

PLANNING & ZONING COMMISSION  
Public Hearing & Regular Meeting  
May 17, 2011

The Planning & Zoning Commission held a public hearing and regular meeting on Tuesday, May 17, 2011. Chairman Michael DelSanto, called the meeting to order at 7:01 o'clock, p.m.

The following Commissioners were present, viz:

James Sinclair	Steve Kalkowski*
Kelly Kennedy DelDebbio	Francis Kenefick
Michael DelSanto, Chair	

Alternates:                      Randall Gage  
   James Macchio

Ex-officio members present were as follows, viz:

Mary Savage-Dunham, Town Planner  
Anthony J. Tranquillo, Town Engineer  
Mark J. Sciota, Deputy Town Manager/Town Attorney  
Garry Brumbach, Town Manager

Absent:        Paul Chaplinsky, Commissioner  
                  Zaya Oshana, Commissioner  
                  Lisa Conroy, Alternate  
                  Patrick Saucier, Alternate

The Chair seated Mr. Macchio for Mr. Chaplinsky and Mr. Gage for Mr. Kalkowski.

A quorum was determined.

(\*Arrived where noted in the Minutes)

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 May 3, 2011

Mr. Sinclair made a motion to approve the May 3<sup>rd</sup>, 2011 Minutes. Mr. Kenefick seconded. Motion passed on a majority voice vote with Mr. Kenefick and Ms. DelDebbio abstaining.

PUBLIC HEARINGS:

The Town Planner read the legal notice in the record.

A. Gary and Roseanne Grindle, special permit use application for a parent/grandparent apartment, 115 Woodfield Road SPU #496

Walter Twachtman, Attorney, represented the application. You have the plans before you for a parent/grandparent apartment. Mr. & Mrs. Grindle plan this apartment for Mr. Grindle's mother. I believe we've complied with 11-22 of the regulations. I would ask for your approval.

Those speaking in favor of the application:

(No response)

Those speaking against this application:

Brian Whitford, 118 Mountain Pond Road, Southington. A couple of concerns with this application. I saw a note on this application from Rob Librandi requesting larger plans. Were they submitted? I didn't find any at the town hall today.

The other question is I went to the Clerk's Office and I notice there are covenants for this property. I want to make sure all the people in the other 46 houses, I don't believe they were notified of this and I want to make sure they were notified.

Attorney Sciota explained the normal procedure for a public hearing. We don't deal with covenants, those are a civil matter. But they did get notice based on our regulations.

The other thing, while I was at the Clerk's office, as well, there is a contract with the builder of this house that he was finishing the basement. But I don't know if you know but this basement is 100 percent finished. It was done without permits.

The Chair advised the speaker if he had a complaint to file, he would do so elsewhere. This is not the forum.

The speaker said a portion of this work was done by the builder. I do know that for a fact.

The Chair again advised this is not the forum for complaints.

The speaker said he wanted to make sure that staff has provided the commission with all the information available to them.

And, there is drainage - we were at the house with our experts a couple of weeks ago, there's a whole drainage system that we put in at this house and there are no records of it being brought before this commission. There's a lot of stuff being done at this property without permits and without notification.

The Chair again advised this is not the forum for complaints. We do not take complaints at that podium for violations on this property. You can make complaint in the Town Planner's office tomorrow.

The speaker asked the process for a waiver. The Chair advised he speak with the Planner tomorrow at 8:30 am.

The speaker said he did that with no answer. I've spoken to the Town Manager, as well. Does anybody know?

The Town Planner explained some of these matters relate to pending litigation on the same property that really have no relevance to the parent/grandparent apartment aside from the fact it is on the same property. Comment cannot be made on pending litigation matters.

The speaker said he wanted it fair for all who apply for these parent/grandparent apartments that they're going through the normal process and doing it the correct way.

Discussion.

Hearing no further comment, the Chair closed the public hearing.

#### BUSINESS MEETING

A. Gary and Roseanne Grindle, special permit use application for a parent/grandparent apartment, 115 Woodfield Road SPU #496

The Town Planner reviewed the application noting it comes to the commission post construction, as many of them do. We have the plans and my copy of the plans have the four notes (10, 11, 12 & 13) written on them as required by Section 11-22 of the regulations. I do have the affidavit in the file regarding the intended tenant. At this point in time everything is in order and it's ready for action.

Ms. DelDebbio made a motion to approve the application as presented. Mr. Gage seconded.

Mr. Sinclair asked if the commission would be opening themselves up if they approved with the concerns the gentleman spoke of. Attorney Sciota advised the Town is not involved in the litigation. This is an application for an in-law apartment in front of this board.  
Discussion.

Roll Call:	DelDebbio:	Yes
	Kenefick:	Yes
	Sinclair:	Yes
	Gage:	Yes
	Macchio:	Yes
	DelSanto	Yes

Motion passes 6 to 0.

B. Sixty Six Realty, LLC, site plan application for a proposed 25,713 sq.ft. building, 199 Lazy Lane SPR #1586.

Stephen Giudice with Harry Cole & Son, on behalf of the applicant, requested a 65-day extension. We're still ironing out our responses to comments.

Mr. Sinclair made a motion to grant a 65-day extension. Ms. DelDebbio seconded. Motion passed unanimously on a voice vote.

(Mr. Kalkowski entered the meeting and the Chair reseated Mr. Kalkowski. Mr. Gage was then seated for Mr. Oshana.)

Staff supports a table.

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

The Chair recused himself from this application handing the gavel over to Ms. DelDebbio.

**KELLY KENNEDY DELDEBBIO, assuming the Chair:**

C. Simone DelBuono, site plan modification application, 142 Center Street SPR #1543.2, request for 65 day extension

The Town Planner advised a request for a 65 day extension and staff supports it.

Mr. Sinclair made a motion to grant the 65-day extension. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

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

**MICHAEL DELSANTO, Resuming the Chair:**

D. AMJM Realty, LLC, site plan application for the proposed construction of a 5,016 sq ft building, 36 Triano Drive SPR #1587

Stephen Giudice, Harry Cole & Son, represented the application. This is one of three applications we have for Triano Drive this evening. We did receive a supplemental checklist after our revisions. I did submit a response to the comments.

We did make revisions to the plans accordingly. And, we have a few items that need to be stipulated, but overall, it's in good shape.

Ms. Savage Dunham recommended two stipulations:

1. A 10' drainage easement, right to flow across Lot 4 must be finalized prior to issuance of the zoning permit.

2. The applicant is to coordinate drainage items with the Triano Drive contractor and the Director of Public Works.

Both have been agreed to verbally.

Mr. Sinclair made a motion to approve the application with the two stipulations. Mr. Kenefick seconded. Motion passed 7 to 0 on a roll call vote.

E. Timberlou, LLC, site plan application for the proposed construction of a 2,500 sq ft building, 54 Triano Drive SPR #1588

Stephen Giudice, representing the application, showed building elevations per a commissioner's request. It's a 50 by 50 foot square industrial building. Earth tones.

Discussion.

Staff would recommend a stipulation that the applicant execute a catch basin agreement prior to CO for connection into Catch Basin 1.

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

F. Lion Condo Association of Southington, Inc., site plan application for proposed conversion of retail space to a restaurant with additional associated parking, 971 Meriden Waterbury Road SPR #1589

(Mr. Sinclair recused himself from the application.)

Stephen Giudice, represented the application. A lot of work has been done revising the plan to address staff comments. I believe they've all been addressed to the best of our ability.

Ms. Savage Dunham recommended the following stipulations:

1. Applicant to provide lease and insurance to Town Attorney prior to zoning permit.

2. Parking to be constructed prior to CO on Unit 5.

3. A zoning permit is required prior to starting work.

With that, it's ready for action.

Ms. DelDebbio made a motion to approve the application with the stipulations. Mr. Kalkowski seconded. Motion passed 6 to 0 on a roll call vote.

Mr. Sinclair re-entered the meeting and was reseated.

G. Request of the Southington Water Department under Section 8-24 to install a replacement 8 inch water main on East Summer Street, a replacement 12-inch water main on Meriden Waterbury Turnpike between Marion Avenue and Robin Road, a replacement 8 inch water main on Greeley Lane and a replacement 8 inch water main on Lynwood Drive MR #459.

Fred Rogers, Assistant Superintendent of Southington Water represented the application.

Mr. Sinclair made a motion for a favorable 8-24. Mr. Kenefick seconded. Motion passed 7 to 0 on a roll call vote.

#### ITEM TO SCHEDULE FOR PUBLIC HEARING

A. Lovely Development, Inc., (applicant) Robert J. and Maria Gagnon (owner), special permit use application for a parent/grandparent apartment, 17 Sandy Pine Drive (Map 154, Parcel 028) SPU #497, June 7<sup>th</sup>.

Scheduled.

#### ADMINISTRATIVE REPORTS

None this evening.

#### RECEIPT OF NEW APPLICATIONS

The Town Planner passed around a list with four new applications:

1206 Queen Street

Yarde Metals - SPR 1524.5

Hawks Landing Country Club SPR 1532.3

Lovely Development - SPU 497

ADJOURNMENT: Mr. Sinclair made a motion to adjourn which Ms. DelDebbio seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 7:25 o'clock, p.m.)