

SOUTHINGTON PLANNING AND ZONING Commission  
Public Hearing  
June 6, 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 7:05 pm with the following members in attendance:

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

Alternates: James Sinclair  
Robert Borkowski

Others: Mary Hughes, Town Planner, Mark Sciota, Town Attorney, Anthony Tranquillo, Town Engineer and John Weichsel, Town Manager

Absent: Richard Hart, Alternate  
Brian Zaccagnino, Alternate

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:**

A. Continued Public Hearing from May 2, 2006 - 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.

Ms. Hughes informed the Commission that this application was continued at your last meeting in order to enable the staff to complete their review of the plans. We have completed our review. The

applicant has requested a 35-day extension in order to address staff comments.

(Read letter from Attorney Denorfia which is on file in the Town Planner's office asking for an extension.)

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

(No response)

The Chair called for those speaking against the application.

RICHARD KREZEL, ATTORNEY: 100 Queen Street, Southington, CT. I'm appearing on behalf of Bill LePage of LePage Homes, Inc. I was asked to offer some comments with regard to the pending application and analyze it and make some comments on it.

(Submitted a Memo for the file and copies for the Commissioners.)

(He read the letter into the record.)

LARRY DEPAOLO: Blatchley Avenue, Southington. I have a few things. I brought this up at the last meeting and it was never answered. It goes along with the purpose of the open space land. There are six items and I don't see where anyone of these items are met on 3-07.2. Explained.

If he went to acre lots, there would be four less homes than by doing open spaces.

I think that he should meet the six requirements and if he doesn't meet it, I think it's a closed case. He could put his acre lots.

Discussed the different scenarios Mr. LePage wanted to put into that area. To say he is concerned about saving space and land use, I can't buy that.

Personally, I think the best thing that can be done is to keep it R-40, put in the homes, come in with a loop and go out to Rahlene Drive. They have to come to the Meriden Waterbury Road with a traffic light. That solves all the problem.

Discussion.

Thank you.

MARYELLEN HOBSON: 113 Blatichley Avenue. I also speak in opposition again tonight at this public hearing basically because of the concerns I addressed at the former public hearing haven't been addressed, yet.

I'd like to request that the public hearing be continued because it seems like there's some things in the works as far as this plan goes and I'd like the opportunity to review those and provide input.  
Discussion.

I have one new concern and that being that that property is a former orchard and due to knowledge there was a fair amount of pesticides that used to be appropriately and legally dumped on that piece of property by Mr. Doran. I want to make sure we do due diligence on this piece of property, also.

Thank you.

Discussion of the brook behind her house.

Hearing nobody else speaking against the public hearing, the public hearing will be continued to the next meeting.

(Whereupon, the public hearing portion of the meeting was adjourned at 7:20 o'clock, p.m.)

SOUTHINGTON PLANNING AND ZONING Commission  
June 6, 2006  
Town Hall Council Chambers, 75 Main Street, Second Floor

#### MINUTES

Chairman Zaya Oshana, called Southington Planning & Zoning Commission to order at 7:20 pm with the following members in attendance:

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

Alternates: James Sinclair  
Robert Borkowski

Others: Mary Hughes, Town Planner, Mark Sciota, Town Attorney, Anthony Tranquillo, Town Engineer and John Weichsel, Town Manager

Absent: Richard Hart, Alternate  
Brian Zaccagnino, Alternate

A quorum was determined.

The Pledge of Allegiance was recited by everyone in attendance.

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

**ZAYA OSHANA, Chairman, presiding:**

Approval of Minutes – Regular PZC meeting of May 16, 2006-06-06

MR. DELSANTO: So moved.

MR. DEMELLO: Second.

MR. KENEFICK: I have a problem. On Page 18 of our Minutes, we mentioned about we waived sidewalks on this building on Queen Street.

MR. CARMODY: Hold on a minute.

MR. KENEFICK: And, I think Attorney Sciota mentioned that there was no sidewalks in front of the police station and I said I thought we waived them for the police station. Well, there's about 480 feet of sidewalks in front of the police station.

So, I don't know what could be done about it, or nothing, but I just, you know, in the record of our meeting we stated that there was no sidewalks.

ATTORNEY SCIOTA: Can't change the Minutes.

Can't change the Minutes. If it was said, it was said.

MR. KENEFICK: That's it. All right. Just want to make that clear.

MR. DELSANTO: So, the information is incorrect but the Minutes ---

MR. KENEFICK: I think we rushed to judgment here a little bit on waiving the sidewalks.

MR. CARMODY: I don't know if we rushed to judgment or we had the wrong information. Right?

THE CHAIR: We have a motion and a second for approval. Any further discussion?

(Motion passed unanimously on a voice vote.)

#### UNFINISHED BUSINESS

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.

THE CHAIR: We are going to table Item A because the public hearing has been continued.

We'll move on to Item B.

B. Site Plan application & Filling of Floodplain Application of Vincent Nanfita & Stacey Raya proposing the construction of a 2,824 square feet addition to an existing building with associated filling of the floodplain area and related parking improvements, property located at 200 Queen Street SPR #1427 & FF #193.

MS. HUGHES: This is ready for action this evening. There's two outstanding items I'd just like to draw the Commission's attention to. One is that I had recommended you evaluate whether or not you wanted to close the curb cut on Queen Street because Lazy Lane will be signalized at that intersection with Route 10 and we had talking about we need to do a little more access management on Route 10.

And, then the other issue is that because it's an addition, they didn't have full architectural plans and if you are inclined to approve this this evening, stipulate that the architectural plans have to be submitted and reviewed by you and approved prior to the issuing of a zoning permit.

MR. HUGHES: Good evening, Mr. Chairman and Commission members: My name is David Hughes from the office of Harry Cole & Son. I'm here this evening on behalf of Mr. Nanfito.

As Mary Hughes had described, we had a couple of outstanding issues and I'd like to be able to address them one. One of them is addressed with the rendering. The applicant hasn't contracted with an architect at this point in time. They've opted to go through the site plan approval process prior to putting together any floor plans or building elevations or renderings. So, it would be greatly appreciated if we could definitely get the stipulation for that rendering to come before the Commission at a later date.

The closing of the existing curb cut, um, my associate, Mr. Giudice, has stated on a response to Mr. Tranquillo's comments dated May 22nd, Item Number --- (pause) Number 10. The applicant wishes to retain the exiting driveway for possible future use. Um, the existing curb cut, I realize, on Queen Street, curb cuts are like gold. You know, they're very important to have. And, I think the existing --- the client would like to keep the existing curb cut for future use and also for current use.

I don't have much more to comment on the existing curb cut, to be honest with you.

THE CHAIR: Mr. DeSanto?

MR. DELSANTO: With regards to that curb cut on Queen Street, is that for customer use? Is that primarily for staff?

MR. HUGHES: I'm not sure. I would guess that it's primarily for staff. However, if you are coming in the southbound lane, obviously, this is an easy way to access the site.

It is a good access for staff because the staff can come in on this side, park and enter the building from the rear and not be seen by patients. This is an existing dentist office that wants to put a small addition on.

MR. DELSANTO: Can you access that curb cut through the main parking lot?

MR. HUGHES: Can we access? I believe that this is one way, this direction.

MR. DELSANTO: I got it.

MR. HUGHES: Westerly.

THE CHAIR: Any other questions?

MS. LAURINAITIS: I have a question that the curb cut from Queen Street, around the back side of this building, that looks very narrow at that point just before it gets to the 14 spaces of parking?

MR. HUGHES: At this point right here or this point (indicating)?

MS. LAURINAITIS: There. I don't know, it's showing smaller here. This looks like, is it 4 feet?

MR. HUGHES: I'm sorry?

MS. LAURINAITIS: Is it 4 feet?

MR. HUGHES: No.

MS. LAURINAITIS: I mean it looks --- I don't know what's on my site plan.

MR. HUGHES: It is probably a minimum of 10 feet.

(Pause)

Mr. Tranquillo, do you have a scale? I can take a look at what that dimension is.

MR. TRANQUILLO: I don't have a scale with me.

MS. HUGHES: I don't have a scale with me, either.

MR. HUGHES: There's two locations that the driveway gets narrow. The location in the rear --- is 12.5 feet wide.

MS. LAURINAITIS: Okay, so the access from Queen Street is going to take someone completely around the back of the building to these 14 spaces than around the backside of the property.

MR. HUGHES: Well, actually, it would take someone to the rear parking lot to access all of the parking spaces in the rear.

MS. LAURINAITIS: And, where is the access to the building?

MR. HUGHES: The existing access to the building is here (indicating) and I believe we are proposing a secondary access as well as the rear of the building.

Here, here and this is the existing (indicating).

MS. LAURINAITIS: And, that is to be marked as one-way?

MR. HUGHES: Yes, we can definitely mark it as one way.

THE CHAIR: Tony, what are your thoughts on that curb cut?

MR. TRANQUILLO: Well, I think I've kept a fairly consistent opinion through the years. Any curb cut you can eliminate on Queen Street is a tremendous benefit. It eliminates a lot of conflict points, left turns in and out. Even though it is a one way, a left turn in there wouldn't be very beneficial either, especially with the traffic light at Lazy Lane. So -  
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ATTORNEY SCIOTA: Tony, put the microphone in front of you, please?

MR. TRANQUILLO: I've, as I say, I've maintained a fairly consistent opinion that we should eliminate curb cuts whenever possible. It is a good candidate. They have a lot of frontage on Lazy Lane. It's the type of use that doesn't generate hundreds and hundreds of cars, so they can easily go through the intersection.

THE CHAIR: And, you are saying you would only retain that for future use?

MR. HUGHES: Well, that's what Mr. Giudice has stated in his comments to Tony. Mr. Bovino has actually stated that one of the other uses for the existing drive is delivery. Separating the patient entrance from the delivery. So, we're talking about employees and delivery from one entrance versus the entrance that's used by patients.

MS. LAURINAITIS: Where would the delivery entrance be, though?

MR. HUGHES: Well, as I stated, we are going to have two new entrances on the proposed addition. One here and one here (indicating). On the existing building, in this location where the proposed addition is is where there's an existing parking lot or paved

area and this landing here with the stairs is the exiting delivery entrance.

MS. LAURINAITIS: The future use is proposed for deliveries, wouldn't they still have to come all of the way down the driveway and drive around to the other side of the building in order to gain access to the building?

MR. HUGHES: I would think if they're utilizing the rear entrance, they could drive in and park here, and enter right in the back there.

MS. LAURINAITIS: If they park there, they're going to block the driveway.

MR. HUGHES: There's a potential for that, yes.

There's also room to park here or park in a spot that's here or here. There's other places to park.

THE CHAIR: Any other questions?

MR. CARMODY: Are we looking for --- this is ready to go?

I'm going to make a motion to approve it, taking out the curb cut on Queen Street, but with the stipulation that the architectural plans be submitted for our approval. I don't think, in my opinion, I'm making an assumption, I don't think that curb cut on Queen Street is hardly essential to the current or any future use of this property. Lazy Lane cut is fine.

MR. DELSANTO: I'll second it.

THE CHAIR: I agree with you, John. I think that the elimination of this curb cut is a good idea and I think it goes along with what we've been trying to do on this street.

ATTORNEY SCIOTA: Do you want to do two motions, Mary, the floodplain filling first, or do you want to do it afterwards?

MS. HUGHES: We can do the FF afterwards.

ATTORNEY SCIOTA: Okay.

MS. HUGHES: This is a motion to approve the site plan with the elimination of the curb cut on Queen Street with the stipulation that

the architectural plans be submitted for the Commission's review and approval prior to issuing a zoning permit.

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

Now, we need a motion on the FF, which we have a favorable recommendation from the Conservation Commission on.

MR. DELSANTO: Motion to approve.

MR. SAUCIER: Second.

(Motion passed unanimously on a voice vote.)

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

MS. HUGHES: The applicant has received all of the staff comments and is in the process of addressing the comments.

I don't know if you have anything additional to add?

MR. HUGHES: That's correct. For the record again, David Hughes from Harry Cole & Son. We have obtained all of the comments from the staff and we are in the process of addressing them. We'd like to request a table of this application.

MR. DELSANTO: Move to table.

MS. LAURINAITIS: Second.

(Motion passed unanimously on a voice vote.)

D. 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 with modification to the parking layout and a proposed gas canopy totaling 19,492 square feet, property located at 18975 Meriden Waterbury Turnpike SPR #1326.3.

MS. HUGHES: This is ready for action this evening. The applicant has

received all of the staff's comments.

Tony has a couple of things he'd like to bring up.

MR. TRANQUILLO: One, a review, a final review of the plans, and I've already spoken to the applicant, we want processed stone base under all pavement, sidewalks and things of that sort. The applicant has agreed to that.

The other issue was sidewalks along Route 322. There are no sidewalks on Route 322. I'm not sure if the Commission wants to discuss that or waive the sidewalks. I think the applicant wants to address you on that.

THE CHAIR: That's it, Tony, those two items?

MR. TRANQUILLO: Yes.

MR. CARMODY: Are we sure there are no sidewalks?

ATTORNEY SCIOTA: Don't comment on the sidewalks.

MR. CARMODY: One hundred percent positive?

MR. TRANQUILLO: What's that?

MR. CARMODY: Are you 100 percent positive there are no sidewalks?

MR. KENEFICK: He didn't say that.

MR. TRANQUILLO: I'm not going to say I'm 100 percent positive ---

ATTORNEY SCIOTA: Don't say anything, Tony. Take my advice and take the 5th on the sidewalks.

THE CHAIR: Name and address, sir?

TODD DILLON: (Inaudible) Partners, located out of Waltham, MA. I represent my client, Travel Centers of America. A brief introduction to the project that was originally discussed a ways back is my application for site plan which we are requesting approval tonight, is for an addition of approximately 2,000 sf to the existing retail restaurant building. There is demolition of the existing gas canopy, construction of a new gas canopy, reconfiguration of the car parking area, and also the diesel canopy here is going to be raised to meet the existing height

of the easterly canopy. There are two different elevations right now, so they'll be raised to be equal.

The site --- internally, within the building, it will be completely redone. New quick serve restaurants being added. The existing sit down restaurant will be reduced in size to make room for those quick serve restaurants. Overall, this project is about a \$3 million budget for improvements on site.

What I want to discuss with the board in regard to the sidewalk is that the client would be or is willing to install sidewalks in or at the board's request. As Tony said, we don't really see that they might be appropriate on site and one of our major concerns is actually the grade going down to the west towards Ruggles Road. It's fairly steep and I don't know if you guys remember a couple of weeks back, there's a steep slope application. So, you know, there's a great grade change and without looking at true engineering right now, we're actually concerned that we might not be able to derive an accessible route on that sidewalk that meets State code.

THE CHAIR: Tony, what do you think of that?

MR. TRANQUILLO: I just spoke to the applicant today about the grade situation there and I know what he's talking about. There's a side slope there but I think there's enough room to build a sidewalk.

Just from memory. It could be engineered so that there would be a safe sidewalk there.

THE CHAIR: To take it down to Ruggles Row.

MR. TRANQUILLO: Yes. It would not go all of the way down to Ruggles Row, though. It would stop at Chick's Garage.

THE CHAIR: Right. Right down that way, though.

MR. KENEFICK: Whatever.

MR. TRANQUILLO: Yah, thank God!

THE CHAIR: All right. Any questions?

MS. LAURINAITIS: Did we clarify if there's sidewalks on the other end of the property going up towards the Dunkin Donuts and the hotel?

MR. TRANQUILLO: There are sidewalks in front of the movie theater. I don't believe there are sidewalks anywhere else, but there will be in front of Home Depot.

MS. LAURINAITIS: Okay. And, aren't there sidewalks in front of Dairy Queen, as well?

MR. TRANQUILLO: Yes, there is. Yes. It's spotty in that area.

MS. LAURINAITIS: That's how I remember it, being spotty. So, it's my, I'd like to see these.

MR. DELSANTO: How much foot traffic is going to be going to Chick's Radiator Service?

MS. LAURINAITIS: Um, I think we are talking about the Travel Center and the people coming in and out and ---

MR. DELSANTO: I know that.

MS. LAURINAITIS: --- if they come in here and don't see what they want and they want to walk up to Dunkin Donuts or Dairy Queen ---

MR. DELSANTO: The other way.

UNIDENTIFIABLE: Easterly, not westerly.

MS. LAURINAITIS: Having the sidewalks would benefit.

MR. DELSANTO: Oh, absolutely. I'm saying the other way towards Chick's.

MR. TRANQUILLO: Actually, that's a good point. My visit on site did reveal several people crossing the street there and going down to Dunkin Donuts and Dairy Queen. I saw a few truckers walking that route.

MR. DELSANTO: So, westerly, you think it's beneficial.

MR. TRANQUILLO: No. Easterly. Definitely beneficial.

MR. DELSANTO: And, westerly, it's ---

MR. TRANQUILLO: Well, westerly, that's a decision the Commission makes. That's not going to get as heavily used, but your policy has

always been to build sidewalks across the entire frontage.

MR. KENEFICK: Right. You know, it's not that --- you know, Chick is probably going to be there forever, either. I mean, that property's been marketed for a number of years. So, I think it would be a good thing to --- if the applicant's willing to put the sidewalks in, I think we ought to take him on his word.

THE CHAIR: I agree, and I think if we have some spotty situations in that area, let's tighten it up. That's what we've been trying to do in a lot of areas, tighten them up, tie it together. Make it safe.

MR. DILLON: Can I make just one request is that a condition that, because we do have to do --- we need some additional survey information up front, so we get that additional survey information and I can work with Tony just to make sure, because I do have some serious concerns that we're not going to be able to provide a sidewalk to meet State code and that condition be that Tony is satisfied, that we're satisfied that we can do that.

THE CHAIR: That's a fair deal.

MR. DELSANTO: That poses a question for me. What if they can't because of the grade?

MS. HUGHES: They'd have to come back and request a waiver.

ATTORNEY SCIOTA: I agree, don't put a stipulation -- they have to come back to you to request a waiver. Don't put that pressure on the engineering department. You should make that call at that time.

You approve it with the sidewalks and if they can't do it for some engineering purpose, he comes back here and explains it and Tony will acquiesce to it at that point.

MR. DELSANTO: I'll make a motion to approve the application with the stipulation that sidewalks be placed throughout the property, at the front of the property.

MS. LAURINAITIS: I'll second.

MR. DELSANTO: And, the other stipulation was the gravel, processed stone under the --

MR. TRANQUILLO: As a base for hard surfaces.

MR. DELSANTO: --- as a base for hard surfaces.

THE CHAIR: We have a motion.

MS. LAURINAITIS: And, a second.

MR. KENEFICK: Tony, have they addressed your grading?

MR. TRANQUILLO: That's a separate application. That was approved last time. They'll be working on that.

THE CHAIR: Any other discussion?

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

E. Subdivision application of Hillcrest Orchards, LLC c/o Attorney Anthony A. Denorfia proposing to subdivide property for purposes of establishing a 19-lot Open Space Preservation Subdivision (Hillcrest Orchards) within an R-40 zone in conjunction with Special Permit Use #424, property located at 508 and 544 Meriden Waterbury Turnpike S #1240.

THE CHAIR: This will be also tabled this evening.

F. Site Plan Application of 31 Liberty Realty, LLC proposing to construct a 21,450 square feet office building, property located at 31, 41 & 63 Liberty Street SPR #1414.1.

MS. HUGHES: Mr. Bovino is here on behalf of the applicant. We've completed our review and received revised plans this afternoon.

MR. BOVINO: Good evening, Mr. Chairman and Commission members: Sev Bovino, Planner with Kratzert, Jones representing the applicant. We received the comments and addressed all comments and the plans are at the Planning Department if the Commission has any questions?

THE CHAIR: Are there any questions for Mr. Bovino?

(No response)

You are reviewing the plans now, Mary?

MR. BOVINO: The plans are all completed according to the comment list. I gave them responses in writing. You know that we are changing the driveway from the north side to the south side. That's basically the change to this plan. Everything else basically is the same. We have parking on our property. There's no issues with the Town property or anything like that.

THE CHAIR: Okay.

MR. CARMODY: Are we ready?

MS. HUGHES: We got the plans late this afternoon, so we have to review them.

MR. DELSANTO: Move to table.

MR. SAUCIER: Second.

(Motion passed unanimously on a voice vote.)

G. Site Plan Application of Faith Living Church proposing to convert an existing building into 1,850 square foot of office space within a CB zone, property located at 12 Grove Street SPR #1431.

DAVID HUGHES: Harry Cole & Son. We have received the Town staff's comments. We have yet to address all the comments and we respectfully request a table of that application to the next meeting.

MR. CARMODY: Move to table.

MS. LAURINAITIS: Second.

(Motion passed unanimously on a voice vote.)

H. Site Plan Application of CV Tool c/o Carmine & Assunta Votino proposing to construct a 12,648 square foot addition to an existing manufacturing facility, property located at 44 Robert Porter Road SPR #791.5.

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

Again, this application as reviewed and comments are provided. We responded to all the comments. As far as we are concerned, it's ready for action. But, it was brought today to the Planning Department. If you have any questions, I'll be glad to answer them.

There is an issue of sidewalk. Mary recommends that you take action on the request to waive the sidewalk. They are shown on the plans, but we are requesting a waiver. They were waived before. There is no sidewalk on this street. Also, under Section 9-03.9a of your regulation, it says that sidewalks are required on all zoning districts except in Industrial I-1 and I-2 where street sidewalks are optional.

MR. DELSANTO: This is ready for action.

MS. HUGHES: No.

MR. CARMODY: Make a motion to waive the sidewalks.

MR. DELSANTO: Second.

THE CHAIR: Discussion?

MR. KENEFICK: I think I'd be in favor of waiving the sidewalks. I don't think there are any sidewalks at all there. It's an industrial zone. This gentleman seems to be adding on quite regularly up there. Seems like a great customer for the Town of Southington, so I'd be in favor of waiving the sidewalks in the Industrial zone.

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

MR. DELSANTO: Motion to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

I. Subdivision Application of Mountain View Farms, LLC proposing to subdivide property for purposes of creating 16 lots (Mountain View Farms), property located at 836 & 850 Meriden Avenue S#1241.

MR. KENEFICK: Mr. Chairman, if you are going to talk about this, I think I better unseat myself.

THE CHAIR: Okay. And, we will seat Commissioner Sinclair in for Commissioner Kenefick.

(Mr. Kenefick left the room.)

DAVID HUGHES: From Harry Cole & Son. This application is before the IW Commission, as well. And, we'd like to be able to table this application to the next scheduled meeting and do a presentation then.

MR. DELSANTO: Move to table.

MS. LAURINAITIS: Second.

(Motion passed unanimously on a voice vote.)

(Mr. Kenefick re-entered the meeting was reseated.)

J. Site plan application of Apple Valley Worship Center proposing to revise a previously approved site plan, property located at 594 West Center Street SPR #1222.1.

MS. HUGHES: This application, the staff has completed its review. We're not ready for action this evening. We're waiting for some revisions. Tony is, aren't you?

MR. TRANQUILLO: Yes.

MS. HUGHES: So, we'd just request this be tabled.

MR. DELSANTO: Move to table.

MS.L AURINAITIS: Second.

(Motion passed unanimously on a voice vote.)

K. Site plan application of John Grissas proposing a 2nd curb cut and a

dive through for property located at 384 Main Street SPR #1432.

MS. HUGHES: The applicant has received staff comments and requests that this be tabled so that they can be addressed.

MR. DELSANTO: Move to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

L. Site plan application of Edward J. Dellalbitta and DB Five, LLC proposing to construct a 45-unit condominium complex (Winding River Estates) property located at 54 Tridell Drive SPR #1433.

MS. HUGHES: We're completing our staff review. I don't know if Mr. Bovino has anything else he'd like to add? They have received Conservation Commission approval.

MR. BOVINO: Again, Sev Bovino, Planner with Kratzert & Jones. We have not received Tony or Mary's comments. If the Commission has any comments, we'd like to talk about it and entertain them.

THE CHAIR: Tony?

MR. TRANQUILLO: I issued comments about four weeks ago on this.

THE CHAIR: You never saw those?

MR. BOVINO: I didn't get any.

MR. TRANQUILLO: Okay. We'll make sure you get those comments. At least a month ago.

MS. HUGHES: They may have just gone to IW.

MR. BOVINO: I didn't see them.

MS. HUGHES: We'll double check on them.

MR. BOVINO: And, we'll get Mary's comments, right?

MS. HUGHES: I'm writing them up now.

MR. DELSANTO: Move to table.

MR. SAUCIER: Second.

(Motion passed unanimously on a voice vote.)

## NEW BUSINESS ITEMS

A. Floodplain Filling Application of Piotr Zajac proposing to fill the floodplain area for establishment of a lawn area for property located at 192 River Street FF #195.

MS. HUGHES: This application did receive favorable recommendation from the Conservation Commission. However, I haven't had an opportunity to review it and Tony'd like to go back out and take a second look at it. So, we'd request that it be tabled.

MR. DELSANTO: Move to table.

MR. SAUCIER: Second.

(Motion passed unanimously on a voice vote.)

B. Site Plan Application of Northstar Centers, LLC proposing to construct a multi-use shopping center including construction of parking facilities, access drives and miscellaneous site improvements, property located off Executive Boulevard and West Street SPR #1434.

(End of Tape #1, Side A)

(Beginning of Tape #1, Side B)

MR. BOVINO: Again, Sev Bovino, Planner with Kratzert, Jones representing the applicant. With me tonight is Gregg Mikolaitis, President of Appledor Engineering, the firm that's designing the project. Scott Hesketh, traffic engineer. Mr. Leopold is here tonight, also the original applicant of this property.

I'll turn it over to Mr. Mikolaitis to talk about it first.

MR. LEOPOLD: Good evening. For the record, Frederick Leopold, Northstar Properties. Good to be back. Sorry, we're not asking for a

vote tonight. I'm liking the way you voted on the other thing.

We are here because we have an anchor tenant that is very eager to get going and would like in fact to open in October of next year. We also have strong anchor interest from three others. So, the project is moving forward. You probably thought we fell off the face of the earth after we were here last May and we've had a few other things, I guess, that we've done in the last few months. But we are now starting the formal site plan application process with you.

What we've got here, which I want to show you, is our original, original concept plan for inline space. And, we're trying to address a number of different issues --- issues is too strong a word, just a number of different considerations. One is that the project is in New England. It's in Southington. There's a tradition in terms of how things look. We're also trying to be in a position where we would be complimentary to anywhere from one to three major anchors to build what they build. And, we want this to be something that will look good next to it.

So, what we've done is created a design that mixes some of the traditional parapets that you see in and around New England, with at the same time, some of the more modern concepts that actually include more window space at the store level. What you see is, in the lower left, is a night time kind of a dusk rendering of what that inline space might look like.

There will be more detail in certain ways. For example, we intend to -- - there would be lighting on top of, suspended cables suspended, metal partly steep canopies. They look very nice and make an impression at or during the night time hours.

We've eliminated the concept of a colonnade and instead we've got the stores themselves more visible, as I said, with the larger windows and so forth and so on. And, a sign board above. This is just small tenant space here that you're looking at. This is not any anchor space. It's or would be premature at this point to get into that type of things.

So, that is in general what we are starting with. This is going to be a project that addresses a lot of the issues that have been raised, I gather at other meetings, including a heavy use of landscaping, walkways through the project. Much better than the usual kinds of site improvements which we care about. I think that the customers tend to respond well to attractive architecture and landscaping which is under

used, I think, in the industry overall. So, that's something that we're look at here.

The point that I do want to make to you is these deals are complicated, what we're doing. It may not look like a lot is happening, but to get major tenants to commit and at the same time to have co-tenants that work well with them, there's a whole process and it is time consuming, but we need to go now in terms of the site plan approval process even though I will tell you that exactly how we've laid it out, will change over the next few months. It probably will change. It's very difficult for us to guess in advance exactly how that's going to come out.

But I think we are off to a good start. And, as I said, we have strong anchor tenant interest and we're looking forward to accommodating them.

THE CHAIR: Any questions for Mr. Leopold?

(No response)

Thank you.

GREGG MIKOLAITIS: Good evening, Gregg Mikolaitis from Appledor Engineering. I just want to give a brief presentation. We were last before you in March and I just wanted to kind of refresh everybody's memory of where we are. We also have Scott Hesketh with us tonight and he wants to give a five-minute presentation on traffic and that application has been submitted.

As Frederick mentioned and as you may recall, the orange building is the existing office building out here. Everything in here, this is an existing gas station. The darker orange are the proposed projects and as I mentioned last time, we've broken up the project in phases, which we call the north project and the south project.

And, there's a theme here, this tree lined boulevard. We are continuing that theme down along here and also down here through the center of the site. We like the way that looks. We're going to heavily landscape not only this boulevard here, but also this boulevard here. This, what we're calling the south project, if you will, is one of the major anchors that Frederick's talking with now is here. As well as some smaller inline stores and out parcel retail here.

The elevations we saw were basically this section in here. Looking to view, from this circle right here, if you will. Very pedestrian friendly. There are sidewalks out here. As you recall, sidewalks along here. There's sidewalks down along the existing boulevard and we're just extending those sidewalks down along this road here, bringing it into the site. We're also trying to connect the retail spaces.

On the north project up here, we have what we think will be a supermarket anchor here and some out parcels, a bank and a restaurant and potentially a coffee shop. Those are again just a couple of different uses that they're talking with right now. And, again, given the office space here and the sidewalks, we're trying to make that pedestrian friendly to get people into the bank, the restaurant pad, coffee shop and the rest of the pads.

We've done a comprehensive drainage analysis. We do have an application pending with wetlands. We're proposing to fill um, I think it's 284 square feet. So, it's not a large portion of wetlands and um, then um, about 580 feet of encroachment into the buffer, so it's about 854 square feet total and that application is pending. There's a little, basically a closed drainage system comes in here, there is an outlet right here with a culvert and that's been classified as wetlands at 274 square feet. This is just a predevelopment watershed plan, real quick.

We've done a comprehensive drainage study for the 15, 50 and 100-year storm but what we do is we just model the different watersheds, watershed one, two, three, four, five. See where the water's going. And, what we've come up with on this project is two extensive detention ponds and what this is showing is the drainage coming from the area in blue, basically heads to this blue pond, if you will. The area in red will head down to this pond and then the rest of the remainder of this drainage will just sheet flow off site so we are containing and treating all the drainage from this development. It's about 282,000 sf total.

We have about 17 percent lot coverage were 25 percent is allowed, so we're well beneath that.

And, there's about 1400 parking spaces throughout.

I have one more board I want to show you. (Pause)

I just wanted to mention, we did get some very preliminary staff comments and we talked about some screening and landscaping. And,

what we've done here is we've provided some mixture of both flowering trees, deciduous trees, some evergreen trees. Last time I was here, you asked me to look at your proposed overlay district and how --- what we're proposing compares with that. And, for all intents and purposes, I think we're pretty close.

We're using granite curbing, pedestrian friendly. The landscaping. There were two things I think that caught my eye in the ordinance. The pole height. I think I mentioned that last time. I did submit some shoebox fixtures with shields, which we will be using. I think your preference is 20 feet. For a project of this size, you know, 35 acres, it's tough with those 20-foot high poles. You really end up with pole pollution as opposed to the landscaping.

So, what we are proposing is 30-foot high poles here, which is more conventional. It just allows for a little bit better spacing and again, with some of these national tenants, they have their own lighting criteria that we have to meet and it's easier to meet, quite frankly, with the 30-foot poles than it is the 20-foot poles. You just end up with a lot of poles. So, I think that's one thing we'll talk about and we'll do a lighting plan as we get into more details.

And, then the other thing, I think, in the ordinance that, I guess we don't have to follow, but you asked me just to take a look at it, was the landscaping every five spaces. And, again, with something of this size, this is difficult to do. We have done and it's in your plan set, again, a detailed landscape plan. We've actually doubled the landscaping in the islands. I think you asked for one tree and we're showing two trees plus groundcover. So, um, it's all granite curbing.

There's, um, as I mentioned last time, I've been working with Northstar Properties a long time and when we come in for these new projects, we start with the heavy landscaping and the granite curbing and sites that they have purchased that we've gone in and retrofitted, we've retrofitted them with new lighting, granite curbing, the landscaping. So, that's the theme that we're trying to carry throughout here. In your plan sets are detailed landscaping plans of that.

We've done the drainage analysis. So, as far as the engineering, we're pretty far along. There's a detailed grading plan. We've done cuts and fills. We're pretty far along in that aspect.

With that, I just want Scott Hesketh to talk about traffic. Obviously, when you have this project, there's questions about traffic, so we

brought him tonight to discuss his methodology.

MR. CARMODY: I missed one part. You looked at our, the regulations that we're taking a look at. What, you said, about the parking, one more time?

Our parking was every five spaces but what was your comment?

MR. MIKALAITIS: I believe I read every five spaces with a raised island.

MR. CARMODY: Right. But your comment was to that?

MR. MIKALAITIS: With a project of this size, and it's just, it becomes almost like a safety hazard. I mean, you know, you have too many islands.

MS. HUGHES: It becomes cumbersome for snow removal.

MR. CARMODY: So, what is your thought?

MR. MIKALAITIS: Our thought is what we're showing here. We've broken up the parking lot here, here. We tend to put more landscaping around the perimeter to try to shield the parking from the outside, as you will, as opposed to a lot of trees in the parking lot that, they grow, you've got to maintain. Visibility. Snow plowing at night. It sometimes affects the site lighting. Again, if you have too many trees and the light poles, it gets real cumbersome on --- some of the smaller projects we do, that's easy to maintain. It's more pedestrian project, if you will.

And, its just gets difficult on some of these larger projects with these larger tenants.

MR. CARMODY: Okay, thanks.

SCOTT HESKETH: Good evening, for the record, Scott Hesketh with the firm of FA Hesketh and Associates, East Granby, CT.

We've prepared a traffic impact report for the project dated May 5th, 2006. The report has been submitted in support of this application to the Town and the report has also been submitted to the STC for their review of this project as a major traffic generator.

Just to get everyone familiar again, the site that's proposed for

development here is located on the west side of Route 229 West Street, immediately north of the I-84 ramps. The site has access to and from West Street from Executive Boulevard South, which is the access to the Hartford Insurance Group there at that location.

The development is proposed about 280,000 sf of retail and restaurant spaces. In the course of preparing our study, we've conducted automated traffic volume counts both on West Street and on Executive Boulevard. West carries --- West Street just north of 84 carries approximately 20,300 vehicles on a daily basis. Peak hour volumes of about 1900 during the pm peak. The Saturday peak hour of about 1130 vehicle.

Executive Boulevard South carries an average daily traffic volume of about 2700 vehicles. With a pm peak hour of 305 trips. And, a Saturday volume of 256 vehicles on a daily basis and peak hour of 32 vehicles.

Being that the use there is office use, that would tend to make sense.

In addition, manual turning movement counts were conducted at both of the I-74 ramps at Executive Boulevards North and South at Curtiss Street and at Hart Street during both the afternoon and Saturday peak periods.

That traffic was utilized as the basis of our study. We applied a 1.5 percent growth rate to a year of 2007 when it would be anticipated that much of the development may be open and ready for use.

In order to generate the traffic from the proposed development, we used the Institute of Transportation Engineers Trip Generation Report in addition to the CONNDOT Supermarket rates. And, the proposed development would generate approximately 2000 trips during the pm peak hour and 2430 trips during the Saturday peak hour.

That traffic was distributed to the roadway network with 30 percent of the traffic to and from the north on West Street, 35 percent to and from the west on I-84, 25 percent to and from the east on I-84 and 10 percent of the traffic headed south along West Street.

Capacity analysis calculations were conducted at each of the intersections, which we had studied and several improvements were identified in order to accommodate the site-generated traffic for the development. At the intersection of West Street and Executive

Boulevard South, the intersection would be improved to provide a double northbound left turn lane into Executive Boulevard South. That will accommodate the large volume of traffic both during the pm and Saturday peak hours entering the development.

Executive Boulevard South would be widened to provide left turn lanes exiting and a double right turn lane exiting.

The intersection of I-84 and West Street, the westbound ramps, West Street would be widened to provide an exclusive right turn lane for traffic entering I-84.

The bridge across I-84 is currently four lanes and the four-lane width would be enough to accommodate the traffic.

But some improvements would be required at I-84 eastbound ramps and West Street. The ramps would be widened to provide an exclusive left turn lane, a shared left and through lane and an exclusive right turn lane. So, really we'd be widening 12 feet to add an exclusive right turn lane which would allow us to better utilize the double left turn lane for traffic entering the facility.

We would also provide a northbound right turn lane onto the highway ramps at that location. Currently, it's a two lane in the northbound direction. We would widen to provide an exclusive right turn lane for traffic on to the ramps at that location.

I know the Commission is very familiar with the intersection of Hart Street and Route 229 or I'm sorry it's not 229 at that location, it is West Street. I know the Town has talked to the State in terms of putting in a traffic signal at that location. I know that that's been a bone of contention between the Town and the State. Um, I assume that situation still exists.

Although we are not allowed to install a traffic signal at that location, what we can do is widen West Street to provide a dedicated left turn lane for traffic entering Hart Street at that location. We could also extend the two lane northbound south of that location to help provide additional stacking at the signal and hopefully to provide additional breaks in the traffic flow for people exiting Hart Street.

As everyone knows, the problem there is exiting Hart Street and making a left hand turn on to West Street without a signal --- that's going to be difficult to do no matter what the traffic volumes are at

that location. And, since the DOT has already said on numerous occasions that's not a location fit to be signalized, there's really no solution for us to propose it at that location.

With those improvements in place, the intersections of West Street and the highway ramps, Executive Boulevards North and South will all operate at acceptable levels of service. Again, the problems at Hart Street and West Street exist and in the background condition will continue to exist there and we just don't have a solution for that.

Again, our report has been submitted to the STC for their review. That State's taking a look at it. We haven't received any comments back from that body s of yet, but we'll be happy to include the Town on any responses that we make to the STC and we're awaiting any traffic comments the Town might have as well regarding the application.

If the Commission has any questions, I'll be happy to take them at this time.

THE CHAIR: Any questions?

(No response)

Thank you very much.

MR. HESKETH: Thank you.

MR. MIKALITIS: That concludes our presentation. Again, we just wanted to come in and update your folks on where we are and we move forward now with the full submission and proceed forward.

If there are any questions, Frederick, myself, Sev, you know, we'd be happy to answer them.

MS. LAURINAITIS: I have a question: Where the existing Mobil Station is, there will continue to be two curb cuts there?

(Pause)

MR. MIKALITIS: At that Mobil station, that is not changing. The curb cuts there.

MS. LAURINAITIS: And, traffic in that first plaza, are they going to be able to exit from where the proposed restaurant and bank are out

those two exits by the Mobil station?

MR. MIKALITIS: Yes. What we're proposing to do is connect this so it would be a one way out here on the --- I have this upside down --- this location here. The south side of the gas station.

MS. LAURINAITIS: My concern is that there's --- with the additional retail, it's going to put a lot more traffic into these extra curb cuts. Is there any way to discourage people say going to the bank and the restaurant from using that instead of using the regular exit from Executive Boulevard?

MR. MIKALITIS: It's our belief people that are using this exit out, only will be taking the right turn out. You know, they're not going to be taking that left turn. They'll take the protected signal and take a left there at Executive Boulevard.

MS. LAURINAITIS: But, is there a way for people utilizing the other part of the facility to come down and use that as a second exit when traffic backs up on Executive Boulevard from the larger retail at the back of the property?

Is there going to be --- in other words, there is nothing to block their path.

MR. MIKALITIS: There is nothing to block their path. But we also have not made it, you know, there's no direct cut thru, if you will. We haven't made it real convenient for people coming up here to cut through this parking lot to take that right. We're also increasing the capacity of that intersection there and Scott may want to take about that. We're adding a lane and increasing that capacity.

MR. HESKETH: It's certainly a dilemma where you have adjoining sites, which provide access to/from adjoining properties. To allow people utilizing the shopping center to utilize the gas station as well without having to go back out on to Route 229 and enter into the gas station facility would be convenient for both uses. However, when you do make that interconnection, you do open up the possibility for large volumes of traffic to utilize that.

As you can see, the way the parking layout is, the way the parking lot is laid out, it really is not a convenient direct, shot for people from the rear portion of the development. If you're in the rear portion of the development, once you get onto Executive Boulevard South, you really

have an easy and direct path to the signalized intersection to make that right hand turn. To cut through the parking lot, although it can be done, you'll be traveling at slower speeds, having to worry about pedestrians, shopping carts and the like, it's probably not a desirable route.

In the area where the supermarket has been laid out, certainly supermarket patrons could utilize that access through the gas station, but again, it's the layout is such that when you got there, you'd be making a right hand turn and not a left hand turn. They could certainly make that movement. Anyone wishing to making a left hand turn would go up to Executive Boulevard to utilize the traffic signal at least during peak hours. During off peak hours, when there is not a lot of traffic on Route 229, it might be a concern, but it shouldn't be a major one.

There could be a way to take a look at that. But in order to provide access between the two ---

MS. LAURINAITIS: Is that a separate property owner, the Mobil station, from --- and he's going to allow you, traffic to flow through his station to West Street or 229?

MR. MIKALITIS: The gas station is owned by the Duksa's. It's a separate entity that owns that --- it's the same family, in case you weren't aware of it, that we're buying the overall property from.

MS. LAURINAITIS: Okay.

MR. MIKALITIS: And, by the way, what we're doing here in this spot here is kind of a breakfast coffee type of thing and you know, an appealing one. It's already recently opened on Queen Street. But I can't tell you ----

(Chuckles)

We're trying to make sure that that whole corridor makes an attractive and appealing presentation. And, that's, in order to make it function, we have to be able to get through and back out.

But I don't think you're going to see major traffic cutting through to get out through the gas station.

MS. LAURINAITIS: The only other question I had was pedestrian

movement through the different areas. And, I can't see on this map where the sidewalks are. Um, are people going to be able to park at one part and then walk over to the other section where the large retail is versus the smaller retail, are there sidewalks?

MR. MIKALITIS: They will. We're going to continue the sidewalks down here along the side of this access road here, down this center island, if you will, and then along the front and the sidewalk's here.

There's also a sidewalk going to come from this main entrance. We're anticipating, you know, people from the office building will want to come here, walk to the restaurant, walk to the bank or walk down to this retail here. So, we've provided sidewalks here, here and then, as you know, there are sidewalks already on Executive Boulevard and we're just extending them down, like I said, here, down to the middle of the site, here. We kind of brought in to the center here, if you will, and then back over here and then all along the storefronts, obviously.

MS. LAURINAITIS: Nothing on the backside of this parking lot? Where the large retail is before the circle.

MR. MIKALITIS: Right here? Right. We do not have any sidewalks there. What we're anticipating is that people that would park here would walk back and forth between these two retails. If they were going to go up here to use this other retailer, they would probably park up here, and get a shopping cart, if you will. They won't be wheeling their products back and forth, if you will.

MS. LAURINAITIS: I was just, I'm just enabling them to park in one area and then walk to the other, back and forth, if they wanted to rather than having to move their car through this area.

MR. MIKALITIS: What we anticipate is this would be complimentary retail. So, this would be kind of one project, if you will, and this would be complimentary retail where you'd park here and maybe go to the bank, get something to eat.

MS. LAURINAITIS: No pedestrian connection between the two retails at that area then?

MR. MIKALITIS: There is. It's along this road and down here. It's not between these two.

MR. CARMODY: My question is for Mr. Hesketh. You gave us a lot of

information.

MR. HESKETH: I was asked to be brief and I'm sure the Commission appreciates that.

MR. CARMODY: Yah, I'm going to go through this whole thing tonight. So ---

ATTORNEY SCIOTA: Not right now tonight.

MR. CARMODY: Not right now tonight. After this meeting. I'll sit down and go through it.

MR. HESKETH: If you have trouble sleeping tonight, I suggest you might dive into that.

MR. CARMODY: Yah.

(Chuckles)

I'm concerned --- not concerned. My question is about the traffic headed, I think it's southerly, out of this site, down West, past Hart, Mill, towards West Center. What did you attribute to that? Twenty-five percent, I think? Or ten percent?

MR. HESKETH: We had 10 percent of the site traffic. The reason for that --- (pause) --- if you live too much farther down, you have access to a highway to make use of the facility, as well. If you live in that area and you're going shopping, you're likely to be traveling up this roadway anyways to get to the highway ramps to get to another --- since there's nothing here, if you're coming up in this direction, once you get to this point, you've already been on this road whether this shopping center is here or not. So, that traffic is coming up here and it used to go in this direction, now it comes up and will go straight through here. So, the 10 percent down here is a 10 percent increase because this is a brand new shopping center and those people aren't really shopping. Today. I don't know where they're going or what they're doing, but they decided not to take --- the only reason they're going shopping is because we built this shopping center.

The DOT only allows us to use a 20 percent pass-by credit. But I like to make the association that just because we built a new bank in Town doesn't mean that the Town got suddenly richer. It's just one other place for people to put their money.

We built a new shopping center. Will more people go shopping? Sure. But I don't eat more because there's a new grocery store in Town. I just go to a different grocery store. I may stop at two grocery stores because one has better prices than the other on certain particular items, but I didn't double the number of people that eat just because I built a grocery store.

The DOT says you can only take 20 percent credit for your shopping center. Everybody else is brand new. The ITE says it's more like 55 or 65 percent of a shopping center of people that're already there.

MR. CARMODY: Your widening of West Street, your plans to widen to West Street don't come past the Hart Street intersection?

MR. HESKETH: The widening of West Street comes down to about this area here as we've got it proposed. Right now ---

MR. CARMODY: Is that, where is that? The intersection of ---

MR. HESKETH: Hart Street is here. Okay? And, we would widen from this location here to put a right turn lane in. We would widen farther south --- right now there is a single lane northbound in this direction and we would widen to provide two northbound lanes here, just to provide a little extra capacity. Maybe, you know, also to provide additional queuing in this direction, should it be needed.

There's also a proposal to stripe an exclusive left turn lane in the southbound direction to get into Hart Street to help people in that direction.

I've got a larger set of plans which I can pass out to you to take a look at it if you --- it should be in your packet, as well.

MR. CARMODY: Yes.

MR. HESKETH: Improvements also include an exclusive right turn lane coming off the ramp here. So that should add some additional capacity at that location which should have some kind of helpful effects on the Hart Street intersection. We haven't solved it. We're adding more traffic. We're adding more capacity. Hopefully, it's complimentary and crosses itself out. But again, that's what the DOT's position is on that intersection and there is not much we can do there.

MR. CARMODY: Thanks.

THE CHAIR: All right. Any other questions?

Thank you all for coming back. It was good to have you back tonight and we look forward to having you back here real soon to move along.

Looking for a table.

MR. DELSANTO: Move to table.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote.)

C. Site Plan Application of Connecticut Sikh Associates, Inc. proposing to modify the previously approved site plan for construction of a 10,700 square feet addition to the existing facility, property located at 1596 & 1610 West Street SPR #1373.1.

MS. HUGHES: This is again a modification to a previously approved plan. We just received it. Staff will begin its staff review.

MR. DELSANTO: Move to table.

MR. SAUCIER: Second.

(Motion passes unanimously on a voice vote.)

NEW ITEMS TO SCHEDULE FOR PUBLIC HEARING FOR: June 20th or July 18th, 2006

A. Special Permit Use Application of Wal-Mart proposing to establish five (5) storage trailers on the site with the existing retail Wal-Mart facility, property located at 235 Queen Street SPU #425.

B. Petition of Severino V. Bovino for Kratzert, Jones & Associates, Inc. proposing to Change the zoning Regulations Section 11-14.4 (d) pertaining to minimum lot area in the Industrial (I-1) and Industrial (I-2) zones, ZA #530.

THE CHAIR: Do we have only one meeting scheduled in July?

MS. HUGHES: I'll have to double check.

MR. DELSANTO: I thought it was the second meeting in August.

MS. HUGHES: No. I think we cancelled the one in July. The first one. Because there was a discussion about a couple of people were going to be on vacation on August.

THE CHAIR: All right. We'll look for -- we have one continuance.

MS. HUGHES: Both of them can be handled on the 20th.

THE CHAIR: The 20th of June. All right, book them both.

#### MISCELLANEOUS

A. Request for Approval in Accordance with Section 8-24 of the Connecticut state Statutes for release of sewer easements for properties located along STonegate Road and Berlin Street and STonegate as shown on a map (Referral #408) Map will be displayed at the meeting.

MS. HUGHES: I don't have a map.

ATTORNEY SCIOTA: The Stonegate Road area, we've had sewer easements in place for probably the last 30 years. We came through with, I believe it was the LePage subdivision or LePage did a trunk line through there making all these old sewer easements no longer needed by the Town.

So, there's been some request by the neighbors in the area. We don't hold --- we don't need the easements any more. This has to go back to the Town Council to give them back, in essence, and it's obviously an 8-24.

Tony can comment on that, anything further, but I think that's about it.

MR. TRANQUILLO: Mark's correct. Several of the property owners have called me and said why is my property encumbered with these easements when the Town doesn't need them any longer. And, some of the people are looking to sell their property, so they're very anxious

to get rid of this encumbrance.

We have no need for the easement, so we recommend it.

MR. DELSANTO: I'll make a motion to send back a favorable 8-24.

MS. LAURINAITIS: Second.

THE CHAIR: Any discussion?

(No response)

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

B. Request for Reduction of the Subdivision Bond for the Glenwood Park Estates Subdivision to a new amount of \$44,300.00 to cover remaining work items as indicated by a letter from the Assistant Town Engineer, property located off Glenwood Park Road S #1219.

MR. TRANQUILLO: This is in order. Quite a bit of work has been finished, so the reduction is appropriate.

MR. DEMELLO: Move to release.

MR. DELSANTO: Second.

MS. HUGHES: Reduce.

MR. DEMELLO: Reduce. Sorry.

(Motion passed unanimously on a voice vote.)

C. Request of D on A. Florian for a First 90-Day Extension in order to file the Mylar and bonds for the riverside Subdivision originally approved on 3/7/06, property located off 143 and 145 Curtiss street S #1127.2.

MS. HUGHES: That's the two-lot subdivision the Commission recently approved.

MR. DEMELLO: Move to grant the 90-day extension.

MR. DELSANTO: I'll second that.

(Motion passed unanimously on a voice vote.)

D. Request for Release of the \$1,600 Erosion & Sedimentation bond for the Robert & Virginia Magson Subdivision, property located at 46 & 52 Loper Street S #1148.

MS. HUGHES: This is ready for release.

MR. DELSANTO: Move to release.

MR. SAUCIER: Second.

(Motion passed unanimously on a voice vote.)

E. Request for Release of the \$1,000 Erosion & Sedimentation Bond for the Durkin Construction Subdivision, property located at 19 Hamilton Avenue, S #1228.

MS. HUGHES: This is ready for release.

MR. DELSANTO: Move to release.

MS. LAURINAITIS: Second.

(Motion passed unanimously on a voice vote.)

F. Ratification of Stipulation of Judgment for 341 West Street Associates, LLC.

ATTORNEY SCIOTA: Mr. Chairman, I believe you all received a copy of my memo dated May 30, 2006. You have with you, for the record, a copy of the Stipulated Judgment. If you want to sum up for the record

meetings we had with the Judge.

Briefly, the Stipulated Judgment was recommended by the Judge. Mary and I both concur. The Commission concurs that this is in the best interest of the Town.

The major reason was of course the fact that it's a legal nonconforming industrial use and also there were several other avenues open to the applicant. We felt that a single-family development in the area was not viable. The Commission and the Staff originally looked at the lower number, which was in the neighborhood of 20 to 22. The applicant was at 33 units. After several pre-trials and a recommendation from the Judge, 25 was agreed up.

This has already been agreed upon with the Court, but as a formality, it has to be set into your record here tonight under the SPU provisions. So, I'm asking that the Commission vote on it tonight.

MR. DELSANTO: Under a motion?

ATTORNEY SCIOTA: Yes, a motion to ratify the stipulated judgment.

MR. DELSANTO: Motion to ratify the stipulated judgment.

MR. CARMODY: Second.

(Motion passed 5 to 0 to 2 with Mr. Kenefick and Chairman Oshana abstaining on a roll call vote.)

## G. Plan of Conservation and Development

MS. HUGHES: A couple of things on this. At this point, TPA is incorporating the comments that they received from the Commission. They're finalizing the graphics of the draft Plan and we're moving forward to prepare a presentation for the Town Council on Monday, the 12th.

We talked about having a special public hearing in June in order to adopt the Plan. However, the way that the language of the statute is structured, we have to wait 65 days from the draft Plan being submitted to the Regional Planning Agencies which pushes us off the July.

So, what I propose to do at the 20th is to come up with some dates for you in July to have the public hearing for the Plan.

Mark?

ATTORNEY SCIOTA: Our second meeting in July ---

MS. HUGHES: We don't want to have too many public hearings on the second meeting. I don't want to commit to that.

ATTORNEY SCIOTA: You need a special meeting for July?

MS. HUGHES: I want some back up plan.

I'll get some dates from you guys and we can discuss them on the 20th. We may be able to handle it on the 18th, but we may not. You never know. We don't know what's coming in in the next two weeks.

THE CHAIR: All right.

MR. CARMODY: Should we be there on the 12th?

MS. HUGHES: Well, TPA will obviously be there. It's just -- Zaya was planning on coming on the 12th.

MS. LAURINAITIS: June 12th?

MS. HUGHES: Yes. Next Monday.

ATTORNEY SCIOTA: It'll be under Councilmanic Communications so you'll be in the beginning of the meeting. Can't guarantee you'll be out by 8:00, but probably out by 8:00.

THE CHAIR: Mr. Kenefick?

MR. KENEFICK: I've got a question.

THE CHAIR: Shoot.

MR. KENEFICK: We're only going to have one meeting on the 18th of July? The 4th is cancelled?

MS. HUGHES: Yes.

MR. KENEFICK: Okay, what about August? Didn't we say something

about August, the 1st week of August we were going to cancel, too?

MS. HUGHES: I think, as you left it, and I'd have to check it there was bouncing back and forth because some people had vacations scheduled in the beginning of July and some had vacations scheduled in the beginning of August.

I think the Commission left it as let's see where we are in July. If we can cancel the meeting for the 1st meeting in August, then we'll make that judgment then as opposed to canceling it and then having something hot come up that ---

THE CHAIR: Shoot?

MR. KENEFICK: Didn't Mr. Vinci order a Cease & Desist for CVS for storage trailers?

MS. HUGHES: I'd have to check. I know that we sent them letters.

MR. KENEFICK: They are still there.

MS. HUGHES: Yah.

MR. KENEFICK: I thought Frank took care of it.

MS. HUGHES: Some problems are chronic. I just noticed they had some lovely patriotic banners up today that I hadn't noticed previously.

MR. KENEFICK: Yah. They got a storage truck there and they got a storage trailer.

MS. HUGHES: And, they have some Budget Rent-a-Trucks there the other day. So, yah.

MR. KENEFICK: They don't move. They stay there.

MS. HUGHES: We will, we will follow up.

ATTORNEY SCIOTA: Either that or we tax them, one or the other.

MS. LAURINAITIS: The dumpster at (inaudible) Ridge. Did you take a look at that?

MS. HUGHES: I did. But I didn't get a chance to follow up with Tony

Denorfia. So, I will give him a call.

There's nothing on the plan. So, anything that he does, he does out of the goodness of his heart.

THE CHAIR: What was that? I'm sorry.

MS. HUGHES: The dumpster at the housing for the elderly at the corner of Meriden Waterbury Road and Pratt Street. The Commission approved two plans for it. One was like a hodgepodge of buildings and the other plan was the single building that got constructed. Screening for the dumpster was omitted in the second plan, so I just have to see if maybe Tony will do something to screen that.

MR. KENEFICK: I'm sure he will.

MS. LAURINAITIS: I can go with spray paint and paint some pretty pictures on the outside.

MS. HUGHES: That's called: tagging.

MR. DELSANTO: Motion to adjourn.

MR. CARMODY: Second.

(Motion passed unanimously on a voice vote at 8:32 pm.)