

PLANNING & ZONING COMMISSION
 Public Hearing & Regular Meeting
 December 6, 2011

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, December 6, 2011. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

Paul Chaplinsky	Kevin Conroy
Stephen Kalkowski	James Maccio
Paul Champagne	James Sinclair
Michael DelSanto, Chair	

Alternates: Randall Gage
 Ryan Rogers

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
 Garry Brumback, Town Manager

Absent: Susan Locks, Alternate

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:

Approval of Minutes - Regular Meeting of November 15, 2011

Mr. Sinclair made a motion to approve which was seconded by Mr. Champagne. Motion passed unanimously on a voice vote.

PUBLIC HEARINGS:

Ms. Savage Dunham read the legal notice into the record.

A. Richard Barry, one lot resubdivision application, 389 Marion Avenue S #1285.

Stephen Giudice, Harry Cole & Son, 876 South Main Street, Plantsville, CT represented the applicant.

We are proposing a one lot subdivision and it's proposed to be a rear lot. It's a portion of property at 389 Marion Avenue. It's an industrial building on Marion Avenue. The key map was discussed. This is the remaining land of the industrial property that we are proposing to separate. This parcel is zoned R-20/25 and it's serviced by public water and sewer.

The portion of property we have here is somewhat landlocked in the sense that it doesn't have frontage directly to Marion Avenue. We have frontage by way of the remaining parcel of property. In order to access this residential property, we have to go through the industrial property to get to this.

The applicant has worked with the abutting property owner to obtain a right of way out to Marion Avenue and cut this piece out from the larger property.

We have staff comments and we are in the process of working on those. We believe we'll be able to address all the comments in a week or two.

Not a lot of grading is proposed for this property or earth work and moving.

The sewer is proposed to be a force main up to the sanitary main on Marion Avenue. The sight distances are good.

Erosion and sedimentation controls are proposed as part of this application.

The lot would be 2.62 acres. The regulations require three times the area for an R-20/25 zone. We're above what is required per the regulations.

I'll answer any questions.

The factory address is 389 Marion Avenue. This property's address is proposed to be 349.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

The Chair left the public hearing open to the next meeting.

BUSINESS MEETING:

A. Richard Barry, request for rear lot determination and one lot resubdivision application, 389 Marion Avenue, S #1285.

Mr. Sinclair made a motion to table which Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

B. Queen Street pump station upgrades, 109 Queen Street (FF #231 and SPR #106).

David Prickett with Tighe & Bond consulting engineers presented the application. He was joined tonight by Dan Rukakowski, wetlands expert. We're here on behalf of the Town of Southington working with the sewer committee, specifically Tony Tranquillo and John Degioia on the upgrade of this pump station.

He gave a quick background on the project and the need for this upgrade. We are not proposing an increase in capacity or size; it's purely a means to provide for improved operation and maintenance to provide a more safe pump station which will not release any sewage to the natural environment.

The proposed upgrade is essentially centered on maintaining the existing wet well. The replacement building of approximately the same size will be raised above the 100 year floodplain so it's accessible by WPCA staff during the flood events.

Because there is fill associated with the improvements proposed, we have provided a little bit better than a 1:1 compensatory storage.

We had a site walk with the wetlands commission and incorporated their comments/suggestion into the plan. Explained.

We have a project that will essentially provide the town with a replacement pump station for the next thirty years.

I'll answer any questions.

Mr. Conroy asked if there was a floodway shown on the plan. The project engineer said both floodway and floodplain were shown. Explained the floodplain goes parallel with Queen Street and the floodway boundary is shown (indicating). We've tried with the building to maintain the same alignment to the river so we are not increasing during a flood event the surface area against the flow. Trying to maintain the same conditions we have right now.

Mr. Conroy asked if a Drainage Report was provided to the Town. Mr. Prickett said there was a summary of drainage conditions within the application.

Dan Rukokowski added there is no increase in impervious areas so there is no proposed storm water detention or anything of that matter proposed. Based on conversations with town staff that was a major issue, not increasing the impervious area on the site.

Mr. Conroy discussed the changing of the cross section at the river with Mr. Prickett. Standard procedure would be to model it before and after, added Mr. Conroy because you are changing the cross section it will have an effect on the flood conditions at the bridge and in that area of the stream and you could cause additional flooding upstream. Mr. Prickett said he didn't believe that was conducted. The flood velocity is very slow in the area.

Discussion.

Mr. Conroy talked about the current floodway elevation with respect to the floodplain elevation. Mr. Conroy asked that town staff be provided with something to review regarding the floodplain. It is wide. I ask you take a look at that. We don't know what effect on the floodway moving this building and adding additional fill will have.

Discussion.

Tighe & Bond agreed to provide the requested information.

The checklist was passed around to the Commission. The responses are in Tighe & Bond's memo which was just distributed, added the Planner.

She noted when the wetlands commission did pass along a favorable recommendation when they met for the work associated with the upgrade of the Queen Street sewer pumping station with the understanding the Environmental Planner would review any revisions made by the PZC. They did a site walk.

Overall, staff feels this is a better designed, continued the Planner. The floodway is large there and velocity is low. It's a project we can't eliminate. Our approach has been to try to improve on what's there so the new design provides more compensatory storage and more protection for the town's infrastructure.

Mr. Tranquillo pointed out we had more compensatory storage designed into the plan and the IW Commission cut that back.

Discussion.

Mr. Prickett explained the areas where the pump station could be put and why this area was chosen. We believe that the north side of

the wet well is the best place to put it as shown on the proposed site plan.

Discussion.

We want the pump station to run and be able to support the businesses in that area during extreme events. By putting the equipment above grade you really are complying with the requirements of public health and sanitation and maintaining flows through the station at all times.

Mr. Tranquillo said this would minimize and possibly eliminate possible pollution to the river from the sewage. It is a very critical facility for us.

Mr. Conroy said he would like the additional information he discussed on the floodway analysis provided.

Flood insurance costs to the town were discussed.

Mr. Chaplinsky made a motion to table both the FF and the SPR. Mr. Sinclair seconded. Motion passed unanimously on a voice vote.

C. Mt. Southington Ski Area, site plan application for a 40' by 60' building to house a new compressor, 396 Mount Vernon Road SPR #1603.

Sev Bovino, Planner, with Kratzert, Jones representing the applicant. In response to questions raised at the last meeting regarding the noise level, he provided staff with a decibel measurement of the compressor which is estimated to be 85 decibels. Explained.

An aerial photo was discussed.

The health department signed off on the proposed water line. Minimum of 10' separation distance will have to be achieved between the septic system and the proposed excavation area.

Discussion of the use of the building being for the compressor and for storage.

Ms. Savage Dunham advised this application is ready for action.

Mr. Sinclair made a motion to approve which Mr. Kalkowski seconded. Motion passed 7 to 0 on a roll call vote.

D. Lovley Development Group, site plan application to modify proposed driveway to full access, 1115 West Street SPR #192.1.

Sev Bovino, represented the applicant. Working with the state on this encroachment permit, discussion led to the request to make this driveway a full access driveway. It was proposed to be widened from 30' to 35' wide and provide two lanes exiting the site and one lane entering. The state felt it's better to do it now as there is additional property that can be developed and this would prepare the driveway for the future development of the site.

Mr. Sinclair made a motion to approve and Mr. Chaplinsky seconded.

Mr. Conroy noted the original approval was for right in/right out. And, a stop light. Mr. Bovino said not at this time. When the additional development comes there will be a study done to see if a warrant is there for a traffic light. This will be right now a stop sign with a stop bar. Mr. Conroy reiterated they are asking for full access even though we are not putting a stop light in on the basis of future development.

Mr. Conroy said he was okay with the alignment. He didn't see why they would change the access from right in/right out to full access without a signal at this time. I don't see the reason for the change in access based on what we have to date.

Discussion.

Extensive discussion followed regarding the DOT recommendation.

Mr. Conroy said it was not a question of location but rather what was appropriate at this particular time. Right now, a right in/right out is more appropriate for this spot until such point where the demand for this parcel is such that it requires a signal. With a signal you can safely control this intersection for all movements and handle much capacity. From a traffic safety standpoint, if it doesn't require a signal then it's in the gray area where it is uncontrolled yet it is still kind of dense. That's the danger zone where you don't want to be.

Discussion.

Curb cuts and sight distances along with safety were discussed by Mr. Bovino.

Mr. Sinclair pointed out the state has requested a wider curb cut and the property owner has a right to access West Street and that's why I made my motion. If we turn this down, we're in for at least a six month fight between the town and the state and we get the reputation the Southington is not business friendly. When someone wants to develop, we have to be careful to be sure it's safe. This went to the state and they did their own review and this is what they're recommending.

Motion passed 6 to 0 with Mr. Conroy opposed.

E. Beacon Electric, Inc., site plan application for building addition and parking lot creation, 298 Clark Street SPR #1604.

Sev Bovino, represented the applicant. This is on Clark Street Extension in back of the Manor Inn Restaurant.

We have an existing paved area with a large curb cut right now. the paved area leads to this point (indicating) and then stone coming through the back which was overgrown with grass.

The current proposal is to improve the appearance of the building by raising the floor of the first section of the building which is up front to the second floor for 1200 sf for office space. And, below that the existing square footage is going to be retained. A small bathroom addition was noted. The back of the building will stay the same. There is an overhead door and service door. The proposed pavement is to be extended to the back about 25' from the building. The curb cut will be restricted to 24' wide instead of that large area. Parking in the front and additional parking to the rear of the property. The rear portion parking will be stones. We have landscaping. We are proposing 21 parking spaces where 14 are required.

On the cover sheet of your set, you can see the architectural style of the building. Explained.

The uses are not known at this time. We propose the office use upstairs and then the lower area to be used for industrial use.

The property is served by sewer and water. Appropriate drainage was proposed.

We received staff comments and we have addressed all concerns.

I'll answer any questions.

Ms. Savage Dunham explained to the Commission as to the matter of the parking area. Your regulations require the parking area to be paved and the applicant is proposing gravel. That would require a waiver by this commission of Section 9, the requirement for paving the parking. And, what types of parking should be paved or not be paved is something that the commission could look at further in the future. You have approved some gravel parking areas that weren't public parking, i.e.: Snow White Power Equipment.

If you choose to not have the parking area paved in this situation, you would need a waiver of that section of the regulations.

Discussion of the paved and unpaved areas.

Mr. Sinclair made a motion to waive the paved parking area. Mr. Macchio seconded. Motion passed 7 to 0 on a roll vote.

Mr. Sinclair made a motion to approve the site plan. Mr. Macchio seconded. Motion passed 7 to 0 on a roll call vote.

F. Adam Pio, site plan application for improvements to establish a public garage, 135 Lazy Lane SPR #1607.

Commissioner Gage recused himself and left the bench.

Stephen Giudice, represented the applicant. This building or this house is part of the South Farms Subdivision by Carpenter Construction. The road has been constructed and most of the lots have been sold and we approved a lot of site plans.

Lot @1 contained the existing house. Mr. Carpenter wanted to keep it as a residential use but eventually he gave in at the encouragement of staff and convert the use to industrial.

It's a .92 acre parcel. Served by public water and two sewers.

The applicant is proposing to --- in the lower level we have a one bay garage at this location - use that for a garage bay to do general repair services. The upstairs of the building is going to be used for office space and storage. He bought this as investment with the hopes of putting a larger industrial building on the site but now he wants to open up this repair garage.

We have 6 parking spaces proposed, one handicapped and five traditional.

We are increasing a little bit of the surface area there. This subdivision met the ZIRO requirements by way of floodplain storage off the back of the property; however we are proposing some a stormwater quality basin for runoff. Explained.

We have received staff comments that we're working on.

We also require approval from the ZBA and we are before them at their first meeting in January.

No outside storage, added Mr. Giudice. Explained.

Mr. Sinclair made a motion to table which was seconded by Mr. Champagne. Motion passed unanimously on a voice vote.

Mr. Gage re-entered the meeting.

Mr. Kalkowski made a motion to add the following items to the Agenda: Items T through AA). Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

G. Request for rear lot determination, 211 Meriden Avenue.

A table has been requested by the applicant. Mr. Sinclair made a motion to table. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

H. Request for road acceptance, April Lane S #1246.

A table has been requested by the applicant. Mr. Sinclair made a motion to table. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

I. Release of Maintenance Bond S #1245, Woodruff Estates \$40,000.

Staff supports this. Mr. Sinclair so moved the motion. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

J. Release of \$6,300 E and S bond, 49 DePaolo Drive EE #73

Staff supports this. Mr. Sinclair so moved the motion. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

K. Release of \$6531 Earth Excavation bond, 49 DePaolo Drive EE #73

Staff supports this. Mr. Sinclair so moved the motion. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

L. Dean's Stove and Spa, request for release of \$2,600 E & S bond, pellet building, 120 West Main Street SPR #1115.1.

Staff supports this. Mr. Macchio so moved the motion which Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

M. Request for release of \$2,400 E & S bond, former Citibank, N A, 750 Queen Street SPR #1463.

Staff supports this. Mr. Sinclair so moved the motion. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

N. Lovley Development, request for release of \$13,000 Public Improvement Bond, Devonshire SPR #1215.

Staff supports this. Mr. Sinclair so moved the motion. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

O. Request for release of \$15,000 Bond in Lieu of Site Plan Compliance, 341 West Street SPR S#1400.1.

Staff supports this. Mr. Sinclair so moved the motion. Mr. Champagne seconded. Motion passed unanimously on a voice vote.

P. Dee Zee Ice, request for release of \$7,400 E & S Bond, 93 Industrial Drive SPR #1571.

Staff supports this. Mr. Sinclair so moved the motion. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

Q. Mt. Vernon Estates, Section IV, request for release of \$82,000 maintenance bond and \$5,000 drainage bond S #1119.

Staff supports this. Mr. Sinclair so moved the motion. Mr. Champagne seconded. Motion passed unanimously on a voice vote.

R. Request for release of \$3,700 public improvement bond, 245 Summer Street SPR #657.1.

Staff supports this. Mr. Sinclair so moved the motion. Mr. Champagne seconded. Motion passed unanimously on a voice vote.

S. Blimpie Subs & Salads, request for release of \$3,200 public improvement bond, 1796 Meriden Waterbury Road SPR #1224.

Staff supports this. Mr. Sinclair so moved the motion which Mr. Macchio seconded. Motion passed unanimously on a voice vote.

Added previously in the meeting to the Agenda:

T. Frank Bumbera, request for 90 day extension to file mylar, 39 Hickory Hill Road S #1284.

Staff supports this. Mr. Sinclair so moved the motion. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

U. Sparkle Car Wash, release of \$1,000 E & S bond, 30 Lazy Lane SPR #874.1.

Staff supports this. Mr. Sinclair so moved the motion which Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

V. Pass It On Sports, release of \$1,000 E & S bond, 1273 Queen Street S PR #1144.3.

Staff supports this. Mr. Sinclair so moved the motion which Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

W. Pass It On Sports, release of \$1,400 Public Improvement bond, 1273 Queen Street SPR #1144.3.

Staff supports this. Mr. Sinclair so moved the motion which Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

X. Timbercrest Estates, reduction of E &* S bond to a new amount of \$2,500 S #1264.

Staff supports this. Mr. Sinclair so moved the motion which Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

Y. Timbercrest Estates request for acceptance of Timberwood Drive, pending receipt of a \$24,000 maintenance bond S #1264.

Staff supports this. Mr. Sinclair so moved the motion which Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

Z. Oka Land Developers, release of \$3,000 E & S bond, Prosperity Park SPR A#1497.

Staff supports this. Mr. Sinclair so moved the motion which Mr. Champagne seconded. Motion passed unanimously on a voice vote.

AA. Oak Land Developers, release of \$31,000 Revised Public Improvement Bond, Spring Lake Street S #1278.

Staff supports this. Mr. Sinclair so moved the motion which Mr. Macchio seconded. Motion passed unanimously on a voice vote.

7. ITEMS TO SCHEDULE FOR PUBLIC HEARING

A. Galaxy Development, LLC, special permit use application for multiple buildings on one property, 365 Queen Street SPU #500 January 3, 2012

January 3, 2012.

8. ADMINISTRATIVE REPORTS

The Town Planner had no report this evening.

Mr. Brumback reported that one thing you asked us to do was have a site visit at Rivercrest. Commissioner Kalkowski attended along with myself, Tony Tranquillo, Jim Grappone, Jay Brodach and several members of the Home Owners Association.

It was clear that in a lot of circumstances the standards were not met. During the walk thru, staff in conjunction with the HOA, and quite honestly, the developer identified 132 slabs that were deficient along with a couple of curb cuts that weren't handicapped appropriate on their slope. We went back and marked all of those. We have an agreement now with the HOA and the Town Staff and the Developer to fix all of those. They're going to do it in the Spring, as we've asked.

You released their entire bond and we are going to withhold \$38,000 of that bond in order to insure it is done and done appropriately.

We owed you coming back and explaining. Quite honestly, we let that slip through the cracks. We appreciate both the willingness of the commission to do the right thing at the time but at the same time giving us a shot and making sure the homeowners were taken care of and the developer. We were trying to set up a set of circumstances where everybody was able to win. The homeowners are happy. The developer is as close to being happy as developers are. And, we appreciate it and apologize for the consternation this caused.

The Chair said it was good we were able to work this out amicably.

Mr. Kalkowski concurred with the report. He wanted to comment on Mr. Brodach. He handled this very professionally. He was very open listening to the feedback. He explained the process of establishing a

baseline for the slabs. Everyone was there to discuss it in a highly collaborative manner with zero contentious discussions. I applaud Mr. Brodach for working with us. And, I thank the town staff for their diligence in the process and going out on the day before Thanksgiving. Thank you very much.

Mr. Chaplinsky added it is a testament to the community with the residents working with the developer and the town. We rely on staff and we trust staff and we have to trust staff. This is a testament to staff really taking the reins and working with the HOA to be sure the residents are satisfied as well as the regulations. Thank you for your diligence and double checking and crossing the T's and dotting the I's. This is a testament to building trust in the community and within this commission.

Mr. Champagne stated as a new commissioner this was the first item that came up and it was interesting to see. One thing I learned is a mistake is a mistake until you leave it. We fixed this and it was a real good thing for the town and the commission. Thank you very much.

Mr. Sinclair said all's well that ends well. I don't want to be negative but I still regret the decision we didn't withhold the bond and not release so we could make sure it was done correctly. I do applaud town staff for going out there and holding the developer to a standard that's pretty high and getting the job done right.

Thank you.

9. RECEIPT OF NEW APPLICATIONS

The Town Planner reviewed the new applications on the sheet which she passed around. Sheet is on file in the Town Planner's office.

COMMISSIONERS COMMENTS

Mr. Chaplinsky stated the West Street Sub Committee will continue. Going forward we will have myself, Commissioner Gage and Commissioner Locks along with Councilwoman Urillo. We hope to have some representation from the residents and representation from business owners in the West Street area.

One of our first items is to pull together kind of a project time line and get some input from the folks within the community as to what they see as their vision and we will take that into consideration as we move forward with the process.

More activity starting later this month or early in the New Year.

The Chair said there are lots of subcommittees coming up. This is the last meeting for the 2011 calendar year. Come January we have a lot to do and we will start up our continuous improvement subcommittee with Steve Kalkowski chairing.

Something that came up this evening --- the paving situation for Beacon Electric - I think that's a great place to start.

Lastly, I want to wish everyone a very safe holiday. See everyone in January!

10. ADJOURNMENT

Mr. Sinclair made a motion to adjourn which Mr. Macchio seconded. Motion passed unanimously on a voice vote.

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