

SOUTHINGTON PLANNING AND ZONING COMMISSION
Public Hearing
April 18, 2006
Town Hall Council Chambers, 75 Main Street, Second Floor

MINUTES

Chairman Zaya Oshana, called the Public Hearing of the Southington Planning & Zoning Commission to order at 7:02 pm with the following members in attendance:

John DeMello, John Carmody, Francis Kenefick, Noreen Laurinaitis, Patrick Saucier and Michael DelSanto

Alternates: James Sinclair
Brian Zaccagnino

Others: David Lavallee, Assistant Town Planner, Mark Sciota, Town Attorney, Anthony Tranquillo, Town Engineer

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

Mary Hughes, Town Planner
John Weichsel, Town Manager

A quorum was determined.

The Pledge of Allegiance was recited by everyone in attendance.

(Summary Minutes - meeting recorded on tape, as well)

ZAYA OSHANA, Chairman, presiding:

Items for the Public Hearings this Evening:

A. Continued Public Hearing from April 4, 2006 -
Subdivision Application of Jeffrey & Allison Wight
proposing to resubdivide property for purposes of creating
11 lots (Fox Hollow, Section II), property located at 157-
167 Rahlene Drive (S #986.3

Attorney Sciota stated, Mr. Chairman, this was a

continuation of a public hearing from April 4th. It was continued for the primary reason of discussing the drainage aspects with the engineers.

The Chair called for those speaking in favor.

SEV BOVINO: Planner with Kratzert & Jones representing the applicant and Jeff Wight is here tonight, too. We revised the plans according to comments received from staff. We met with staff and went over all the comments. I believe they're satisfied with the revisions.

We went back to the detention that was originally designed where we are expanding the detention area away from the neighbor's house, the way he wanted it done. So, that's the plan before you. We told the neighbor that's what we were going to do.

Mr. DelSanto noted he was here for the last couple of public hearings and he's not here tonight. Do we have any correspondence?

Attorney Sciota advised he did meet with him in my office and explained the deeds and gave the Town's position. That's the last I've heard from him. I asked him to see if the Engineer if there were any drainage questions.

Mr. Tranquillo said he spoke to Mr. Stevens late last week. Again, explained the Town's position. At that point he appeared to be resigned to the fact that his lot and his deeds and easements there allows the developer to do what he is doing.
Discussion.

Discussion of the location of the current pond and on whose property it was.

The Chair asked for those speaking against the application.

(No response)

The Chair closed the public hearing at this time.

B. Continued Public Hearing from April 4, 2006 - Special Permit Use Application of Northstar Centers, LLC proposing to establish multiple buildings on one site within a

business zone, property located off Executive Boulevard & Wets Street known as Assessor's Maps #120 & #131, Parcels 1 & 3 (SPU #421)

Attorney Sciota reported this was the subject of a public hearing on April 4th. It was continued to today's date for two reasons: (1) the Commissioners to view possible other developments by this company and (2) possibly signage issues.

SEV BOVINO: There were comments from the Town Planner --- this could become a three-lot subdivision. So, we did indicate two signs on the project, but each lot could have it's own sign. We will do whatever the zoning allows. If we can only have one sign, that's what we're going to do. Explained the three-lot subdivision.

What we are here for in this public hearing is actually for multiple buildings on one property. I don't believe the sign issue --- it's something we could decide at site plan time.

I did provide to Mary names of projects that this current developer has in different parts of New England. I do have some photos. (Showed)

The Chair said this might be more site plan, but in talking about our proposed regulations for lighting, for landscaping, for layout and things like that, and we also discussed and he said he was going to bring back a detailed traffic study for us. We have the summary sheet but not the detail. Are they coming forward with that? Mr. Bovino said the traffic study is not completed, yet. They're working with DOT.

I believe he submitted maps showing major improvements on West Street from Hart Street heading north all the way to Boulevard North and including Boulevard South intersection with West Street. And, the one/off ramps. Major improvements, I can tell you that.
Discussion.

Mr. Carmody asked if we should be talking about lighting, landscaping, signage now? I know it is site plan stuff. Attorney Sciota said this SPU is for multiple buildings on one lot. In SPU you can talk about it and get the consensus from the applicant to see what they plan on doing. You

could ask those questions.

Mr. Bovino said he gave the applicant copies of the new regulations and told them to use those as a guide to prepare the site plan.

Discussion.

Mr. Bovino said the plans submitted, basically, they are the site plans. They'll be developed in more detail. They provided landscaping plans last time as to what they planned to do and the type of plantings. There's always opportunity to improve it, obviously.

Discussion.

Ms. Laurinaitis asked: Was there a distribution center included with this? Mr. Bovino said it is a parcel north of this, industrially zoned, planned to be a distribution center, but it is not part of this project. This is B zone area.

Ms. Laurinaitis further commented, the total square footage is roughly 300,000 in retail? Mr. Bovino said a little bit less, 277,000, I believe. Ms. Laurinaitis said in reviewing TPA's data, they had said that we had a capacity for roughly 300,000 sf of additional retail in Town. I guess I'd like a comment as to whether or not this isn't going to absorb the rest of the capacity for retail in Southington.

Discussion.

Ms. Laurinaitis asked when we would get a final decision on the traffic improvements from the STC. Mr. Bovino said usually the state decides on the traffic improvements after the Town approves the site plan. It's not before.

Discussion.

Mr. Kenefick asked about the industrial piece. The developer claimed he would sell it \$.25 on a dollar. Is that offer still holding that you know of? Anything going forward on the industrial part of it?

Discussion.

The Chair called for anyone else in favor of the application.

LOU PERILLO: Southington's Economic Development Coordinator. I'm speaking in favor of this application. If what you have before you is inadequate, I can download some

more information. The website address is northstar centers.com.

The zone change has been approved to business. It's one of the highest traffic counts that we have in Southington, over 29,000 cars per day at that exit.

This is just the first step in attracting tenants to the multiple buildings. From there, there will be a site plan. The developer can bring more photos if that's what you need. His intention is to do it at site plan, which would be dependent upon this being approved to go forward.

As for the industrial he stuck to his word. Some issues we have is first for him to acquire the piece, he has to get the retail portion going. He cannot negotiate in good faith on the industrial side because the industrial side at 25 percent of value doesn't carry it on it's own which is typical.

Discussion.

Ms. Laurinaitis asked if the developer had market data to show that Southington can absorb this 300,000 plus? Mr. Perillo said usually what happens is the regional demographics, we can show you that Southington is picked up as a retail node from our demographics and five miles from Waterbury. I'm certain he wouldn't be investing this kind of money in the options if the area could not handle it.

Discussion.

Ms. Laurinaitis asked if he knew where TPA came up with their data that said we had 300,000 sf of retail capacity? Mr. Perillo said that TPA was made very well aware of the 300,000. I do not believe it's a coincidence that this 300,000 --- I believe the 300,000 they're referencing, caters well to this project. But you would have to speak directly to Valarie Ferro at TPA to confirm.

Discussion.

The Chair called for anybody speaking against the application.

(No response)

The Chair indicated he would close the public hearing at

this time.

C. Continued Public Hearing from April 4, 2006 for Petition of the Southington Planning and zoning Commission to adopt proposed Redevelopment Overlay District boundaries mapping as an amendment to the 1991 Plan of Development. POD #1

And

D. Continued Public Hearing from April 4, 2006 for Petition of Southington Planning and Zoning Commission to amend the Zoning Regulations text to establish a new section entitled: Section 11.19 - Redevelopment Overlay District regulations (ZA #525).

Attorney Sciota said these come to you from two previous public hearings. These are applications from the PZC. One is for the mapping of the overlay district and the other one is for the actual text change.

The Chair noted Ms. Hughes, Town Planner, is home ill this evening. Mary has been presenting data on this.

The Chair called for those speaking in favor of the application.

(No response)

The Chair called for those speaking against the application.

(No response)

Attorney Sciota noted department communications were received.

Mr. Lavalley read letters, which are on file in the Town Planner's Office from:

- Fire Chief
- Ms. Sharon Huxley, Chairman of the RPC
- Margus T. Lamb, CCRPA

- David Derynoski, Chairman of the Southington BOE

Attorney Sciota added you all have in your packet a memo from the Planner to the PZC dated April 11, 2006 and we'll make it part of the record.

Mr. Kenefick noted it took time, but comments came forth. He just wished the sewer department and highway had come forward. Mr. Zaccagnino said he felt any department severely effected by the proposal, they probably would've jumped at the chance to offer their opinion.

The Chair closed Items C and D.

Assistant Town Planner David Lavallee read the legal notice into the record for the following items:

E. Petition of the Southington Planning and Zoning Commission to amend the Zoning Regulations text of Section 3-05.2 to permit expansion of Special Permit Uses in a Residential Office (RO) zones (ZA #526).

The Chair called for those speaking in favor of Item E.

(No response.)

The Chair called for anybody speaking against the application.

(No response)

Attorney Sciota submitted for the record notification from the South Central Connecticut Regional Planning Commission. They did not find this in conflict.

The Chair tabled this item to the next public hearing.

F. Petition of the Southington Planning and Zoning Commission to amend the Zoning Regulations text for upgrading of the standards and considerations during review

of a Special Permit Use. Section 8-2 - General Considerations for a Special Permit Use (ZA #527).

The Chair called for those speaking in favor of the application.

(No response)

The Chair called for those speaking against the application.

(No response)

Attorney Sciota noted the South Central Regional Planning Agency notified us that the 30 days will not expires as to our public hearing.

The Chair tabled this item to the next public hearing.

G. Petition of the Southington Planning and Zoning Commission to amend Section 2-04.D pertaining to definitions of two family dwelling (ZA #526)

The Chair called for those speaking in favor of the application.

(No response)

The Chair called for those speaking against the application.

(No response)

The Chair tabled this item to the next public hearing.

H. Petition of the Southington Planning and Zoning Commission to amend the Subdivision Regulations text to permit modifications of the bonding process for subdivisions pending final approval, Section 4-08 - Consideration of Final Subdivision Plan (S.A #16).

The Chair called for those speaking in favor of the application.

(No response)

The Chair called for those speaking against the application.

(No response)

The Chair tabled the public hearing to the next meeting.

Adjourn: (Whereupon, the public hearing was adjourned at 7:40 o'clock, p.m.)

SOUTHINGTON PLANNING AND ZONING COMMISSION
Regular Meeting
April 18, 2006
Town Hall Council Chambers, 75 Main Street, Second Floor

MINUTES

Chairman Zaya Oshana, called the Southington Planning & Zoning Commission to order at 7:40 pm with the following members in attendance:

John DeMello, John Carmody, Francis Kenefick, Noreen Laurinaitis, Patrick Saucier and Michael DelSanto

Alternates: James Sinclair
Brian Zaccagnino

Others: David Lavalley, Assistant Town Planner, Mark Sciota, Town Attorney, Anthony Tranquillo, Town Engineer

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

Mary Hughes, Town Planner
John Weichsel, Town Manager

A quorum was determined.

(Verbatim Minutes - meeting recorded on tape, as well)

ZAYA OSHANA, Chairman, presiding:

Approval of Minutes a) Special Plan of development Public Hearing of March 23, 2006

MR. SAUCIER: Move for approval.

MR.CARMODY: Second.

(Motion passed unanimously on a voice vote.)

b) Regular PZC Meeting of April 4, 2006

MR. SAUCIER: So moved.

MR. DELSANTO: So moved.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

UNFINISHED BUSINESS:

A. Continued Public Hearing from April 4, 2006 -
Subdivision Application of Jeffrey & Allison Wight
proposing to resubdivide property for purposes of creating
11 lots (Fox Hollow, Section II), property located at 157-
167 Rahlene Drive (S #986.3

ATTORNEY SCIOTA: Mr. Chairman, that's ready for action.

MR. CARMODY: Move to approve.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

B. Continued Public Hearing from April 4, 2006 - Special
Permit Use Application of Northstar Centers, LLC proposing
to establish multiple buildings on one site within a
business zone, property located off Executive Boulevard &

Wets Street known as Assessor's Maps #120 & #131, Parcels 1 & 3 (SPU #421)

ATTORNEY SCIOTA: This was the subject of a public hearing tonight. It's ready for action.

MR. CARMODY: Move to approve.

MR. KENEFICK: Make a motion ---

MR. CARMODY: Oh, sorry.

MR. KENEFICK: Make a motion to approve the SPU.

MR. CARMODY: Second.

THE CHAIR: Motion and a second. Any discussion?

MS. LAURINAITIS: Well, I just want to state again that I think it's a very dense use of retail in that particular section. There were some comments made in the business survey they wanted to restrict additional retail in that area. And, we don't have the traffic study back, yet, that would lead us to believe that the STC will be making improvements to the roadway there that would make sense with this amount of retail. So, I have some concerns on this project.

MR. ZACCAGNINO: I think without knowing exactly what's going to be --- if one of the units of retail, takes up the bulk of that, maybe the stuff they're selling just requires a large space. It doesn't necessarily have anything to do with traffic. I think at some point your concern maybe more with business decisions which really I'm not so sure is our role, but or so I don't necessarily have the same concerns, for whatever that's worth.

MR. DELSANTO: I think that this application has been a long time coming. We've worked hard and not everyone that's sitting on this Board today, but from the last Board that sat and this Board, we've worked very hard to get to where we've come to today and I think we have to take the advice of our Economic Development Coordinator. He thinks this is a good idea. I don't think the applicant is worried about 300,000 sf of retail.

They put their work into this, as well. I'm sure they have

crossed all their T's and dotted all their I's. This isn't a fly by night corporation. This is a company who obviously know what they're doing. On that evidence, I think it's a good idea.

MR. KENEFICK: I'd just like to also say that I hope Southington could attract more developers as fair as this one. I mean, for a person to go on record and say that they didn't want to have the tax abatements for the business property. He gave that up.

And, now he wants to sell the rest of that industrial land for \$.25 on a dollar, I mean, how many people walk into this Town and say this. So, I'd like to get this process moving as fast as possible and I'd like send a positive message back to this developer that I hope we're all in favor of this application.

THE CHAIR: I just want to say that I think this is a great application. I think it's a long time coming. I think a lot of work has been done on it. I think the traffic report is very important and will be important when we get to the site plan side of things.

I do think that this developer has been extremely cooperative with this Commission and working with us. Like Commissioner Kenefick said \$0.25 on the dollar, I'd like to get my company to buy some of that industrial property and move here into this Town and add to the economic base of Southington. So, I think it's a great opportunity for this Town and for our residents.

MR. SAUCIER: I also feel it's a very good application here. Some of our concerns will be addressed during site plan. Looking at the lighting, signage, landscaping, parking, you know, they've been pretty forthcoming up to this time. I assume it would be there during that time.

MR. CARMODY: Yes, my, not issues, just concerns. You know, want to see what it looks like, but Fran, you know, made a good point. They're more than willing to work with us. They've kind of shown that throughout the entire --- I mean, even, Sev said tonight, we're looking for a couple of signs, but if we have to go with one, we will. I don't know if it will come to that, but the point is, the message is, they want to work with us. So, I'm all in favor of it.

MR. DEMELLO: I think this is a major plus for this Town of Southington and you know, as far as the concerns for the road improvements, I think that's going to be taken care of by the STC. You know? And, once again this is something long coming.

MR. DELSANTO: The Town Attorney made it very clear, if it doesn't go through, it's going to be back before us, anyway. So, it's not like this is something that's going to slip by us. We're going to know, either way.

MR. SINCLAIR: Mr. Chairman, I think this is a win/win situation for the Town. We're going to be getting a real plus on West Street and whatever concerns we have now, should be at site plan, six weeks down the road, whatever, and then if we don't like it then, we'll make the changes. They've been willing to work with us the entire time.

(Motion passed 6 to 1 with Ms. Laurinaitis opposed.)

C. Continued Public Hearing from April 4, 2006 for Petition of the Southington Planning and zoning Commission to adopt proposed Redevelopment Overlay District boundaries mapping as an amendment to the 1991 Plan of Development. POD #1

ATTORNEY SCIOTA: This was the subject of a public hearing tonight, Mr. Chairman, which was closed. This specifically has to do with the mapping of the districts.

MS.LAURINAITIS: Should we do this without, Mary?

MR. KENEFICK: She doesn't vote.

MR. CARMODY: She doesn't vote. We do.

MS. LAURINAITIS: I mean she's not here to comment, either.

MR. CARMODY: Well, based on what --- I'll probably disagree with Fran, but based on what I heard from Lou ---

MR. KENEFICK: Probably?

(Chuckles)

MR. CARMODY: I don't know. I didn't talk to you about it.

I would take Pratt out. Just based on what I heard activitywise, what's going on with Pratt & Whitney. I don't know.

I guess what I'm trying to say is, erring on the side of caution, we can always add zones later. And, if someone out there thinks that Pratt site is viable for other reasons, let's give them a chance to run with it. We can always add it later, if it's not.

MR. DELSANTO: But, semantically, can we vote on it the way it's written now?

ATTORNEY SCIOTA: Nothing's written. It's the maps. So what would happen is, assuming someone wanted to make a motion, they'd make a motion to approve the entire district except for the Aircraft Road districts, which, for lack of a better term, is the Pratt & Whitney district.

MR. CARMODY: Yah, sorry.

Let's talk about it before we make a motion.

MR. KENEFICK: I hate to say this, John, but I agree with you.

(Laughter)

MR. CARMODY: Franny! Huh?

MR. KENEFICK: The more I hear of it, what's going on there and how we could jeopardize it by changing this, I would be willing to exclude the Pratt site. Like you say, we can always add it down the road.

MR. CARMODY: I'd like to make a motion then to approve the map with the one exception, delete the Aircraft Road ---

ATTORNEY SCIOTA: Aircraft Road a/k/a Pratt & Whitney site.

MR. CARMODY: You got it. That's my motion.

(Undertone comments)

MR. DELSANTO: Second.

THE CHAIR: Motion and a second. Any discussion?

MS. LAURINAITIS: Um, I'm just going to make a comment that since the building that is on the Pratt & Whitney site is technically obsolete, I see no reason not to include the Pratt & Whitney site within the mapping.

THE CHAIR: Anybody else?

(No response)

(Motion passed 6 to 1 on a roll call vote with Ms. Laurinaitis opposed.)

D. Continued Public Hearing from April 4, 2006 for Petition of Southington Planning and Zoning Commission to amend the Zoning Regulations text to establish a new section entitled: Section 11.19 - Redevelopment Overlay District regulations (ZA #525).

ATTORNEY SCIOTA: This was also the subject of a public hearing this evening as well as previous evenings. This has to do with the text changes or the text amendments that take place in the zone you just approved of.

MR. KENEFICK: Is this like the density and the ---

ATTORNEY SCIOTA: All the text changes and I think I'd have to --- if there are specific questions that you ask, I'm way out of my ballpark on this. I'm not a Planner. So, I would suggest if there's going to be specific questions that we table it. There's no rush on it. We table it for Mary in two weeks.

MR. KENEFICK: Id just like to bring it out in the open now is the only thing I'm really upset with here is the density. I mean, it was what? How many units per acre?

MR. CARMODY: Twenty with the ability to go to 25.

MR. KENEFICK: And, the height of the building. I just think it's out of character in the neighborhood having three or four story buildings. Having people living in ---

MR. DELSANTO: As you saying specifically for one area or

for the map itself?

MR. KENEFICK: For the map itself.

MR. DELSANTO: Okay.

MS. LAURINAITIS: I think that you know, given the cost of remediating these different areas, we have no choice but to approve something at that --- if you look at what the residential property is going to cost us in services to that area and then weigh that against what it would cost for the Town if we had to remediate the area ourselves, I think we win in creating these very dense areas to attract developers to redo these properties. So, I think we have no choice but to make the density at that level.

But I'm not --- I'm also thinking we should wait for Mary. Table this and wait for Mary because I have some other specific items within the text.

MR. DELSANTO: Move to table.

MR. CARMODY: Wait.

MR. DELSANTO: I'll take my table away.

MR. CARMODY: I'm sure there are more comments, right?

MR. SAUCIER: One of the items that was brought up during the public hearing was the percentage of retail or to residential and I don't know if that was truly ---

MS. LAURINAITIS: Commercial to ---

MR. SAUCIER: Yah, commercial to residential. And, I think that is something that we need to look at also.

MS. LAURINAITIS: Correct. Within the text, I agree.

MR. SAUCIER: We need to get into that.

THE CHAIR: Mr. Carmody?

MR. DELSANTO: Well, we are going to discuss these comments next time when Mary is here, right?

MR. CARMODY: Well, Noreen brings up a good point and so

does Fran. This is a situation where we have a chance to bring about a dynamic change in some areas in Town that could use it. But at the same time, that dynamic change could potentially be problematic in other areas. I think since it looks like we're headed to tabling it, those of us who have issues with the density and the height, think about not just the fact that you might have a problem with it, but what the possible resolution or what you feel comfortable with as an alternative to what's there.

We have a couple of weeks to think about it and I think it would be good when our Planner's here, hey, if we think 20 to 25 is too dense, well, what're we comfortable with?

MR. KENEFICK: I'd say half of that.

MR. CARMODY: Okay, well ---

MS. LAURINAITIS: I think if we go too low, the developer's not going to be able to absorb the remediation costs and --
-

MR. KENEFICK: Why don't we buy it for open space?

(Everyone commenting at once.)

MR. CARMODY: Noreen, I think what you are bringing up is a valid concern. I'm just saying, we should all think about that.

(End of Tape #1, Side A)

(Beginning of Tape #1, Side B)

--- not even that, I mean his density issues are valid concerns. I'm just saying ---

MS. LAURINAITIS: I mean there's no way, I mean, I agree with him if we go this dense, we're going to have something significantly different in different parts of Town.

THE CHAIR: I think we've got a lot of discussion of this. I think we've talked about the ROD for a long time. I think it's a very good planning tool. I think we've gone through an excellent exercise. I think there are concerns. I think we need to address them directly with the Planner at our next meeting. I think we should look at tabling this tonight.

MR. DELSANTO: Move to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

ATTORNEY SCIOTA: Mr. Chairman, if I may, Items E, F, G and H are all continued public hearings.

THE CHAIR: Very good. So, we will look to table those.

MR. KENEFICK: Move to table all of them.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

THE CHAIR: We will table Items E through H.

E. Petition of the Southington Planning and Zoning Commission to amend the Zoning Regulations text of Section 3-05.2 to permit expansion of Special Permit Uses in a Residential Office (RO) zones (ZA #526).

F. Petition of the Southington Planning and Zoning Commission to amend the Zoning Regulations text for upgrading of the standards and considerations during review of a Special Permit Use. Section 8-2 - General Considerations for a Special Permit Use (ZA #527).

G. Petition of the Southington Planning and Zoning Commission to amend Section 2-04.D pertaining to definitions of two family dwelling (ZA #526)

H. Petition of the Southington Planning and Zoning Commission to amend the Subdivision Regulations text to permit modifications of the bonding process for subdivisions pending final approval, Section 4-08 - Consideration of Final Subdivision Plan (S.A #16).

I. Site Plan Application of Leone Realty & Development proposing to construct a 12,000 sf mechanical services

building, accessory building and parking area, property located at 360 Captain Lewis Drive, SPR #1426.

MR. GIUDICE: Stephen Giudice with the office of Harry Cole & Son located at 28 Werking Street in Plantsville. We have received comments and we are working on this plan presently. So, we just request that you table it this evening.

MR. DELSANTO: Move to table.

MR. DEMELLO: Second.

(Motion passed unanimously on a voice vote.)

J. Subdivision Application of Westridge Development Corporation proposing to resubdivide property for purposes of creating 2 lots, 267 Flanders Street S #559.2.

ATTORNEY SCIOTA: Staff's comments have all been addressed and this is ready for action.

MR. KENEFICK: Motion for approval.

MR. DELSANTO: Second.

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

K. Site Plan Application of Travel Centers of America proposing slope stabilization for the previously approved travel center facility, property located at 1875 Meriden Waterbury Road, SPR #1326.2.

ATTORNEY SCIOTA: Mr. Chairman, comments are still being addressed. We request a table.

MR. DELSANTO: Move to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

L. Site Plan Application of Vincent Nanfито & Stacey Raya proposing the construction of a 2,824 sf addition to an existing building with related parking improvements, property located at 200 Queen Street SPR #1427.

ATTORNEY SCIOTA: Once again, Mr. Chairman, staff comments are being addressed. We're looking for a table.

MR. DELSANTO: Move to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

M. Subdivision Application of Angelo Calandra proposing to resubdivide property for purposes of creating 3 lots (Record Subdivision of Ryan Kelly) property located at 50 Matthews Street S #1238.

ATTORNEY SCIOTA: WE have a letter from the applicant's attorney requesting a table.

MR. DELSANTO: Move to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

N. Site Plan Application of Lake Compounce, LP proposing to construct a spinning coaster ride and a food service area totaling 8,000 sf property located at 822 Lake Avenue SPR #1429.

ATTORNEY SCIOTA: Staff comments are still being addressed. Request a table.

MR. DELSANTO: Move to table.

MR. DEMELLO: Second.

(Motion passed unanimously on a voice vote.)

O. Subdivision Application of Et Al Properties, LLC proposing to subdivide property for purposes of creating 8 single family lots (Five Acre Estates), property located at 145 Spring Lake Road S #1239.

ATTORNEY SCIOTA: WE have a letter from the applicant's attorney requesting a table.

MR. DELSANTO: Move to table.

THE CHAIR: Could I just ask one question?

MR. DELSANTO: I remove my table.

THE CHAIR: Tony, you talked about straightening out the road and you were working on a land deal of some sort?

MR. TRANQUILLO: Yes, I transmitted some maps to the applicant. As a matter of fact, his letter this evening, excuse me, references those maps and the fact that they are working with us to straighten that curve.

THE CHAIR: So, they are going to give over some property to the Town to straighten the road out?

MR. TRANQUILLO: It will not straighten the road out right away. That'll be done later on. But we will have the property to do it.

THE CHAIR: Okay, thanks.

MR. DEMELLO: Move to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

P. Site Plan Application of APD Engineering on behalf of Wal-Mart Stores, Inc. proposing to construct 6,283 sf glazed canopy structure over the existing fenced garden

center area at the existing Wal-Mart Retail store facility, property located at 235 Queen Street SPR #1210.3.

ATTORNEY SCIOTA: Mr. Chairman, this is still under staff review. Request a table.

MR. DEMELLO: Motion to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

Q. Site Plan Application of The JJ Ryan Corporation proposing to construct a 4,500 sf addition to the north end of an existing building and proposed roof over a storage area in the central part of the building within an I-2 zone, property located at 335 Atwater Street SPR #834.5.

ATTORNEY SCIOTA: The applicant's representative is here. All staff comments have been met.

MR. BOVINO: Sev Bovino, Planner with Kratzert, Jones. I did meet with Tony and we went over the plans. And, basically they're ready for action unless you have a question.

MR. KENEFICK: Motion for approval.

MR. CARMODY: Second.

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

R. Site Plan Application of WD Partners, Inc. for Travel Centers of America proposing an expansion of the convenience store/restaurant at the exiting travel facility and modification to parking layout and a proposed gas canopy totaling 19,492 sf, property located at 1875 Meriden Waterbury Turnpike SPR #1326.3.

ATTORNEY SCIOTA: Mr. Chairman, staff comments are still under request. We request a table.

MS. LAURINAITIS: Move to table.

MR. DELSANTO: Second.

(Motion passed unanimously on a voice vote.)

ATTORNEY SCIOTA: Mr. Chairman, Items S, T and U are already scheduled for a public hearing on May 2nd.

S. Special Permit Use Application of Lawrence E. Schmitz, proposing to construct a parent/grandparent apartment to an existing single family dwelling, on property located at 18 Barbara Lane SPU #422.

Scheduled for Public Hearing on May 2, 2006

T. Special Permit Use Application of Saucier Builders, Inc. proposing to construct a parent/grandparent apartment to an existing single family dwelling, property located at 160 Shweky Lane SPU #423.

Scheduled for Public Hearing on May 2, 2006

U. Petition of Denorfia, Gallagher & Kennedy, LLC proposing to amend Section 2-01.A.A.1 and Section 2-01.A.A.2 text to expand the number of spaces allowed in private garages in the R-80 Residential zones, ZA \$529.

Scheduled for Public Hearing on May 2, 2006

NEW BUSINESS ITEMS

A. Site Plan Application of Myjak & Lamb proposing the construction of a 24,392 sf industrial building with parking areas within an I-2 zone, property located at 82 Old Canal Street SPR #1430.

ATTORNEY SCIOTA: This is a relatively new application. Staff is working on its punch list and under review by the applicant.

MR. KENEFICK: I'd just like to ask a question if I could. Where is Old Canal Street?

ATTORNEY SCIOTA: You know the little angle that comes up, Fran, if you go across from JJ Rau. The letter street?

MR. TRANQUILLO: Next to New Penn on the north side.

MR. KENEFICK: Oh, yah.

ATTORNEY SCIOTA: That little dead end street.

MR. KENEFICK: I thought that was a driveway.

ATTORNEY SCIOTA: You know the Leach property? That's how you access the Leach property, through there.

MR. CARMODY: I thought that was a driveway, too.

MR. KENEFICK: Motion to table.

MR. DEMELLO: Second.

(Motion passed unanimously on a voice vote.)

B. Subdivision application of Hillcrest Orchards, LLC c/o Attorney Anthony A. Denorfia proposing to subdivide property for purposes of establishing a 29 lot Open Space Preservation Subdivision in conjunction with Special Permit Use #424 within an R-40 Zone, property located at 508 and 544 Meriden Waterbury Turnpike S #1240.

ATTORNEY DENORFIA: Mr. Chairman, members of the Commission, again, Anthony Denorfia representing the applicant, Hillcrest Orchards located in Wallingford.

Again, this is a 29-lot open space subdivision. It's part of the Doran property and also the Ianini property off of Meriden Waterbury Road. The access will be off of the Meriden Waterbury Road. And, the other access is going to connect with the Wight property that you approved tonight, Rahlene Drive.

We will finish that connection from Rahlene Drive out to the Meriden Waterbury Road.

As you know, an open space preservation subdivision what it allows you to do is to reduce your lot sizes and to a lower size. In this case we're going from acre lots, or 40,000 sf lots to 22,500 sf lots minimum, and it gives you a few advantages.

First, the Town would be getting approximately 9.7 acres of open space and only, on this particular site, there is very little wetlands. Out of 33 acres, there's only about 1.6 acres of wetlands.

It allows you to buffer, in this case we're able to buffer the properties with open space around the existing subdivisions of Ruy Drive and Kiefer Road. In addition to that, we're able to buffer in between the lots themselves and we're also able to avoid any wetlands impacts. All of our disturbances are not only outside of the wetlands, but also out of the buffer areas.

Again, this application was just filed. We're before inland wetlands. We don't anticipate a problem seeing that we don't have any impact and I think you'll be scheduling the SPU for a public hearing.

THE CHAIR: Thank you.

ATTORNEY SCIOTA: Need a table, Mr. Chairman.

MR. DELSANTO: Move to table.

MS.LAURINAITIS: Second.

(Motion passed unanimously on a voice vote.)

NEW BUSINESS ITEMS TO SCHEDULE FOR PUBLIC HEARING FOR MAY 2, 2006 or MAY 16, 2006:

A. Special Permit Application of Hillcrest Orchards, LLC c/o Attorney Anthony A. Denorfia, proposing to establish a 29-lot Open Space Preservation Subdivision within an R-40 zone for property located at 508 and 544 Meriden Waterbury Turnpike SPU #424.

B. Subdivision Application of NBA, LLC proposing to resubdivide property for purposes of elimination of sidewalk requirements in conjunction with the previously

approved Sandy Ridge Estates subdivision, property located off the easterly side of Churchill Street known as Assessor's Map #165, Parcel 020 S #1235.1.

C. Subdivision Application of John's Custom Carpentry, Inc. proposing to resubdivide property for purposes of elimination of sidewalk requirements in conjunction with the previously approved Pine Hollow Estates, Subdivision, property located off West Pines Drive known As Assessor's Map \$154, Parcel 2, S #1236.2.

ATTORNEY SCIOTA: Item B was withdrawn. Mary recommends both A & C to be heard on May 2nd.

The other three you have already scheduled are relatively minor.

THE CHAIR: All right, let's schedule both A & C for May 2nd.

MISCELLANEOUS:

A. Request for Approval in accordance with Section 8-24 of the Connecticut Statutes for a land donation of approximately 6.25 acres by Mr & Mrs William LePage located off Shuttle Meadow Road adjacent to Crescent Lake (Referral #405.)

ATTORNEY SCIOTA: Mr. Chairman, if I may, this is a request made originally by the Open Space and Land Acquisition Committee for the Town Council. This is a donation of 6.25 acres from the LePage Family, which is contiguous to our Crescent Lake property, which we already own. The Town Council is looking for a favorable 8-24 for this request.

MR. DELSANTO: Send back a favorable 8-24.

MR. KENEFICK: Definitely.

MR. DELSANTO: The price is right I think on this land.

MR. CARMODY: Second.

ATTORNEY SCIOTA: Better than \$0.25 on the dollar, Fran.

MR. KENEFICK: You're right.

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

B. Request of Attorney Theodore Poulos for a 90-day Filing Extension in order to file the Mylar map for the previously approved Cortland Estates Subdivision, property located at 235 Flanders Street S #1234.

ATTORNEY SCIOTA: Staff has no objection.

MR. DEMELLO: Make a motion for approval.

MR. CARMODY: Second.

MR. KENEFICK: How comes he needs a 90-day extension?

ATTORNEY SCIOTA: How come he needs it?

The Planner had no objection, so I don't have objection, either.

UNIDENTIFIABLE: Well said, Mark.

ATTORNEY SCIOTA: I assume he didn't finish it. It was a rough and cold winter, Fran.

MR. TRANQUILLO: Somebody forgot to file the Mylar, Fran.

MR. KENEFICK: Oh! That's what happened.

ATTORNEY SCIOTA: Attorney Poulos, that's what it says here: Poulos. Would certainly not forget to do that.

THE CHAIR: Any other discussion?

MR. TRANQUILLO: Just a formality.

(Motion passed 6 to 0 to 1 with Mr. Kenefick abstaining on a roll call vote.)

C. Request of Harry E. Cole & Son for a 60-day Filing Extension in order to file the Mylar map for the previously

approved 122 Spring Street Realty, LLC Subdivision,
property located off 122 Spring Street S #1237.

ATTORNEY SCIOTA: Because Staff can't answer any questions,
we take no position on this.

(Chuckles)

MR. DELSANTO: Move to approve the 60 days ---

MR. GIUDICE: Yah, that's supposed to be 90 days and not 60.

ATTORNEY SCIOTA: Oh, 90 days? We certainly take no position
on it then.

MR. DELSANTO: I'll make the motion to grant a 90-day filing
extension in order to file a Mylar map.

THE CHAIR: We have a motion ---

MR. CARMODY: Second.

THE CHAIR: And, a second. Any discussion?

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

D. Plan of Conservation & Development

ATTORNEY SCIOTA: I hate to disappoint you tonight, Mr.
Chairman, but I have nothing on that issue.

THE CHAIR: I do.

MR. CARMODY: Listen up, everybody.

THE CHAIR: Back in August we were told that the Plan of
Development was going to be done in December. Done in three
months.

And, it came out rather strongly against a proposed
moratorium on development in Town that it would only last
for three or four weeks because the plan was going to be
done.

Then we were told it was going to be done in January and
February and March and April and May. Well, we're getting

close to May now. We were told at our last meeting that the Plan was virtually completed and we would receive a draft copy last week.

We have not seen anything. I haven't seen anything. I know I've asked on several occasions?

MR. DELSANTO: You didn't get it?

THE CHAIR: Haven't seen a thing. So, I guess what I'd like to get on the record tonight is I personally am very disappointed today that we've been waiting an excessively large amount of time and have been promised over and over and over definitively that it's coming, it's coming, it's coming. And, that TPA has worked on it. It's completed and it's done and it will be done in December, January, February and I'm repeating myself. But, I'd like to know when it's going to be done.

I think we've committed, this Commission has committed to this Town that it would be done and that it would've been done last year when we were told it was going to be done and it's still not. And, I'm really upset about it because we have been misled, I think, on this.

I don't know where we stand and I'd like to see where we stand financially on this in terms of what we're paying for this Plan of Development. Because if we are going to be charged in excess of what the quote was, I, for one, would say we're not going to pay it because it's not done and they haven't met their commitment.

Great people. Nice to work with. Very friendly. Lot of information. Have not delivered what they promised on time to this Town or this Commission. And, I'm mad.

I don't know what anybody else things.

ATTORNEY SCIOTA: What I can do, Mr. Chairman, is that I will talk with the Planner and get a written estimate of when it's going to be done and I'll have her get a breakdown as to what the budget was, what has been spent and what remains.

MR. CARMODY: Can we also get an explanation for why it is not done? Not, when it's going to be done. Why don't we have it now? Like they said they were going to have it.

MR. DELSANTO: I think two meetings ago they said, we have a draft.

MR. CARMODY: We're going to have to put him in a straight jacket if we don't an explanation. And, I don't blame you. I'm pooh-poohing it a little bit, but you know, he's right. Zaya's right. If I handled my business this way -- I'd be in trouble.

ATTORNEY SCIOTA: Dave and I will try to get whatever questions we can.

MR. CARMODY: If I promised to get somebody something and I was four or five months late, I'd be in a little bit of hot water. So, I think ---

MR. DELSANTO: No. You'd be fired.

MR. CARMODY: We should turn up the heat a little bit.

MR. DEMELLO: You know, I agree with you, Zaya, but the other thing is one of their representatives said at the last meeting that we had, there was not going to be any further cost generated ---

MS. LAURINAITIS: Right.

MR. DEMELLO: --- beyond the normal fee that we entered with them.

THE CHAIR: I'd sure like to make sure of that.

MR. CARMODY: It's not even, you're not concerned about the cost at this point, it's the timeliness.

THE CHAIR: We have not delivered to the citizens of Southington what we told them we would.

MR. DEMELLO: Exactly.

MS. LAURINAITIS: I have a question if we're going to be contacting TPA, if they could update their market study on retail? Which they presented to us as part of the data they gave us.

THE CHAIR: You know, it's interesting, just as part of that

and maybe it goes with our previous discussion and sort of rolls with dealing with the market. They've been involved with this. They've seen this development on West Street for a year. Because they've been doing this for a year it seems like or more and surely they've been given an opportunity to quote on this and I would think and I'm not saying they don't have an issue, but I would've thought that if by now they had an issue on this development that would've said it and if they come up with an issue now, man, I'm going to have a bigger problem with them because they have had access to this, they have seen the proposals over and over and over. If they've got a problem with it, then I've got a much more serious problem with TPA.

MS. LAURINAITIS: Well, then the other thing is I would like it clear from them there is an interchange development district in that area "cohesively designed commercial and business development" what is she talking about? What types of businesses?

THE CHAIR: Okay. Can you ask that Dave? Thank you.

Anybody else?

MR. KENEFICK: Agree with you.

And, I agree on this other thing, too, about this, they should not have a negative response to this.

MR. DELSANTO: Motion to adjourn.

EVERYONE: Second.

(Whereupon, the meeting was adjourned at 8:15 o'clock, p.m.)