we're looking at is that one little red dot. I think I just heard, a flood is a flood. On that little red dot, a flood to a person that's living there is still a flood of that person. So, we've just got to look at that.

MS. FERRO: Right. But I can assure you when Steve goes in and meets with Tony, he will have the hydrologic back up as well as the grading place because remember if this isn't done correctly, you get into FEMA impacts and you know, where Howard has drawn the line in the sand is he does not want FEMA impacts. And, so there is going to be some very sensitive grading.

So, again, I think it's all the information that's been thrown at you because you guys are sitting where I was a few weeks ago. I was going through all the stuff and it was like: Holy Cow. I mean, I was putting it under my pillow, I was trying to absorb it. It's a lot of stuff.

But I think your initial blush through here is like, oh my gosh, how do we answer all these questions? But I think it's all in there. And, again, you know, I think what we are trying to do is shuffle a little bit and try to work through ---

THE CHAIR: Get there.

MS. FERRO: Yah. Nice to see you.

THE CHAIR: Mr. Kenefick?

And, you too, Val.

MR. KENEFICK: John, you were talking about a peer review just for the traffic study?

MR. CARMODY: I was, yes.

MR. KENEFICK: Okay. Because, how long, Mark, do you think this would take to actually get somebody onboard as soon as possible?

ATTORNEY SCIOTA: Tony and I have --- we're thinking the same thing but I didn't want to say it, but we are narrowing down the North Main Street to one as of today, so it might be that same person. We can ask that person tomorrow if they would be willing to do this, also.

MR. KENEFICK: You know, just have a problem with this --- that this thing is not a major traffic generator. So, I definitely think we need some help on our side with this to decipher all these different ----

ATTORNEY SCIOTA: I think we just did one a few years ago, Fran. I can't remember the project but we just did one two years ago. I didn't know --- we'll check with the guy tomorrow and see if he wants to do this.

You have unlimited budget, don't you, Mr. Chairman?

THE CHAIR: Yes, sir. It's out of that Town Attorney's line.

MR. KENEFICK: Good to get him onboard right now.

THE CHAIR: Any other questions? We just need to get copies of the traffic report.

MR. SCHLESSINGER: Thank you all for taking the time to listen to us.  
And, ---

MR. KENEFICK: Thank you. It looks great

MR. SCHLESSINGER: Thank you, Fran, because I was going to quote you at the beginning of that but I didn't want to say that at the beginning of the meeting, so thank you again.

VOICES: It does look great.

MR. SCHLESSINGER: We think so, too.

THE CHAIR: Thank you very much.

MR. KENEFICK: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

H. Site Plan application of Renaissance Commons, LLC proposing to construct a twenty-four (24) townhouse condominium units in conjunction with the previously approved Special Permit Use #384.1. 1 Columbus Avenue & Liberty Street (SPR #1441.1.)

MR. LAVALLEE: Mr. Chairman, we are still questioning whether some of the areas are applicable to the wetland statutes, so a table is appropriate.

THE CHAIR: Before we table it, just to follow up on one item that was brought up at the last meeting just a procedural issue. Somebody got up and asked if we --- this was withdrawn and it was resubmitted as an application and it was asked was there going to be a public hearing, is there going to be public input. We had a public hearing on this application just for the record. I don't think or I don't know if anybody is here for this one.

There was a public hearing held on this, there was public input and I believe there was second public input on this application. There was a question are we going to have public input on the Metcalf & Eddy engineering report. The answer is no. There is not going to be public input on the Metcalf & Eddy report. We received an engineering report, an engineering study back from Metcalf & Eddy at the request, the study was requested by the Town Planner at the time and we got it back. We have a Town Engineer who is our expert on engineering. I'm talking with Tony and I'm just going to ask Tony to take a minute or two tonight, please for the Commission and give us your Reader's Digest version of that report. I know everybody's looked at it and your recommendation, Tony, and then we will move on from there. But we are not going to have public input.

MR. TRANQUILLO: We had some boring information on a report by Clarence Welte for the applicant. And, the plan itself was sent up to Metcalf & Eddy and Metcalf & Eddy responded on January 9<sup>th</sup> and the crux of their recommendation was that yes, the additional fill will impact the sewer line and the piles will overload it so they made three suggestions, three possible options for minimizing that affect.

One is to use lightweight gravel or aggregate to put the fill over the line, you know, lightweight soil. Second is to replace a portion of the existing soil, excavate out existing soil, and put light weight materials back in there. And, a third is to construct a pile-supported slab, concrete slab and basically bridge the sewer main. Get all the weight away from the sewer main.

So those are the three recommendations or suggestions that Metcalf & Eddy made. Those were sent off to Welte and Welte, very recently on January 30<sup>th</sup> has

provided a two-page report and he is basically recommending additional study, additional borings in that area. And, he's recommending again, that they put lightweight soil, what they call foal concrete which he says weighs 25 to 35 lbs per cubic foot. That's about one-fourth to one-fifth the weight of normal concrete. So, it hasn't been designed, yet. But it looks like they're coming to a solution.

We are going to be very, very conservative on this solution because the last thing in the world we want as a staff or Council is for that sewer main to break or clog or have some kind of problem. It would be a major disaster.

So, anything that is designed, they're still in the process of designing, but anything they design will be reviewed by myself and also Metcalf & Eddy to make sure it meets the requirements, their requirements.

THE CHAIR: So, bottom line, something --- you are working with the engineering staff ---you are working as the engineering staff with the engineers. You're working with an outside group, independent outside group on this process and we're just going to wait for the final results to come back from the three engineering parties to come up with a final recommendation.

MR. TRANQUILLO: Yes. And, I will tell you that Metcalf & Eddy is a world-recognized expert in sewer construction and from my experience, thirty years here, they are very conservative. I'm conservative. They're at least three times more conservative than I am. So, you can be assured if they put their stamp of approval on the plan, it will be okay.

THE CHAIR: Great. Thank you, Tony.

MR. KENEFICK: Move to table.

MR. SAUCIER: Second.

(Motion passed unanimously on a voice vote.)

ITEMS TO SCHEDULE FOR PUBLIC HEARING: FEBRUARY 20, 2007 or March 6, 2007:

A. Petition of Andrew J. Denorfia to Amend the Southington Zoning Regulations pertaining to Industrial I-1 Zones and I-2 Lot and Building Requirements Section 7A-00 and Section 11-14 Rear Lots within Industrial Zones ZA #534.

B. Special Permit Use Application of Queen Street Car Wash, LLC proposing to permit the establishment of a car wash facility within a Business zone, property located at 973 Queen Street (SPU #438)

MR. LAVALLEE: The sixth would be more appropriate.

THE CHAIR: That's right. March 6<sup>th</sup>, I'm sorry, for the new Planner.

ATTORNEY SCIOTA: I won't be here on the 20<sup>th</sup>.

THE CHAIR: That's right.

(Undertone comments)

All for 3-6.

MISCELLANEOUS

A. Request of Janice L. Wood for a waiver of the 15% maximum slope required in order to construct a driveway to access her property located at 168 Cascade Ridge.

MR. BOVINO: Mr. Chairman, Commission members, Sev Bovino, Planner with Kratzert, Jones representing the applicant.

This application seems to be very popular. I would like to keep the subject of -- stay with the subject of grades and not diverse into other issues.

And, I want to show what was approved on this property before. This is the subdivision map which shows the lot which is Lot 15-R which has an easement -- has ownership of a strip of land from Cascade Ridge up to the lot which is a large area and then it has an easement over the neighbor's property and over the water --- New Britain Water Company right of way to access the property.

We haven't changed any of that. This is what was approved during the subjection process as a grading plan which shows the driveway using the other driveway and then splitting to it's own and continuing southerly and then heading to the house. Basically, the driveway is exactly the same. The only thing we are requesting this Commission is to give us a break on the grades because I believe that by doing so the driveway would be constructed a better way. It will work better with the environment that's there now and it will be less impact to the environment. In a couple of areas, the grades will be more than what's required, actually is going to make the rest of the driveway less of a slope. Like 10%, 12% versus from the bottom up.

There was a revised letter from the Chief and I hope it's in the record. He restated his position.

THE CHAIR: Did you get that, Dave?

MR. LAVALLEE: I don't believe I saw that. I spoke with him on the phone and he said that the grades weren't the issue, it's the width and the length of the driveway. But, I'll recheck the file.

MR. BOVINO: I have a copy of the letter. There was discussion between the applicant and the Fire Chief and basically he went from a one line to a little bit more expanding ---

ATTORNEY SCIOTA: Sev, you can read the letter in and give it to Dave.

MR. BOVINO: Okay. (Read letter, which is on file in the Town Planner's Office.)

My opinion is the condition does not change because I'm requesting a waiver of the grades. This condition exists in either at the 15, 14 or the 10 percent grade.

There is one comment I want to make. He does not have to back down the driveway. What we're proposing at this location is an intersection where the truck can come up, back into this area and then drive down. He doesn't have to back down, all the way down. I just wanted to clarify that for the Commission.

So, that's where we are.

MR. DELSANTO: Does he know that? Sorry, Zaya. Does the fire person now know that?

MR. BOVINO: I met with Captain Cassarella on site and with a police officer and we walked the site all the way up and I showed him this intersection and I told him I would do almost actually a little cul de sac for the truck to be able to move around in --- a turn around. Yes, I did.

MR. DELSANTO: Was he receptive to it?

MR. BOVINO: He seemed happy that day.

(Laughter)

MR. DELSANTO: Okay.

MR. KENEFICK: Probably had a good day.

THE CHAIR: This is a long drawn out process.

ATTORNEY DENORFIA: Can I say one thing? I'm sorry. Anthony Denorfia, again, representing the applicant.

I guess they got a little frustrated so they came in to see me yesterday. And, you know, I looked at it and I tried to put it into the simplest possible context.

We have an approved lot with a 15 percent grade driveway. When Sev looked at this and went over it --- another engineer had designed --- he came up with what he thought was a better design for something that would work even better.

And, in addition to that, I think after I went through the Minutes, he agreed to some drainage and other concessions. So, I guess it's just a matter of Sev thinks this is a better way of doing it versus the original plan.

I think simply that's the choice that the Commission has right now. One way or another it's an approved lot. It's an approved lot at 15 percent grade or it's an approved lot at --- well you've got some at 16 to 17 percent in a couple of areas and down to 10 and 12 in others.

MR. LAVALLEE: I did receive a forwarded e-mail from #162 Cascade Ridge. Apparently he caught wind of the statement that perhaps a waiver of fire protection would be approved but that, according to the Town Attorney, is the most ridiculous thing he's heard.

So, he was concerned about that. But it was sent to us, so it should be on the record.

(Undertone comments/discussion.)

THE CHAIR: When the plan was originally put together, was there --- there was another design put in place, correct?

MR. BOVINO: Yes, it's not that that design is wrong. We are dealing with field shots. We took field topo all of the way from the bottom up. So, we have the data that's there. AT the time when they did the design, they had probably aerial topography and they just proposed it at 15 percent all the way.

MR. KENEFICK: Who did that? The developer?

MR. BOVINO: No. This was done by Harry Cole & Son. The plan, there's nothing wrong with it. It's just that I went and did the field work and ---

MR. KENEFICK: You did a better job.

MR. BOVINO: Well, it's not a better job. It just shows the reality of the driveway. There is a travel way that's there. There's a travel way that's there which has a couple of spots which is very steep and we want to cut those down, but there is some spots there that are at 10 or 12 percent which is better to keep those versus going 15 all the way. That's all I'm saying.

MR. LAVALLEE: Just real quick: Do you know what the cover is over those pipes? Does it cross that easement?

MR. BOVINO: There is no pipe here. That's a misconception. There is no pipe. This is a New Britain Water Department access way but there is no pipe.

MR. LAVALLEE: Just wanted to clarify that.

MR. KENEFICK: Tony, you all right with this?

(Laughter/laughter)

MR. TRANQUILLO: I already said that I really can't support this.

MR. KENEFICK: You can't?

MR. TRANQUILLO: Well, no. We objected to these lots as a staff. We objected to these fifteen years ago when they were created for this reason because they're being built on the side of the mountain. Access is very difficult. Emergency access is difficult. Drainage is difficult. It's just -- I hate to put it this way but these lots should not have existed in the first place.

MR. KENEFICK: But they do.

MR. TRANQUILLO: But they do. So now you have a tough decision to make. I can't support it. It's the Commission's decision.

MR. KENEFICK: I can. Right now.

MR. CARMODY: I just have a couple of questions. Sev, can you get this done without going over 15 percent?

MR. BOVINO: Yes, I can but you're going to see, you heard tonight complaints from neighbors from Holly Hill area seeing the cuts of the trees and whatever. You're going to see complaints from the neighbors because I'm going to cut the slope, up the slope, cut the trees, disturb the area a lot more than I can do with this.

If you walk up there ---

MR. CARMODY: I'm fast-forwarding this. If we say no, forget it, you can come back to us with---

ATTORNEY DENORFIA: It won't be back to you. Just go ---

MR. CARMODY: It'll just go because you'll do the 15. That's kind of what I'm trying to say.

ATTORNEY DENORFIA: Right to a building permit.

MR. BOVINO: I said yes from the start. I'll give you some background on why we are doing this. We're not trying to do this to skirt the regulations. It makes it a better driveway to go up there.

MR. CARMODY: Meaning, this house is going to get done one way or the other. The only thing that bothers me and is sticking in my craw is the Fire Chief, on his first letter said, you can't get a truck up there.

Now, he's like --- that's like out the window. Oh, no. I mean --- I don't understand what he means by that.

MR. BOVINO: I'll tell you why. The first day they stopped at the base of the mountain at the cul de sac and they looked up and they said: whoops! They didn't realize there was a driveway basically going up.

(Chuckles)

MR. SAUCIER: Now they can get the truck up.

(Comments/laughter)

MR. BOVINO: This is a 12 foot wide paved driveway for most of the way with a turn around at the top.

(Undertone comments)

ATTORNEY SCIOTA: Mr. Chairman, this is one of those tough ones. I mean, obviously, I understand why the engineer can't support it. It's a building lot. The question is by granting the waiver do you make the situation worse or better? I don't know.

He's talking about cutting more trees. Does 15 make it safer? It's a tough one. I don't know.

MR. KENEFICK: Okay here goes. I'm going to make a motion for approval and waive the 15 percent maximum slope required.

MR. CARMODY: I'm going to second that.

MR. LAVALLEE: Do you want to specify a percentage? Maximum percentage?

MR. BOVINO: As presented?

MR. TRANQUILLO: Is it 19 percent of 18 percent?

MR. CARMODY: Well, we have the areas being designated in the lengths too, where you went over, right? So, as presented.

MR. KENEFICK: As presented on the map.

(Undertone conversations)

MR. BOVINO: There is an area here and there's an area up here.

THE CHAIR: Pavement for the runoff area up on top, correct? We had talked about pavement for that one area of concern for runoff on the top, correct?

MR. BOVINO: Bringing the pavement --- this is already paved and we are going to continue the paving up to a certain point and some of it will be stone, like I asked you the last time, because I believe from a runoff standpoint, you're better off with stone. Crushed stone. It would be better.

(Undertone conversations)

THE CHAIR: Where he's looking to pave, Tony, are you good with that?

MR. TRANQUILLO: No.

MR. KENEFICK: He's not part of this conversation.

MR. TRANQUILLO: A driveway this steep, you know, we are looking at up to 18 percent. You don't pave it, it's going to move. It's going to erode and it's going to move under the tires. It's going to create all kinds of problems.

MR. KENEFICK: They're going to have to fix it.

MR. TRANQUILLO: So, drainage pavement is critical.

MR. BOVINO: We have extensive areas from here to here that are at 10 percent grade.

MR. TRANQUILLO: Well, maybe you should give them the waiver on the grades at 18 percent, whatever is shown on the plan and then have them come back and we'll try to decide what to pave and where to put the drainage.

MR. BOVINO: That's no problem.

(Undertone comments/conversation)

MR. CARMODY: I don't think he's happy, regardless.

MR. TRANQUILLO: When there's problems here, my office is the one that will get the calls.

MR. KENEFICK: From who?

MR. TRANQUILLO: Whoever lives there. Whoever is making a deliver there. The owner.

MR. CARMODY: I have a question for Tony.

MR. KENEFICK: The owner won't.

MR. TRANQUILLO: Fran, the owner is not forever.

MR. KENEFICK: Come on!

MR. CARMODY: Tony, I have a question for you. In your opinion, if this motion does not pass and it fails and they go and do this according to regulations where they do not exceed a 15 percent slope, what impact is it going to have on --- I know Sev's talking about he's going to have to cut all kinds of trees. What do you think?

MR. KENEFICK: Take down half the mountain.

MR. CARMODY: I just want to hear from our engineer.

MR. TRANQUILLO: I had some preliminary discussions with Kratzert & Jones and one of the issues was retaining walls. Having to build very expensive retaining walls to get the 15 percent grade. So, there will be more disturbances. There'll be more excavation. Perhaps some additional tree loss, but I think it was more an issue of cost in terms of the retaining walls.

Is that correct, Sev? I think I talked to ---

MR. BOVINO: Because of the cost, I would recommend the applicant to do the grading at 2:1 slope or apply crushed stone to the side of the slope to reduce the impact.

MS. WOOD: (From the audience) Inaudible comments.

MR. BOVINO: This is Janice Wood, the owner of the property.

MS. WOOD: There is a ski chalet right in front of my house and when you do a huge retaining wall, I mean, it's going to look pretty ugly. It's going to be right behind them. They're going to be able to see it. So, I mean, nothing, I'm just saying appearancewise, I'm sure my neighbors aren't going to appreciate a huge concrete block. It might be cost effective but also appearance for them.

THE CHAIR: We have a motion and a second on the table that we would not exceed the grading as on the application and that we would go back, I think the motion was amended that we would go back and discuss paving and drainage with the Town Engineer. That was the motion as amended.

MR. CARMODY: You're making it sound a little misleading. We will exceed the regulations.

THE CHAIR: As per on the map.

MR. CARMODY: Yah. Correct.

THE CHAIR: As on the map. That's the motion and seconded, I think, by --

MR. CARMODY: By me.

THE CHAIR: --- Commissioner Carmody. Any other discussion?

ATTORNEY SCIOTA: Does it come back here if Tony and Sev don't agree on how far it has to be paved and all that stuff?

THE CHAIR: It has to come back here, doesn't it?

MR. BOVINO: We'll agree. Don't worry about it.

(Chuckles)

MR. TRANQUILLO: If we don't agree, it will come back to the Board.

ATTORNEY SCIOTA: Okay.

MR. KENEFICK: They'll agree.

THE CHAIR: Any further discussion? Hearing none, David, would you please call the roll?

ATTORNEY SCIOTA: Mercifully, call the roll, please.

|               |                       |     |
|---------------|-----------------------|-----|
| MR. LAVALLEE: | Commissioner Carmody: | Yes |
|               | DeMello:              | No  |
|               | DelSanto:             | Yes |
|               | Kenefick:             | Yes |
|               | Saucier:              | No  |
|               | Sinclair:             | Yes |
|               | Oshana:               | Yes |

(Motion passes 5 to 2)

B. Request for Release of the \$6,400 subdivision bond and the \$3,600 public improvements bond for the Tomczak Estates Subdivision, property located off West Center Street & Autran Avenue S #1168.1

MR. LAVALLEE: This is tabled again. I guess there's some outstanding issues. We'll take it off the next time.

MR. DELSANTO: Move to table.

MR. DEMELLO: Second.

MR. TRANQUILLO: This shouldn't have been on. It got on my mistake.

(Motion passed unanimously on a voice vote.)

C. Request for Reduction of the existing Erosion & Sedimentation Bond for Laurelwood Estates Subdivision from \$17,000 to \$14,475 to cover remaining work, property located off winding Ridge & Mt. Vernon Road S #1221.2.

MR. LAVALLEE: This is all set.

MR. DELSANTO: So moved.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

D. Request of Attorney Andrew Denorfia for a 90-day extension for filing the Mylar maps for the Baldwin Estates subdivision (approved by court decision on 11/6/06), property located at West Street & Hart Street S #1224.1.

ATTORNEY SCIOTA: Mr. Chairman, everything is in place here. I'm waiting for a passbook and that's why I need a little extra time on this.

THE CHAIR: A passbook?

MR. CARMODY: A passbook?

ATTORNEY SCIOTA: Yes. The actual passbook. We don't take just the sheets any more. We actually have to have the passbook in our hand.

MR. DELSANTO: Move to table.

THE CHAIR: Like the bank?

MR. DEMELLO: Did they start on this already?

ATTORNEY SCIOTA: There may be. I don't know if we started on it.

ATTORNEY DENORFIA: The E & S bond has been posted on this.

MR. CARMODY: Move to grant a 90-day extension.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

THE CHAIR: A couple of items. We have a new Town Planner. Her name is Mary Savage. She starts tomorrow.

ATTORNEY SCIOTA: She hasn't seen her office, yet, so I don't know.

MR. KENEFICK: Why don't we let her have one of these? We'll give her one.

THE CHAIR: She is going to be doing the peer review. Give them to her.

ATTORNEY SCIOTA: There's one right there. Dave has one for her.

THE CHAIR: I would like to see if we can schedule a meeting with our new Town Planner and our Commission prior to our next meeting. Mark, I don't know, legally can I do that?

ATTORNEY SCIOTA: What's that?

THE CHAIR: Is there an issue with doing that?

ATTORNEY SCIOTA: No, it's no problem at all. I'll just post it whenever you want. Give me at least 24 hours and I can post it.

THE CHAIR: She starts tomorrow. I'm going to give her a call tomorrow.

ATTORNEY SCIOTA: Let's have the meeting tomorrow night.

THE CHAIR: We'll do it tomorrow night, here. Surprise, Mary! We told you there would be some work at night.

I'd like to see if we could do it next week and I'm thinking Thursday evening. We need to check availability, we need to check rooms. We need to check schedules.

What I'd like to do is I'd like to get a meet and greet so everyone can meet and greet her. We had some interviews. John met her, I've met her. She's from Manchester. She was a Town Planner. I think everyone has seen her resume.

And, then what I'd like to do is, we had started the process of our zoning regulation reviews prior to the end of last year and then Mary resigned. We are not experts at zoning regulations. We are experts at getting our rear ends kicked for not changing zoning regulations but we are not experts at changing our zoning regulations. And, we will not change zoning regulations because people tell us to and do it wrong. We will do zoning changes correctly in the Town of Southington. And, we will do them methodically and we will do them right. All right?

We will not be forced to do things just because people want things done fast. We have an expert coming onboard and we have a professional coming onboard and I'd like to get us meeting with her and I'd like to start the process going forward.

In the interview process, we talked, I think, with all the applicants and one of the subjects we talked a lot about was zoning -- I'm sorry, resource based zoning. Mary Savage makes it easy --- we just call her Mary, so we don't get confused --- Mary was a proponent of resource-based zoning. I think that is something that we will start on very quickly.

MR. CARMODY: Not just Mary. Every single applicant across the board.

THE CHAIR: Every one of them. Exactly. So, I'd like to check -- we will get in touch with everyone and find out what availability is but I am thinking next Thursday.

ATTORNEY SCIOTA: I'll see next Thursday, the 15<sup>th</sup> at 7:00pm. Try and get this room here. If it's not this room then it's ---

THE CHAIR: John's house.

ATTORNEY SCIOTA: Well, if it isn't here, we can use the PD.

THE CHAIR: Exactly. It can be somewhere.

MR. KENEFICK: How about the new restaurant on Queen Street?

THE CHAIR: Yah.

(Comments)

I would like to also, we have a --- as part of our zoning adjustments, guys hang on a second. We're almost done. I'm sorry. It's late. I want to go to bed, too.

We received a piece of --- speaking of zone changes and wonderfully written adjustments, I am just, I framed it. See? A piece of work about private wells ---

ATTORNEY SCIOTA: Well, your triad here --- your triad drew it up.

THE CHAIR: I actually took it out of the frame tonight to bring it with me. It's going back in the frame when I get home.

We'd like to see, I'd like to get something on the Agenda for our next meeting to discuss modifying Section 3-06 of our regulations, okay? To amend private water systems so we do not ever have to deal with the situation where we have houses going in and they don't have water where I think we heard something about building a \$200,000 home up on Cascade Ridge?

ATTORNEY SCIOTA: Good luck with a \$200,000 house.

THE CHAIR: And, I think you had something like, yah, something around \$200,000 but very little water.

So, can we put that on as an --- do we need to ---

ATTORNEY SCIOTA: AT your next meeting you can schedule it for public hearing. At your next meeting you will schedule the hearing.

THE CHAIR: Yes, I'd like to put that on a scheduling item for our next meeting.

ATTORNEY SCIOTA: As of and maybe I'm confused, you have -- so you have no public hearings for your 20<sup>th</sup> then? Okay.

THE CHAIR: We have and this is just for my own understanding. There is a new carwash out on Queen Street. Rapid Carwash. The new one we did? The one that's no touch?

MR. CARMODY: Yah, the one by Wendy's with the sign.

THE CHAIR: Yah.

MR. CARMODY: Three dollars.

THE CHAIR: Okay, yah. Maybe, does our ---

ATTORNEY SCIOTA: Yes. Our regulations allow time and temperature.

THE CHAIR: Okay. One of the things we need to knock out and I almost just ---

ATTORNEY SCIOTA: You were going to ask that question, weren't you? As soon as I saw it, Zaya, I came back to the office and ---

THE CHAIR: I almost dropped dead.

How did we ever do that? The second thing that we are going to do with Mary is to get those things gone. I'd like to look at our sign regulations as part of this thing because that thing looks just disgusting. And, it's --

ATTORNEY SCIOTA: It's in a downtown area. The reason we had that is because our two banks in the downtown area ---

THE CHAIR: I know, but it's just --- I mean, I just I saw that and I didn't realize they could do that and that's my own fault.

ATTORNEY SCIOTA: The tuxedo place has one, too.

THE CHAIR: I know, but this thing, their's at least looks a little nicer. I think maybe the color and the amberness to it.

MR. DELSANTO: How are we ever going to know what the temperature is?

ATTORNEY SCIOTA: Your car. Your car will have it.

THE CHAIR: That's it for me. Anybody else have anything?

MR. DELSANTO: Motion to adjourn.

(Whereupon, the meeting was adjourned at 10:50 o'clock, p.m.)