

PLANNING & ZONING COMMISSION
Public Hearing & Regular Meeting
April 6, 2010

The Planning & Zoning Commission held a public hearing and regular meeting on Tuesday, April 6, 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	Zaya Oshana, Jr.
Michael DelSanto, Chair	

Alternates: Edward Costello
 Steve Kalkowski
 Lisa Conroy

Ex-officio members present were as follows, viz:

Mary Savage-Dunham, Town Planner
Anthony J. Tranquillo, Director of Public Works/Town Engineer

Absent: Mark J. Sciota, Deputy Town Manager/Town Attorney
 John Weichsel, Town Manager
 Patrick Saucier, Alternate Commissioner

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 March 16, 2010

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

Ms. Conroy noted for the record she did read the Minutes of the meeting and she did watch the video on the town website.

Ms. Savage-Dunham read the legal notice into the record for the public hearing item.

Public Hearings:

A. Paul Bucchi, special permit use application to allow 2 principal buildings on one lot, 154 Town Line Road SPU #482.

Brian Plourde, representing the applicant, Paul Bucchi and SnowWhite Power Equipment Repair, LLC presented.

We are seeking approval to allow two primary buildings on the same lot. The subject property is located on the southerly side of Town Line Road and it's within the I-1 zone. The approximately size of the property is 3.36 acres.

It consists of a one story, 9,320 sf building to be used for display of small engine merchandise: snow blowers, lawn mowers, yard equipment, et cetera and for service repairs and storage. The service and repairs will be done at the rear of the building.

The secondary building is a 4,000 sf single story building utilized for the warehousing of bulk items that will not be housed within the main building itself.

The construction materials for both buildings were described.

We are providing for outdoor display of equipment. Directly in front of the building there is going to be an overhang with a sidewalk for displaying. And, also within the grass landscaped island adjacent to the northeast corner of the building.

Mr. Chaplinsky asked if the outside display items would be taken in at the end of the day. Mr. Plourde advised they will be taken in and will not remain out overnight.

In response to a question by Mr. Kenefick, Mr. Bucchi explained the reason for two buildings and not just one larger building. They were hoping to utilize the second building as just a warehouse, storing new equipment. It enables us to take less deliveries and purchase at a price point when we take more at one time.

Discussion.

Also, if we pick up a commercial line to help our contractors, there'll be less moving around. The building won't have to maintain a climate like the one we're working out of and it would keep the newer equipment in a little bit safer condition.

Hours of operation were discussed.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

(Staff comments)

None at this time.

The Chair closed this public hearing at this time.

7:10 pm.

Business Meeting

A. Paul Bucchi, special permit use application to allow two principal buildings on one lot, 154 Town Line Road SPU #482.

Ms. Savage Dunham advised that in accordance with the SPU and Section 1-09 of the zoning regulations, the commission needs to make a determination of the proposed buildings and uses are deemed to be compatible. You should discuss and determine the compatibility of the proposal and discuss the appropriateness of two buildings on one lot.

Staff has no outstanding comments/concerns with regard to the special permit application.

Mr. Sinclair made a motion to approve this application with the finding that the buildings are compatible with the area and consistent with Section 1-09. Mr. Pocock seconded. Motion passed 7 to 0 on a roll call vote.

B. Paul Bucchi, site plan application for the construction of a 9,320 sf commercial and service building and a 4,000 sf building, 154 Town Line Road, SPR 1543.1.

Brian Plourde represented the application this evening.

The subject property is on the southerly side of the Town Line Road within the I-1 zone. Size is approximately 3.26 acres. It consists of a one story 9,320 sf building for the display of small engine merchandise and repairs and storage.

The rear building is a 4,000 sf one story building for warehousing our additional stock and bulk items.

Parking is provided for 21 vehicles. All parking will be paved and the areas curbed.

Privacy fencing is called for at the rear portion of the property to secure the area for items.

We are proposing outside product display areas along the front of the main building beneath the overhang and also within a grass island at the northeast corner of the building.

A monument type sign is shown adjacent to the driveway.

All area lighting will be full cut off fixtures. A plan is provided which shows no lighting off of the property to the adjacent properties.

All utilities are underground. Explained.

Storm water drainage for the parking area and the roof was discussed.

Standard erosion and sedimentation controls will be utilized during construction. Explained.

Landscaping is mainly focused along the front of the property between the parking area and Town Line Road with planted berms. Explained.

The regulations require nine street trees and that is what we have provided.

Existing landscape berms that are existing now will be removed.

All disturbed areas will be loamed and seeded.

We are also proposing along the southerly property line additional landscaped buffer as called for on other similar applications which we will work with the town as development continues.

Ms. Savage Dunham advised staff did revised plans from the applicant and responses to comments. They were included in the packet. We did review those and there are a couple of outstanding comments which I'd like to read into the record.

Staff Comment #4, you can see our comment and the applicant's response has been written in. The outstanding item is: specify interior core material for the filter berm.

Staff Comment #5, the filed utility easement needs to be shown on the survey map which the volume and page.

Staff Comment #8, with regard to the proposed sanitary lateral, there are a couple of housekeeping items. We're concerned about the amount of cover over the sanitary lateral. The clean out is still shown. The minimum flow line of the building needs to be 178 and they need to show the elevation of the Y location. (Sheet SP-2)

Staff Comment #9, this is about the stabilizing of the slopes. We'd like the applicant to show a hatched symbol on all areas to be treated with erosion control blanket. There is a note on the plan, but staff is asking for the supplemental hatching for the construction workers as they don't always read the notes.

Comment #10, we've asked the applicant to indicate on the plans where the maintenance area for the equipment is. I've learned today that it's in the 9300 sf building. There's no floor drains, no trench drains. Staff wants to be sure that there's plenty of spill kits on site. We want clarification on the plans to make that information evident.

There is a letter from Plainville which relates to comment #12.

Comment #24, the front of the property, the existing condition now is that there is a ponding situation in front of this property. The current situation is that the water kind of sheds off the road and just infiltrates the sandy material. These plans show the applicant proposing a raised berm in front of the property. Staff was concerned that additional water would be shed in front of the property into the town right of way, which is actually Plainville's right of way. However, we didn't want to make the ponding situation worse.

This application because it's within 500' of the town line is referred to the adjacent municipality. We had a conversation with them today. The letter is sent for the record for the applicant. They didn't want to advise the applicant how to design the site but they wanted to go on record with both the PZC, the Town, and the applicant that if the development does make it worse and there is icing conditions out there, the Town of Plainville would be looking to the applicant to resolve it.

The agent and I talked today. There are some very easy fixes to this. It's not a difficult thing to do. This item should get designed now instead of having a stipulation. I suggested they could call Plainville if they wanted to but I told him Mr. Grappone and I would be happy to sit down with them. We could bounce some ideas around before they change the plan. That way when you act on it, it wouldn't be a condition. It will be sorted out already at least to our satisfaction.

Comment #17, staff has agreed that the second bench mark can be provided at the time of the building stake out.

Comment #18, there's some corrections to the size of the orifice on the outlet structure that needs to be corrected on Sheet SP-2 and Sheet SP - detail 2.

Comment #20, the sanitary detail and the storm detail just need to be added to the set of plans.

Most of those comments are housekeeping or technical in nature. The more substantive ones are really the roadway issue and the sanitary design.

Also, not in control of the applicant, is the fact that the subdivision Mylar hasn't been filed yet for this lot. We require the lot to be created before you approve a site plan for that lot.

The agent for that is drafting some easements and they need to post their bonding and provide the easements for review.

We are very supportive of this project.

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

C. Twinco Corp., site plan modification (BJ's Wholesale Club) for a revised stormwater control basin and reestablishment of access to rear lands, Spring Street, Assessor's Map 169, Parcel 015 (SPR #1551.1).

Attorney Anthony Denorfia spoke on behalf of the applicant. He indicated he would not repeat what was discussed at the last meeting. But we did mention that this was a modification of the previously approved BJs site on Spring Street.

Since that time staff has worked diligently and I believe that they have pretty much ironed out all of the outstanding issues. There are stipulations and the applicant has no objection to those.

I am here and Kevin Clarke is here to answer questions.

Ms. Savage Dunham agreed with Attorney Denorfia. She stated the remaining issues in the memorandum dated March 31, 2010 were enclosed in your packet. Those would be the recommended stipulations of an approval, should you choose to act.

Mr. Sinclair made a motion to approve this application with the Town Planner's aforementioned stipulations. Mr. Chaplinsky seconded. Motion passed 7 to 0 on a roll call vote.

D. Mountain View Farms, LLC, discussion of calling of bonds (SPR #1456)

Mr. Kenefick recused himself on this item. The Chair seated Lisa Conroy for Mr. Kenefick.

Ms. Savage Dunham stated she enclosed in the PZC packet a brief memorandum for your information.

She stated this project has a single family portion and then there's also a section with multifamily housing on it.

It was technically two separate approvals there's separate bonding for each project.

We have called the bonds for the single family portion. The town has been obtaining responsible quotes for the completion of the public improvements and remaining work up there. We will be proceeding with that with the work to be completed by September or October this year.

This is the other piece of that property. The topsoil has been stripped off and the loaming and seeding hasn't been done and not all the draining work has been completed. The property is still sitting abandoned, from the town's perspective. Staff and the commission discussed and made that decision when we did call the bonds for the other section.

The town has \$17,800 in E & S bonds to do drainage improvements. A detention basin and then loaming and seeding. And, \$1,000 in public improvement bonds, which will remove the two existing driveways there and loam and seed.

I did want to discuss this in a public forum. I did send this letter to the developer, as well, so they would know this was happening. I've had no information or contact from them.

Next, Mr. Lavallee and Mr. Grappone are going to take a look at what is needed to do to stabilize the site. It's going to be sitting for a while. Get the drainage to not be a problem.

It would be in the town's best interest to call those bonds and complete the work during this season and we'll be asking you to take action on that.

Mr. Oshana asked why the bonds couldn't be called tonight and get this going. Why wait another meeting? The Town Planner responded that part of why we're proceeding this way is that we want to be sure that we deny anyone due process. We want to discuss the matter and issues at hand in a public forum, provide notice to the applicant or their representatives if they want to contact the town. And, staff still needs to go out and develop a punch list. We wouldn't want to take action and be open to a legal challenge of our due process.

Discussion.

No action required this evening.

E. Bradley Memorial Hospital, request for release of \$1,000 E & S bond, 81 Meriden Avenue SPR #1529.

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

The Chair, for the record, reseated Mr. Kenefick.

F. Pine Hollow Estates, Section I, reduction of subdivision bond to a new amount of \$100,000 S#1236.

The Town Planner said this is the maintenance bond amount required for that street and staff supports this.

Mr. Sinclair so moved the motion. Ms. DelDebbio seconded. Motion passed unanimously on a voice vote.

G. New Mill Restaurant, request for release of \$1,000 E & S bond, 493 South End Road SPR #1376.1.

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

H. Ace Building & Design, request for release of \$ 2,700 E & S bond, 24 Wolcott Street/98 Summit Street S #1232.

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

I. Twinco Corporation, request for release of \$180,000 Earth Excavation bond, (Phase I) Spring Street EE #127.

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

J. Deandrea, LLC release of \$3,500 Public Improvement bond, 60 Mastrianni Drive SPR #1353.

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

Items to Schedule for Public Hearing

Adult Oriented business Regulations (ZA #553) May 4 or 18, 2010

The Chair asked for this to be scheduled for May 4th, 2010.

Administrative Reports

Nothing this evening.

New Applications

The Town Planner had several but had no list this evening. She would have it available at the next meeting. They are all formally accepted.

Commission Concerns

Ms. DelDebbio mentioned the nice letters in the packet. The Town Planner said Dave takes a lot of heat - he is a man of few words, but he does work very hard. It was nice to see him get some credit, as well.

Mr. Kalkowski reported that Jim, Lisa and he have completed our work. We've worked with town staff as well as outside counsel. I am handing out now the results of our labor.

Attorney Yoxhall did a tremendous job working with us and we're very pleased. We came away with a good result. You can read this at your leisure. We'll answer any questions you may have.

Mary has sent the information RPA folks and we should have it back and we are on track for the public hearing on May 4th.

The Chair extended his gratitude and appreciation. You guys worked really hard on this and it looks like you did a great job.

Very nice.

This is posted on the website and the Town Clerk.

Mr. Chaplinsky gave an update on his committee's work. We are looking at suggestions for improvements in our regulations and process. A number of people came to our public input sessions here and we appreciate the personal phone calls. We're finishing up gathering the information and the recommendations from staff and from professionals who work in the field. We hope to wrap up our investigation towards the end of the April.

We will have a meeting in may to prioritize, create a list and work with staff to comb through the list to see which ones we can do relatively quickly and which ones may require a little bit in-depth look and have a long term approach.

We will have formal recommendations and report outs in June.

Mr. Oshana advised his committee would be setting up some scheduled meetings on going forward with that subcommittee. We have a member of the Town Council to work with us so we have some interaction with the Town Council so that the PZC and the Council understand where we're both going. We'll be moving forward.

Hearing no further business, Mr. Sinclair made a motion to adjourn which was seconded by Mr. Chaplinsky. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 7:45 o'clock, p.m.)