

PLANNING & ZONING COMMISSION  
Public Hearing & Regular Meeting  
February 2, 2010

The Planning & Zoning Commission held a public hearing and regular meeting on Tuesday, February 2, 2010. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

James Sinclair	Edward Pocock, Jr.
Francis Kenefick	Kelly Kennedy DelDebbio
Paul Chaplinsky	Michael DelSanto, Chair

Alternates:      Lisa Conroy  
                      Edward Costello  
                      Steve Kalkowski  
                      Patrick Saucier

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

Absent:            Zaya Oshana, Jr, Commissioner  
                      John Weichsel, Town Manager

The Chair seated Alternate Commissioner Conroy for Mr. Oshana this evening and 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 January 19, 2010**

Mr. Sinclair made a motion to approve. Mr. Pocock seconded. Motion passed unanimously on a voice vote.

Mr. Chaplinsky noted for the record he did review the Minutes on line.

He praised the video which is now on line. A great asset. Speak into your mikes!

### **Public Hearings**

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

A. Carpenter Realty, resubdivision application for 2 lots, 176 Townline Road (Strawberry Fields) S #1259.2.

Stephen Giudice, Harry Cole & Son, representing the applicant, presented.

This parcel is known as lot 3, Strawberry Fields. It is part of a four lot subdivision that was done recently. Although we came before the commission a few months ago with a plan to develop lots 3 & 4, the developer decided it was not a good economic opportunity for him. He has sold lot 4 to another individual.

We are looking to subdivide lot 3 into two parcels, a frontage lot and a rear lot. The rear lot is 1.5 acres and the frontage lot is approximately 1.3 acres. It's a pretty simple proposal.

The infrastructure is already installed. Explained.

The drainage was discussed.

The access strip running along the easterly boundary would provide access to both lots with only one curb cut on the property.

We have the note on the plan about street trees.

We will require a rear lot determination from the commission. We feel that this is the most economic solution to developing these properties.

Any questions, I'll answer them at this time.

(No questions)

(Those speaking in favor of the application)

No response.

(Those speaking against this application)

No response.

(Staff communications)

No staff correspondence to report.

The Chair closed the public hearing at this time.

## Business Meeting

A. Carpenter Realty, resubdivision application for 2 lots, 176 Townline Road (Strawberry Fields) S #1259.2.

Attorney Sciota advised you just had the public hearing. What you're looking for is your rear lot determination and then the approval of the subdivision with any stipulations by staff.

Mr. Sinclair made a motion to approve the rear a lot on this property finding it's the best and highest use of the land in accordance with Section 11-14.6. Mr. Chaplinsky seconded. Motion passed 7 to 0 on a roll call vote.

Ms. Savage Dunham gave the staff report. We have been working with the applicant, reviewing the revised plans. There are a couple of minor details outstanding which we've told the agent that staff would recommend as stipulations.

(1) There is an STC permit on this project, on the subdivision. The applicant needs to update his STC permit with the state. They're aware of that and acknowledged that. We will stipulate that as our acknowledgement of the process.

(2) On lot 3-R, at the back, there is existing laterals and those are actually utility connections for lot 4. Now with this configuration of having the rear lot, the applicant is going to use those laterals for lot 3-R. Staff would stipulate that the applicant needs to show us the utility connections for lot 4 because there's utility lines and drainage swales and berms along the entire back of that property as well as landscape buffering. We want to be sure that this is sorted out here and if these laterals are going to be used for 104, then there should be an easement or new laterals needs to be shown. The applicant needs to show us the proposed utility connections for lot 4.

Discussion.

It is ready for approval should the commission choose to.

Mr. Sinclair made a motion for approval with the following stipulations: (1) that the applicant update their STC permit and (2) that the applicant show proposed utilities connections for lot 4. Ms. Conroy seconded. Motion passed 7 to 0 on a roll call vote.

B. Oak Land Developers, LLC, request for rear lot determination, Spring Lake Street (Road)

Mr. Giudice advised we are propose this lot into two parcels. We consider it a simple free cut which allows it for parcels that predate zoning.

We are proposing to cut one of these into a rear lot and we are here for a rear lot determination. We have a 2 acre parcel to the rear and a 2.7 acre parcel to the front. We are providing a right of way and utility easement for access. There are no wetlands on the site.

There are sewers along the back of the property. In our opinion this is the highest and best use of the property.

The other alternative would be a small cul de sac.

We did receive staff comments. And, we have addressed those as well and submitted revised plans.

Attorney Sciota added the applicant did submit all the legal documents and this is a free cut and it matched our regulations for the purpose.

Ms. Savage Dunham agreed they have addressed staff's comments with notes on the plan that the property will be subject to a sewer assessment. We are going to require the rear lot connect to the sewer line in back.

The rear lot determination is ready for action at this time with no stipulations.

Ms. DelDebbio made a motion to approve the rear lot determination noting it is the highest and best use of the property. Mr. Chaplinsky seconded.

Motion passed 7 to 0 on a roll call vote.

The Chair clarified it is: Spring Lake Road and not Spring Lake Street.

C. Oak Land Developers, LLC, 5 lot resubdivision application, Spring Lake Street (Road) S#1278.

Mr. Giudice represented the application. On Parcel A, we are proposing a five lot subdivision. Lots all would be serviced by public water and sewer. They're all half acre in size. Each has at least 100' of frontage. We submitted the application and received staff comments. We are addressed the comments with revised plans.

We are proposing street trees as required by the regulations. We are utilizing infiltration units for storm water runoff to address ZIRO.

We are proposing to extend the sewer main in Spring Lake Road approximately 105' to allow service for lots 4 and 5. We feel it is a pretty straight forward application.

The Town Planner reported she did have a couple of stipulations to recommend.

(1) The applicant should depict town details on the plan. Some of them are not correct or are missing on the revised plans. It's a minor item but we'd like to have them added.

(2) The sewer needs to be lowered to a half percent slope. This is for the extension to the east. That would be a correction to the sewer profile.

(3) After the lots are developed and all of the trenches and utility connections are completed that the applicant shall mill and overlay the section of the road in front of this property to the town's satisfaction.

This comes from public works. The town just paved this road recently. There will probably be 14 to 16 road cuts along the frontage. The Town Engineer said we just spent about a half a million dollars repaving that road and its brand new this year. So we would like to see it look and ride like it has been undisturbed.

Ms. Conroy asked about sidewalks. Mr. Giudice said no sidewalks were proposed. Explanation that this is a town road and it would be an offsite improvement.

Mr. Chaplinsky made a motion to approve the application with the three stipulations by the Town Planner noted above. Mr. Pocock seconded. Motion passed 7 to 0 on a roll call vote.

D. Site plan application of P P &D., LLC for two office buildings, property located at 973 Queen Street SPR #1563.

Attorney Joseph Crispino with offices at 133 Main Street representing the applicant. This property is for a proposed office building at 973 Queen Street. It's one building being phased possibly into two phases. The property directly to the south of this is where the Putnam Agency currently is. That property has been there for some time. It's an office building. It's owned by P & A Partnership which is the Putnam Family and a non-family member.

In 1999 the Putnam Family purchased these two lots to the north. One on River Street and one on Queen Street and that is the subject property we're presenting tonight.

I want to make sure that everybody understood that there are two separate owners, two legal entities. There was an issue about curb

cuts here and whether we should have one curb cut on the property to the south which would mean we would have to take away parking spaces from that piece and from the proposed office building to move it just a little bit. The fact is, there is different ownership.

This property was before you for a carwash and we believe this would be a lesser use, an office building which would generate less traffic and it is all buffered as it should be.

I'll turn this over to Mr. Bovino for the technical questions.

Sev Bovino, Planner with Kratzert, Jones & Associates, representing the applicant. I have a couple of exhibits to help you follow the presentation.

(1) Assessor's map which shows the four parcels that Attorney Crispino was talking about.

Explained.

(2) The other is a reduction of the plan that you see on the board.

The property number at this time is 965 Queen Street. We actually have four parcels and they have multiple numbers.

Explained.

If Town Engineering decides it should be a different number, we'll change it.

It is at the corner of River Street and Queen Street. It shows four parcels which will be combined into one parcel with this application. The total area of that will be 1.68 acres of land.

Curb cuts were explained. We intend to eliminate the house curb cut which is right at the light and relocate it further south about 35'. That will serve the proposed office building. The property is served by public water and sewer. The building will be approximately 11,623 sf. It's a 1.5 story building. It is 20' high, approximately. This is a B zone. Phasing was discussed.

All infrastructure will be constructed during Phase I. The property is bounded to the north and east by a residential zone. And, business to the west and south.

Regulations require a 20' landscape buffer and it shows on the plan with notes that additional planting could be added, if required.

We propose a fence in the area where there's a gap along the easterly property line. Explained the fencing.

On the north side we propose the buffer as shown on the plan and we have all this area to be grass. No parking in that area or loading

in that area so there will be no major disturbances to the neighborhood to the north.

The proposed lot coverage is 15.8 percent. Allowed coverage is 25%. We received staff comments and responded in writing. We meet with staff a couple of times. We have revised the plans to reflect their concerns.

The architecture of the building is in keeping with the office to the south. Explained it has a colonial flavor which fits with the residential zones to the north and the east.

The proposed use is a low traffic generator. Medical office building. And, 2000 sf of this building will be dedicated to a real estate office and the rest will be medical.

We feel this use is probably the least intrusive of the many allowed under your regulations. All appropriate notes are on the plans in terms of details, construction meetings, et cetera.

ZIRO is provided as required by the regulations. Explained.

Drainage discharge was explained.

Landscaping was explained.

Sidewalks will run through the curb cut as requested by staff. We are proposing a 2' sidewalk easement because when they built the sidewalks, they encroached on our property. We'll be providing that easement to the town.

I'll be glad to answer questions.

Queuing of cars from the light to the entrance of the curb cut was discussed. Exit lanes were discussed (left & right turn). Stacking was discussed.

Discussion of the possibility of a joint curb cut with the parcels. It was pointed out the legal entity is different and thus not possible.

Traffic study is not required, it was noted. Reference was made to the traffic study that was done for the carwash. Discussion.

The Town Planner offered the following stipulations at staff's request. She noted they were discussed with Attorney Crispino and Mr. Bovino before the meeting.

- (1) Provide copy of drainage easement on adjacent parcel.

(2) Abandonment of well to be done in accordance with public health codes.

(3) Proposed sewer connection to building to be 6-inch minimum in size.

(4) Applicant to provide sewer easement across the front of the property if it is a sewer main.

(5) Provide driveway ramp detail.

(6) Provide corrected trench detail for sanitary sewer purposes.

(7) Provide sidewalk easement prior to zoning permit.

If you find the traffic information provided to you acceptable, and you are satisfied with the information that you have, then staff has no other outstanding comments.

Mr. Sinclair made a motion to approve with the Town Planner's aforementioned stipulations. Mr. Pocock seconded.

Mr. Chaplinsky said he was concerned about the driveways. They're very close and they are very close to the street light. It would be nice if there was a way to join the two driveways with an easement. I have a concern about the two driveways on a very busy road, right next to each other, right on top of a light. Safety reasons.

Mr. Sinclair asked Attorney Sciota for comment. Attorney Sciota explained you can request things if they don't match your site plan regulations. This one currently meets your regulations. Both presenters said that has been explored and the property owners, different legal entities, do not choose to do that. It is not an option in front of you at this point.

Mr. Sinclair agreed with Mr. Chaplinsky he would like to see it as one driveway, as well. I do not want to throw the baby out with the bathwater. I will be voting for this.

The Chair explained about the previous development of Queen Street with curb cuts.

The Town Planner discussed incentives that might be offered for shared curb cuts.

Motion passed 6 to 1 with Mr. Chaplinsky opposed.

E. Mohawk Northeast, Inc., request for reduction of Bond in Lieu of Site Plan Compliance from \$57,000 to a new amount of \$20,000, 409 Canal Street SPR #1509.

Staff supports this. There are just two items outstanding the applicant is working on.

Mr. Sinclair moved for approval. Mr. Pocock seconded. Motion passed unanimously on a voice vote.

#### **Items to Schedule for Public Hearing**

A. Zoning Amendment, bonding procedures and requirements, Section 9-06; 9-07.1 and 15-09 of the Zoning Regulations ZA #552, February 16.

B. Subdivision Regulation Amendment, bonding procedures and requirements, Sections 8-01.01; 8-01.01a, 8-01.02 and 11-07 of the subdivision regulations SA #23), February 16

C. Tyke Lavette, resubdivision application, 169 Captain Lewis Drive S #1272.1, February 16

Items A, B & C scheduled for February 16.

#### **Administrative Reports**

None this evening.

#### **Receipt of New Applications**

1. Tyke Lavette, S#1272.1, resubdivision, 169 Captain Lewis Drive.

2. Site plan application, SPR 1564, 464 Queen Street, an application to remove an existing building and construct a convenience store.

#### **Commissioner Communications**

The Chair asked for updates from the subcommittees.

Mr. Chaplinsky, Chair, reported on the Zoning Board of Appeals compliance. The subcommittee consists of Paul Chaplinsky, James Sinclair and Patrick Saucier.

In summary, we are looking at continuous improvement of our existing procedures and regulations. We held our first meeting two weeks ago and we have kind of divided and conquered some initial action items.

We've put together a project plan which carries us through the first week of May. It's aggressive but we feel we can do it.

We are going to look at what's in front of the ZBA, any low hanging fruit we might be able to learn from there with respect to regulation revisions. And, doing a self assessment of our own internal procedures. We are going to look for customer feedback from the people who use the process.

(End of Tape #1, Side A)

(Beginning of Tape #1, Side B)

We are looking to see if we can get something going on the website and we would like to request in the month of March an open mike session at the end of our meeting to allow public to come forward and provide suggestions and ideas with respect to the process and regulation change.

The Chair asked the Town Planner to add that to the Agenda for the two meetings in March.

Mr. Kalkowski reported on the subcommittee on sexually explicit business regulations. Mr. Kalkowski said the first change is a rename of the committee to the Adult Oriented Business committee.

(Chuckles)

The initial kick off was held with Lisa Conroy and James Sinclair and myself back on January 25<sup>th</sup>. He passed around and explained the project plan. We understand exactly how we are going to be handling this. We've reached out to the town staff to understand what constraints we have or time frames we're under for working with outside counsel as well as working with agencies.

A couple of key milestones were highlighted. We are targeting the public hearing for May 4<sup>th</sup>. We plan on having four more subcommittee meetings meeting on a weekly basis. We'll report out at each PZC meeting. We plan working with town staff very closely on our proposed changes, working with outside counsel and then ultimately with the resource planning agency. We'll then bring it to this board for the public hearing and then put it up for the first vote on May 18<sup>th</sup>. We are giving ourselves at least two meetings in case we have to table on the 18<sup>th</sup>. We have a drop dead date of June 1<sup>st</sup> to meet our deadline of June 23<sup>rd</sup>, when the moratorium expires. More to come on a regular basis.

As to the Northwest Quadrant Committee, which Mr. Oshana is Chair of, they have not yet met.

The Chair complimented the committees on doing a great job.

Ms. DelDebbio had a meeting with the open space committee recently. It was an overview for the new members on the committee. A couple of items we talked about was the Novick property, an old orchard, and the town is trying to work with the BOE to see if it would be feasible for the VoAg department to refurbish the orchard. It would be a great teaching opportunity for the VoAg department.

Another thing is the town is going to be cutting some trails on the properties that we own and also working with the highway department; the town is going to be making some small parking areas for the passive recreation at our open space sites.

In executive session, which I can't speak about, we are pursuing a couple of parcels.

The town is going to be applying for the next round of open space grants.

If anyone is interested in inquiring about the town purchasing land they may have for open space, please feel free to contact Attorney Sciota, David Lavallee, the Ass't Town Planner or myself. All information is on the website: [www.southington.org](http://www.southington.org).

The Chair thanked everyone for working on the subcommittees. I know we all have busy lives and schedules. I really appreciate your taking the time.

Ms. Conroy noted in the packets we are getting reduced maps for each of the reviews we have had and it has been really helpful. It's nice to have it.

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

(Whereupon, the meeting was adjourned at 7:50 o'clock, p.m.)

Adjournment

