

PLANNING & ZONING COMMISSION
 Regular Meeting
 November 17, 2009

The Planning & Zoning Commission held a regular meeting on Tuesday, November 17, 2009. Chairman Michael DelSanto, called the meeting to order at 7:02 o'clock, p.m.

The following Commissioners were present, viz:

James Sinclair	Edward Pocock, Jr.
Zaya Oshana, Jr.	Paul Chaplinsky
Kelly Kennedy DelDebbio	Michael DelSanto, Chair

Alternates: Steve Kalkowski
 Lisa Conroy
 Edward Costello (appointed this evening)

Ex-officio members present were as follows, viz:

Mary Savage-Dunham, Town Planner
 Anthony J. Tranquillo, Director of Public Works/Town Engineer
 Mark J. Sciota, Deputy Town Manager/Town Attorney
 John Weichsel, Town Manager

Absent: Francis Kenefick, Commissioner (appointed this evening to fill Ms. Miceli's vacancy.)

A quorum was determined.

The Pledge of Allegiance to the American Flag was recited by everyone in attendance.

The Minutes are being prepared summary style and the video and audio tapes are available for further detail.

MICHAEL DELSANTO, Chairman, presiding:

4. Appointments:

- Commissioner (D) to fill vacancy

The Chair reported this is to fill a vacancy to take over Commissioner Miceli who has moved up to the Town Council.

Mr. Oshana thanked Commissioner Miceli, now Councilwoman Miceli for all her hard work on the planning and zoning commission. And, we wish her the best of luck in her new role.

(Applause)

Mr. Oshana nominated Francis Kenefick of 49 Humiston Brook Drive, Plantsville, CT to fill Ms. Miceli's vacancy. Mr. Sinclair seconded.

Hearing no other nominations, the motion passed unanimously on a voice vote.

Mr. Kenefick is out of town today and won't be at this evening's meeting but he will be at the next meeting.

The Chair seated Alternate Commissioner Conroy in his place for this evening's meeting.

- Alternates

(D) term ending 2013

Mr. Oshana indicated they would pass that this evening.

(R) term ending 2013

Mr. Chaplinsky made a motion to appoint Ed Costello. Ms. DelDebbio seconded as did Mr. Pocock.

Hearing no other nominations, the motion passed unanimously on a voice vote.

Attorney Mark Sciota administered the oath to Mr. Costello.

(Sworn, sworn)

Congratulations!

Mr. Costello took his seat at the bench.

Mr. Costello's address is 10 Berlin Street.

5. Approval of Minutes

- Regular meeting of November 4, 2009

Mr. Chaplinsky made a motion to approve. Ms. DelDebbio seconded. Motion passed on a majority voice vote with Ms. Conroy abstaining.

6. Business Meeting

A. ****Approval of Wal-Mart request to allow 7 temporary storage trailers until February 1, 2010, 235 Queen Street, SPR #1210.7)**

Ms. Savage-Dunham introduced the application. She indicated a small map for the commissioners to look at and oriented them. The manager of Wal-Mart is here if you have questions.

The proposal is very simple. They are looking to the holiday season. They need some addition space to store some inventory and switch the materials around. They're proposing 7 temporary trailers, primarily at the rear of the property and 2 on the side. They're promising to remove the trailers by February 1, 2010.

The proposal has been reviewed with Captain Casarella and as proposed, they're being very careful to not block any emergency exits or fire hydrants. And, they promise to keep a travel lane open for the trucks. If this plan is followed as proposed, the fire department supports it. Town staff supports it.

We would recommend a \$3,000 performance bond. It's ready for action with that.

Mr. Chaplinsky asked again if there was concern on the part of the police and fire department. Ms. Savage-Dunham said she has not discussed it with the police department. I did with Captain Casarella and there's no concerns provided it is implemented as per our discussions.

The store manager met with Captain Casarella and myself. On the back of this, the hatched area is their loading docks and they bring tractor trailers back there. So it is in their best interest to keep it open, as well. If a tractor trailer can get back there, then our fire trucks could.

Mr. Chaplinsky asked Mr. Pocock his opinion. Mr. Pocock said he had no concerns with what his shown here. There is a good area to get around there.

Mr. Chaplinsky made a motion to approve with the stipulation that a \$3,000 bond be posted. Mr. Oshana seconded. Motion passed 7 to 0 on a roll call vote.

B. **Mueller Estates, 799 Marion Avenue (S#1275.1) 3 lot subdivision**

Stephen Giudice, Harry Cole & Son, representing the applicant this evening. This application, I know you have been brief on it, is something that you approved previously. Inadvertently, the mylar was never filed and the approval became null and void.

We have been a little slow in getting some of these comments addressed, but I think we are pretty close to having them all done.

- One outstanding item is there is one detail I have to revise on the plans from a clean our perspective.

A few were addressed up until a few moments ago:

- The mylar I just handed to the Town Planner,
- letter regarding the drainage calculations.

Attorney Meccariello had submitted draft documents to the Town Attorney for his review.

The Town Planner said the applicant is correct in that there are just a couple of minor things that were outstanding until a few moments ago. Honestly, we haven't really looked at them.

We had asked for a drainage narrative to bring the revised application up to date and that was just handed to me just now. It's to Jim Grappone and I know Tony just read it.

There is a right of way that is supposed to be deeded to the town. And, we need a mylar and deeds for that.

Staff is not in possession of the deeds. We might have reviewed them on the previous application but I don't have the deeds. The Town Attorney said he would check to see if he had them.

Discussion.

There is a detail that needs to be revised on the plans. It shouldn't be hard to close the deal with them.

Mr. Oshana asked if there was a difference between this plan and the last plan. Mr. Giudice said there were no differences.

Discussion.

What is the detail that needs to be revised? Mr. Giudice said part of the drainage design, we have underground groundwater infiltrator units for the roof leaders. Our detail depicts one clean out per unit. The Ass't Town Engineer has asked for a clean out at each end to identify the ends of the unit. It is a matter of adding the clean out to the detail.

Discussion.

The deeds to the town and the right of way, that is or is not reviewed. Attorney Sciota indicated he would check.

Discussion.

Mr. Chaplinsky made a motion to approve with the aforementioned stipulations:

- drainage
- mylar
- Town Attorney is comfortable with the deeds
- revised plans to show the clean out.

Ms. DelDebbio seconded. Motion passed 7 to 0 on a roll call vote.

C. McCleary Associates, LLC, request for release of \$1,000 Public Improvement Bond, 85 Robert Porter Road, SPR #1484.

Staff supports this. Mr. Sinclair made a motion to approve. Ms. Conroy seconded. Motion passed unanimously on a voice vote.

D. Adoption of 2010 meeting schedule

Mr. Sinclair made a motion to approve the 2010 meeting schedule as submitted. Mr. Oshana seconded.

Attorney Sciota noted not on this one, but the next year's one, you have a meeting immediately the next day after the election and you might want to think of moving that one a week so the people who get elected, they get more than one night to learn some of the stuff. This one is fine.

Motion passed unanimously on a voice vote.

7. Items to Schedule for Public Hearing

A. Carpenter Realty Co., resubdivison application, 154 and 175 Townline Road (S#1259.1) December 1

The Chair indicated this would be scheduled for December 1, 2009.

8. Receipt of New Applications

Ms. Savage- Dunham reported:

- floodplain filling, site plan application for 26 South Center Street.

- Wal-Mart site plan application for temporary storage trailers.

- Subdivision application for Carpenter Realty for 9 lots, 154 and 176 Townline Road.

9. Executive Session, pending litigation, CGS 1-200 (9(c))

Mr. Sinclair made a motion to adjourn to executive session excluding the press and public but including the Town Attorney, the Town Manager, the Planner and the Town Engineer. Ms. DelDebbio seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned to executive session at 7:21 o'clock, p.m.)

EXECUTIVE SESSION

The Southington Planning & Zoning Commissioner entered executive session immediately following their meeting with the following in attendance in order to discuss pending litigation, CGS 1-200(9)(c):

The following commissioners were present, viz:

James Sinclair	Edward Pocock, Jr.
Zaya Oshana, Jr.	Paul Chaplinsky
Kelly Kennedy DelDebbio	Michael DelSanto, Chair

Alternates: Steve Kalkowski
Lisa Conroy
Edward Costello (appointed this evening)

Ex-officio members present were as follows, viz:

Mary Savage-Dunham, Town Planner
Anthony J. Tranquillo, Director of Public Works/Town Engineer
Mark J. Sciota, Deputy Town Manager/Town Attorney
John Weichsel, Town Manager

At approximately 7:30 o'clock, p.m., the commission invited Attorney Daniel Silver and Dominick DeMartino to join the meeting to answer questions the commission had pursuant to the VIP operation.

At approximately 8:15 o'clock, p.m., Attorney Silver and Mr. DeMartino left the meeting.

Discussion continued during executive session with the above mentioned commissioners and ex-officio members.

No motions were made or votes taken during executive session.

Mr. Oshana made a motion to adjourn from executive session. Mr. Sinclair seconded. Motion passed unanimously.

(Executive session was adjourned at 8:45 o'clock, p.m.)

Mary F. Savage-Dunham
Acting Clerk

REGULAR SESSION

(Regular Session of the Planning & Zoning Commission was resumed at 8:45 o'clock, p.m.)

Michael Delsanto, resuming the Chair:

10. Administrative Reports

Ms. Savage-Dunham gave administrative reports regarding the following:

- discussion of correspondence - 228 Queen Street

Ms. Savage indicated that the correspondence has not yet been finalized and will not be made public at this time.

- 2095 West Street

Gave a brief update.

- Beacon Pharmacy

Gave a brief update.

- Goats

Ms. Savage-Dunham reviewed a meeting wherein Mr. True was explained his options in this matter. After consideration, he opted to apply for a variance with the Zoning Board of Appeals.

Other items before the Commission

The Chair indicated that subcommittees will need to be formed and he will be in touch with each member.

Mr. Sinclair made a motion to adjourn which was seconded by Ms. Conroy. Motion passed unanimously on a voice vote.

(Whereupon the meeting was adjourned at 8:50 o'clock, p.m.)