

The Chair noted for the record that due to some technical difficulties, the video camera is not working. This meeting will not be televised, but we will have Minutes on the website.

Public Hearings:

A. Joseph LaRosa, Earth Excavation application for the removal of 5,800 cubic yards of material, property located at 72 and 74 Summer Street (EE #131) public hearing continued from June 15th.

Stephen Giudice, Harry Cole & Son, represented the applicant. This is a continuation of the public hearing from last meeting. He reviewed the presentation made at the previous meeting.

We have made modifications to the site plan and responded to the staff comments in writing to the Town Planner. We have also forwarded a copy of the plan to Attorney Ziegler for his review with his client who is the property owner to the west.

The main modifications to the plan really had to do with the way the slope has been graded to the back of the property. We did put a high point one foot into the property along the property line so the Calandra water went off on their property and the LaRosa water will be maintained on their property.

We made the slope along the Calandra property a 3:1 slope. I would've liked to have made the entire site 3:1 but it wasn't feasible to do that.

The question about the 3:1 and how much earth would have to be brought in, we did a computation. It is approximately 378 cy of material.

We will request a waiver of the 3:1 slopes on the northerly property line and also a waiver request for work within 100 feet of the property line.

We did add to the plan fencing along the perimeter of the property along the top of the slopes, temporary fencing until the site is stabilized.

I'll answer questions at this point.

The Town Planner had no questions.

In response to a question by Mr. Costello, the total amount of material required does include the topsoil.

(Those speaking in favor of this application)

No response.

(Those speaking against this application)

Attorney Robert Ziegler, representing the Calandras. We've been working on an agreement with the LaRosas. We have one hurdle left and

that was to review the hold harmless agreement which was prepared on the eve of July 4th and Attorney Zaccagnino is on vacation. We're still hammering that out.

As to the one foot inside the property line, that's been done. The sloping has been maintaining so the water on the Calandra's property remains their property and that the water on the LaRosa's property flow into the LaRosa's. And, that the chips southwest of the property line be removed and when the sloping process is over it can be reloaded and seeded.

But for the final review of the hold harmless agreement, I am optimistic that we have an agreement between the property owners.

Mr. Tranquillo added it has come to his attention that some damage has been done to the sidewalk in the area. I did check that late today. There are two lateral trenches that have been brought to the sidewalk and also some damage to the curb cut area of the sidewalk. I recommend a stipulation that the sidewalk and curb be renewed in this area. I would recommend total replacement of the approximately 350 feet of the sidewalk. Approximately 40 feet was damaged with the laterals and the curb cut area.

Discussion.

Mr. Giudice said the sidewalk is in very poor condition. There is a note on the site plan that we would meet with Mr. Tranquillo and replace the sidewalk as deemed necessary.

Discussion.

Mr. Tranquillo will walk the sidewalk with the applicant's representative and if any can be saved, we will save it.

(Staff correspondence)

The Town Planner distributed to the commission read a correspondence into the record from Tanya Molce which is on file in the Town Planner's Office.

The Chair closed this public hearing item.

B. Michael Zommer, Special Permit Application to modify existing approval to allow removal of existing wooded hillside, 25 Old Turnpike Road (SPU #486)

Michael Early, Jones Engineering represented the applicant, South Gate Management. We're here seeking a modification to the special permit use which was approved years ago. Explained the property location. Back in the late 80's there was a SPU approved for a residential use in a CB zone. A site plan was done. Explained the three main buildings house approximately 45 residential apartments.

As part of the SPU site plan, there was a note to the north and east property lines about a wooded hillside to remain as part of the application.

What we'd like to do is to propose that this wooded hillside be regarded and replanted in accordance with a future earth excavation application which we're also here for tonight. This is the prequel for the earth excavation application to move forward.

I believe that the earth excavation site plan will be the governing documents over the final grades and planting and vegetation on the slope which we'll get into more on the next application.

Briefly, the toe of slope is going to be pushed back about 90 feet along the south side of building C and 40 feet along the north side of building C. We're proposing trees be planted at the toe of slope and regrading to be done. There will be tree clearing from the top of the slope down, stabilization methods incorporated with the EE application.

I'll answer questions.

Mr. Chaplinsky asked how much total material is to be planned to be moved out of this site. Mr. Early stated for the combined properties --- there's two properties to the north --- but for the combined properties it was originally as 46,000 cy and we're down to under 42,000 cy now. We've increased the buffers since we originally submitted the plans. I don't have the figure for the amount of material just on the Zommer parcel.

Discussion.

We're figuring 2500 triaxle load of material.

Mr. Chaplinsky asked staff if they had the original note as to what the intent of the keeping of the hillside was for. The Town Planner clarified it just said: wooded hillside to remain. The Minutes are very, very brief but it was part of the presentation. The map for the SPU as well as the site plan for the apartment complex both called out: wooded hillside to remain. They talk about buffering and preservation of the natural area.

Discussion.

Mr. Kenefick pressed for the amount of material on this wooded hillside. Mr. Early said if he had to guess, it would be 35,000 cy.

Discussion.

The Chair noted we will get into the earth excavation further on in the Agenda.

Discussion.

Ms. Conroy asked the motivation for bringing this up now, 24 years after the original site plan. Mr. Early said this goes with the earth excavation. This started out when the material was removed from the library project. After that approval was made, Mr. Florian came in to continue the grades along his property. This is the end of the run here --- the southern end of the property is basically the end of the hill.

Discussion.

(Those speaking in favor of the application)

(No response)

(Those speaking against the application)

Richard McClintock, 25 Old Turnpike Road, Apt. 7. He spoke of why he likes his apartment. It's nice, it's secluded. It's private. He said if they added on, it would be a lot of noise that he didn't want. A lot of people he didn't want.

Discussion.

Spoke of children living the apartments and where they ride their bicycles and play and stuff. I'm concerned that what they're proposing is not safe for the children.

Discussion.

By taking the dirt off, how are they going to make sure there's no swamp or anything like that, water damage? I'm concerned about that. I can't put anything in my apartment basement because it gets wet when it rains. It floods.

Discussion.

I'm concerning about the trenching so that the water will dissipate correctly.

Thank you.

Nicholas DeLucco, 71 Belrose Avenue since 1959. I live on top of the hill. My main concern is all those trees that are going to go down, took hundreds of years to build, grow. By him replacing the hillside, who is going to appreciate that? Not even my great-grandchildren will. It'll be 60 years down the line.

I'm concerned also with the amount of animals back there. Explained the animals he's seen. That means they're going to climb the hill where I am. I'm concerned. With have young children on our road. What's going to happen to our pets when the animals start coming up there?

Discussion.

That's an awful lot of land to remove. I tried to find out if there were endangered species there. They didn't know --- no record of that land being put on the list. Is there endangered plant life there.

There is an awful lot of water running down that hill. It's a flood when it runs down Belrose Avenue.

Discussion.

I know that that buffer was to remain so they could only build that amount of apartments there. They got the special exception for residential in the CB zone.

Questions about the truck hauling routes.

When does it stop?

Rich McClintock, 25 Old Turnpike Road, Apt. 7. Spoke about the animals he's seen in the area: deer, skunks, bear. I'm worried about the animals as you are going to destroy their area.

Discussion.

I don't think this is a good idea personally.

Bonnie Sica, 73 Huckleberry Lane. I'm speaking against this application for a couple of different reasons.

I feel it needs to be investigated much more. For the applicant to say he's not sure of the material square footage. We need to know exactly. I want to be very specific as to how much of that wooded area is coming out.

Discussion.

From a conservation perspective, this is one of the very last wooded sections in downtown Southington. We do need to look at how much of that wooded area does need to come out.

Discussion.

My other concern is making sure that the intent back in 1985 is upheld.

Discussion.

It should be investigated, too, as to whether there are any endangered species on the property.

Future maintenance and management of the property was discussed.

Pamela J. DePaolo, 54 Delahunty Drive. I live up the hill from this area. I am very shocked at the extreme proposition here to make such a drastic change to the landscape there. I'm very, very concerned about it.

Discussion.

The comments I've listed to so far are certainly very apropos. If there some way to look into thinning out the land there or reducing some of the trees so the character and the hill can be retained.

Discussion.

What is going to be offered by taking that down? It is going to destroy one of the beautiful wooded areas we have in this area. We are losing wooded areas quickly.

Discussion.

My question is the same: Why now, after so many years? Is it that much benefit? I'm very disturbed by this idea.

Spoke about more high density housing going in in that area. I don't agree with using this property for more high density housing.

Scott Valke, 15 Old Turnpike Road, Apt. 14. The hill is right behind my unit. I'm not against it or for it as of yet. I want to know what's going on. A lot of things are in the dark.

Discussion.

We need to know by living there, first off, I've been told there is not going to be any more apartments built behind our units. I believe that.

I know Mr. Florian wants to build something over where the insurance company is. That's not the hill behind our building.
Discussion.

My concerns are how are they going to get in/out of there with trucks regarding our piece of property. Second, that hill, if they don't take that hill and grade it properly and put retainage walls in with shrubbery or trees, we are going to have a washout. We'll have a water problem.

Discussion.

The other thing is how're they going to set up the trees and the shrubs? I haven't seen a plan yet that'll hold the hill back. How're they going to improve the area? Put an area in for the kids.

Discussion.

I need more information to make a decision.

Lastly, there are a lot of animals. You'll probably create a problem for the animals. There are a lot of trees, but there are a lot of trees up there that need to come down. Some were taken down before. They did a good thing.

The key is we need more information to know how much of the hill are they taking out, how're they going to restructure the hill, how're they going to keep the drainage from flooding out the three buildings that're there now as two do have a water problem.

Susan Moran, 5 Old Turnpike Road, South Gate Apartments. I don't understand how any of this is going to benefit the people living there.
Discussion.

Are you going to make it better? Add a picnic table or a gazebo?
Discussion.

(End of Tape #1, Side A)

(Beginning of Tape #1, Side B)

Krista Colby, 66 Belrose Avenue. I live on the hill on the top. We are going to get the animals n the 2.5 acres that we own behind our house. That's where all the water goes. It runs down my driveway and it becomes a river behind my house and it goes right down to South Gate.

Maybe Zommer will not be building anything there but maybe they'll sell to somebody who is.

Karen Voyse, Apt. 1, 15 Old Turnpike Road. She spoke about the animals in the area.
Discussion.

I don't want to see losing all the trees, woods again. I like to feed the animals and things like that.

I don't want a lot of water in my apartment, either. All of those things have to be taken into consideration.

Richard Liebler of 75 Belrose Avenue. My biggest concern is if they ever do take down the hill as far as retention walls for homes on Belrose Avenue, I don't want a situation where 10,15 years down the road everything starts to fall down into where the woods are now.

Spoke about the water flow. If you excavate the hill, it's going to create a big water problem down there.

Arthur Cyr, 103 Berlin Avenue. I oppose this for only one reason. I object to someone coming up before this commission and having absolutely no idea how many cubic yards of fill are being taken out of this specific property.

Discussion.

I don't believe you have any section of your zoning regs that deals with wild animals, so you really can't base any of your decisions on the effects on wildlife.

There is still quite a bit of wooded area in our 39 square miles of Southington but I do wish they would come up with some good information.

Can Mr. Tranquillo tell us how many cubic yards came out of the library? Mr. Tranquillo said the first excavation was 42,000 and then they took out an additional 30,000 cy.

(Rebuttal by the applicant)

Mr. Early responded to some of the questions posed. He spoke about the drainage which is of great concern to the neighbors. This plan is a prequel for the earth excavation plan that's going to be coming up later on in the Agenda. That plan has more of the technical and engineering data associated with it.

I would like to clarify with respect to the amount of fill coming out of here. This application came in and incorporated three properties. We realized we had to come back and modify the SPU for this property which is to change the note on the site plan to regrade and replant the wooded hillside.

It's difficult to calculate a volume of material that is just going to come out of this piece of property alone without incorporating the properties to the north. That's where the excavation is going to begin and continue from north to south. But we can come up with a number if that's what the commission wants.

Discussion.

The 42,000 and they said there was close to 80,000 cy already removed from the hill, this is half that approximately and the removal of that material hasn't been detrimental to any of the local businesses or any of the neighboring properties. There's been a minimal amount of erosion problems there. We're going to be proposing the same erosion control measures and the same slopes. We're increasing the buffers for

this piece of property to protect the neighbors because along the east side we get into some residential uses. The properties to the north which was already excavated had business uses on each side.

With respect to drainage, it's a small drainage area. The top of the hill is the top of the drainage basin. Explained the drainage basin starts at the top of the hill and ends at the toe of the slope. We're proposing to take a hill out and replace it with a hill with not as many trees. But as part of the EE application, we are proposing a bioswale and a drain to intercept any of the water that's on the bottom of the slope.

The earth excavation plan does have more information on it. Explained this application is to modify the SPU.

The Chair noted a lot of comments tonight were towards the EE application, so we have those comments on the record. When that application comes up, there's no reason to come up and reiterate those comments.

Mr. Early said lastly with respect to the drainage and groundwater, there's groundwater in this area. That's the groundwater table and has nothing to do with the water running off the hill.
Discussion.

Discussed the elevations.

Mr. Chaplinsky asked the intent and purpose for the removal of the hill. Mr. Early it is to create some green areas behind the buildings to alleviate some of the tree cover from the east side of building C to allow more air to flow through and reducing the potential for mold & mildew to build up. Creating a green flat area to the east of building C and to the north of building C for the residents of South Gate.

There is no area here to add on to this development. No area for a building and parking. The applicant knows that. Just trying to make an investment in his property to make it nicer for the tenants.

Mr. Costello asked if there was intent to sell the gravel. Mr. Early said they will sell the material that is coming out of there.

The Chair brought up the wildlife and habitat. Did you take into consideration those elements when you were thinking about taking this hill away? Mr. Early said they did not. I do know it's not the DEPs list of areas of environmental concern. There's no IW in the area. As far as endangered species, to my knowledge there is none living there.

The Chair added it was brought to his attention there is a section in the regulations with regard to SPU, that in deliberating our decision, we make certain that applicants are cognizant of wildlife habitat and farmland and trees and the environment as a whole. It is Section 8.02.13.

Mr. Early said they were removing the vegetation that is on the South Gate property but there is still a significant amount of forest

on top of the hill that backs up on to the residential properties. We are taking out approximately an acre of the South Gate properties.

Mr. Early advised there is no proposal for retaining walls. It's going to be the same grades continued from the properties neighboring to the north that have been approved for an earth excavation. Just a 2:1 grade running south to the southerly property line.

The old wood retaining wall running on the east side of building C, north to south, and another retaining wall to the north of building c and both will be removed. Then the toe of the slope is going to move 40 feet back from the north end of that wall and approximately 90 feet back from the south end of the wall eliminating the need for a retaining wall.

Discussion.

The Chair closed this public hearing item.

C. Lovely Development, Inc., Special Permit Use application for open space subdivision, property located at Pacer Lane, Assessor's Map 050, Parcel 096 (SPU #484)

Severino Bovino, Planner, with Kratzert, Jones & Associates representing the applicant made a presentation. He pointed out that development of this parcel will allow the connection of the two Pacer Lane temporary cul de sacs. All town departments strongly supported this connection during the last application.

The property is zoned R-20/25. Now it will be served by public sewers and public water.

Under Section 3-807 the applicant is requesting your approval of an open space subdivision concept layout which will be done in two phases. Phase I and Phase II were described. If approved, we will start in the fall of this year and the crossing will be done in the next dry season, summer to fall of 2011.

The open space concept lot frontage is allowed to be smaller. And, there is an opportunity to preserve an additional 3.3 acres of open space and eliminate one rear lot next to 177 Pacer Lane. That land will be dedicated to open space totally. The additional open space is to the south and the total of those two areas equal the 3.3 acres which will be added to the existing open space on this property. Explained.

The additional open space proposed to be deeded to the town is mostly upland area and is not wetland area. It will provide a continued band along the north, west and south of this property thereby providing additional protection to Judd Brook and also the tributary coming from the north.

Discussion.

The crossing of Judd Brook will be a replacement of an existing one to the west of the property. Explained.

Wetlands approval was received for the activity of replacing of the crossing.

The open space concept allows the highest and best use of the land in a smaller footprint thereby reducing long term impacts in many ways. The lots meet the same standards of the R-20/25 zone in terms of buildable square (80 by 80 foot) on half acre lots. Explained.

They have the same 40 foot front setback. Most lots are larger than the minimum allowed. The 20% coverage under the regulation will allow for 2,800 sf footprint. Explained.

We submitted a conventional and an open space layout as part of our SP application.

We have provided a statement of purpose as required in the regulation.

Per Section 8, we provided an area map showing parcels within 500 feet of this property with the property owners names and addresses and they were notified of the public hearing.

You have to find tonight that an open space subdivision is appropriate and the next step is a resubdivision application which again has to be reviewed and approved by this board.

It is the applicant's opinion that this open space preservation subdivision accomplishes the intent of the regulations and therefore we respectfully request your approval.

We received staff comments and I responded briefly to those. The sewer extension was discussed.

Examples of house plans were passed around. The price will start around \$425,000.

I'll answer questions.

Conventional layout provides 11 lots. Open space is 12.

Average lot sizes were enumerated for the open space subdivision and for those lots on either side of the existing subdivision.

(Those speaking in favor of the application)

Arthur Cyr, 103 Berlin Avenue. I am in favor of this application. It is in the best interest of the neighbors on both sides. It's in the best interest of the town to preserve open space. We get 3.5 more acres of open space for the town.

I hope you approve this application.

(Those speaking against the application)

Jack Dunn, 216 Frost Street. I am a neighbor bordering this property to the north. Spoke extensively about the severe water problems they've had over the years. The drainage ditch that runs behind their properties to the west and then to the south and then it runs to the east to Panthorn Park was discussed. We are concerned about where is that water going to go.

Discussion.

Are we going to be protected? That's our concern.

Lastly, he brought up the elementary school redistricting that was just completed for Strong, Plantsville and South End School and the effect of that.

Extensive discussion about the ditch and the water drainage by Mr. Kenefick and Mr. Tranquillo. Mr. Dunn is upstream of this development.

Michael Zaffina, 112 Trotter's Lane. I have a concern with the proximity of the lot that will be built behind us. Hopefully, there will be a buffer between the new house and us. Wanted to get a little more understanding from the developer.

Barry Vroeginday, 77 Pacer Lane. I am not speaking so much against the subdivision but I want to make the board aware of the amount of children in the area and to propose one thing.

My proposal is to add a three way stop at Pacer and South Fork. I urge you to consider that strongly to slow down the traffic on Pacer since it'll now be a thruway.

Mr. Tranquillo and the Chair said that would be addressed by the Police Chief who is the Traffic Authority in town.

Mr. Kenefick noted they have done this on Hart Street. Make sure you tell them that.

Richard Ahearn, 229 Frost Street. When they remove all the dirt for the foundations, are they going to dump it back into the land again like they did last time? If they do, there goes the wetlands right down the drain.

Discussion.

The other thing is the original development, when they put the retention pond in for the development that drains into that waterway that Mr. Tranquillo is talking about. In heavy rains, that water just sits there and goes nowhere.

Kay Kaftanowitz, 208 Frost Street. The back of my land is the ditch. Explained. She said she had nothing to add to what Jack Dunn had said. I have water issues. I have water in the basement.

Discussion.

Spoke about having to pull a child out of the ditch during a January thaw.

(End of Tape #1, Side B)

(Beginning of Tape #2, Side A)

Lynn Zanghi, 177 Pacer Lane. She went over a list of questions she had for the developer and the commission.

- How the proposal for open space has been calculated and what percent of the cluster development portion of the parcel has been designated as open space.
- Has the open space portion of this cluster development been declared as a conservation area, only.
- Will this open space conservation area be clearly delineated and visually marked to prevent the builder from accidentally clearing the land, removing the trees, removing the soil or storing construction equipment, machinery or material resulting in the destruction of that pristine wetland that is right next to our house and the surrounding open space.
- What department of the town will clearly delineate the area and what department will be in charge of the property.
- The truck route through the subdivision was noted. For safety reasons, will this board require the first phase of the building to be the bridge and a temporary Pacer Lane road to be built before any housing construction begins to insure the safe emergency entrance and exit and to provide the construction vehicles a more direct path of entry and exit to the site from the Pacer Lane neighborhood that is off Marion Avenue and will this board require this bridge to be built before any housing construction begins. Explained concerns.
- Can someone explain to me what the term outfall means, what lot this is in reference to and state how the developer has moved some of the lots around to get a better situation.

The Chair noted a lot of the questions were with regard to wetlands and I encourage you to go to the wetlands commission with the questions.

Explained.

Further questions:

- What is the town ordinance for the size of the trees that are to be protected.
- Did Mr. Lavallee do a review of this application and what were the findings?

Doug Mearkle at 103 Pacer Lane. He was concerned about losing the cul de sac. I'm concerned about the safety of the children as I am directly where that bridge is proposed.

I'm concerned about the value of my home because of losing the cul de sac location.

He spoke about damage to his home during construction as he did experience some shaking during the sewer project installation.

Brian Ahearn, 221 Frost Street. Spoke about the rat problem when the earlier subdivision was put in because there is an underground river that runs through there.

Discussion.

When these houses start sinking, who gets sued, the Town or the developer?

The Chair noted the developer would be responsible.

Bert Roy, 211 Mount Vernon Road. Spoke about an unrelated matter. He was advised he has a civil matter. The drainage in the area of Frost Street was discussed. It might look dry, but don't step in it.

(Applicant Rebuttal)

Mr. Bovino offered answers to questions asked:

The ditch area is way to the north of this proposal and the drainage from our area drains southerly. It'll pick up the water from the road and the yards of these future homes and drain into the existing Judd Brook via the existing pipe. Our drainage is not going to go northerly to the ditch that was discussed.

The sumps, on all our plans we show proposed sump areas in case there is a problem.

The proposed elevations of these homes are designed so that they'll be 2 foot minimum above the flood plain elevation which is related to the Judd Brook area. They are also designed to be above the groundwater table.

Discussion.

We are not filling wetlands to build homes or for the back yards. The only filling taking place is to do the crossing for Judd Brook.

In regard to the school children, we already have subdivision approval so we're talking about one or two more lots only added.

In regard to the buffer at 112 Trotter's Lane, this is the rear lot which is the largest lot, so there's plenty of space to have the house located far away from the existing house. We are proposing the house to be farther away than normal.

As to 77 Pacer Lane, its located south of the brook, one of the speakers suggesting a 3-way stop sign at the location. If the police department requires it, I don't think the applicant will have a problem with that.

The fill material, we are not planning to stockpile any material in the wetlands.

Wetlands are delineated with numbered flags. The plans indicate a line of boulders and shrubbery all along the north and west side of this property to protect the wetlands. That is one of the first things we'll do. Silt fence and orange construction fence will be installed.

Discussion.

As to 177 Pacer Lane, we removed one lot that was approved previously. The driveway will no longer be next to the house. Lower impact to the wetlands, so we have more green area and open space than before.

The open space is calculated based on the regulations. There's a table on the subdivision plan indicating how it's calculated.
Explained.

The lot close to the outfall (indicating) the home on that lot, the suggestion was made to move it farther away which we did. We changed the style of the home. A subdivision issue.

Staff review was done. Explained.

As to 103 Pacer Lane, the cul de sac location. When this is done he is going to gain green space. The cul de sac will be cut back and grass will be planted there so he'll have more distance to the paved area.

The gentleman on Mount Vernon Road can call my office and we'll talk. I have no knowledge of his problem.

The retention of trees was discussed and the diameter of the trees was discussed. We're not going to cut down any trees in the wetlands. If they are on the building lot and could fall on the house, we are going to cut them down.

Discussion.

The bridge will be done next year during the dry season. Therefore, we have no choice but to access from the north.

The total subdivision parcel is 9.41 acres. We have 3.18 acres of open space deeded to the Town on the northern part. It looks 0.92 acres on the southerly part and then there is an additional accessway, .14 acres --- a little over 4.25 acres of open space deeded to the town. Mr. Bovino clarified it is 3.3 additional acres in addition to what was deeded before. Approximately 30 percent is open space.
Explained.

(Staff comments)

Ms. Savage-Dunham indicated she had no comments.

The Chair closed this public hearing item.

D. St. Thomas Catholic Church, Special Permit Use application for addition to existing church building in a residential zone and to allow multiple buildings on one parcel, 99 Bristol Street (SPU #485)

Stephen Giudice, represented the St. Thomas Catholic Church in this application. We're proposing site plan modifications and some parking improvements for the church.

Most of the things we are proposing here would require just a site plan approval. During our initial discussion with staff, we noted that the site that had never gotten special permit for the church use in a residential zone. And, we also have multiple buildings on one parcel which requires a special permit, as well.

The main reason I'm standing here is that we're looking for permission to have multiple buildings on one parcel and to allow a small addition to be put on the church and to allow a church use in a residential zone.

I'll answer questions.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

(Staff comments)

None this evening.

The Chair closed this public hearing item.

E. Format, LLC, Gerald Rediker, Michael and Linda Zommer and Southgate Management, LLC, Earth Excavation application for the removal of 46,600 cubic yards of material, property located at 301-303, 319, 323 Main Street, and 25 Old Turnpike Road (EE #130.1)

Michael Early, Jones Engineering, representing the applicants, is seeking approval for an earth excavation application for their properties fronting along Main Street. This is the continuation and potentially the end of the removal of material for this bank that runs between Main Street and Meriden Avenue.

All the properties are located in the CB zone. They're all underdeveloped and underutilized right now mainly because the hill begins right behind where the buildings sit. Explained.

Since the approval for the earth excavation for the library and the approval for Mat Florian's property, it has created quite a bit of useable land and by continuing this expansion and continuing these grades, it's going to create more useable land around these parcels.

It's going to create $\frac{3}{4}$ of an acre of useable land in a CB zone along the Main Street corridor (Route 10).

In order to move forward with this earth excavation, we're going to need the same consideration that was given to the town library piece and the Florian piece with respect an exception to the 2:1 grades and exception for the 100 foot buffer and modification for the reverse slope benches.

The one difference in the grading with this application as compared to the two approved applications to the north is we're increasing the landscape buffer at the top of the hill on the southeast piece to 20 feet rather than the 10 feet which was previously approved. Explained it gives an extra 10 feet of heavy tree cover to the top of the hill. We're not proposing any builders as was proposed in the other applications because we doubled the vegetative buffer at the top of the hill and the use is residential as you run south along the top of that bank.

Same kind of vegetative cover for the slope. The same erosion stabilization methods, ie: crown vetch grass mix. Explained.

At the South Gate piece, we are proposing a buffer of trees at the proposed toe of slope to be planted at 20 feet on center. Explained a mix of trees as per the Environmental Planner.

Behind building C in South Gate and on the Florian, Rediker and Zommer pieces, it will be loamed and seeded with a 20 foot wide by 4 foot high landscape buffer on the north side of the South Gate parking to buffer the residential use from from the potential CB use on the properties to the north.

Explained this is in the advent of economic development. This is a CB zone. It's the Main Street, Route 10 corridor. It's a good way to create raw land for development.

The truck exit routes were discussed. We're assuming approximately 2500 trucks of material that will head north or south on Main Street. No specific destination as of yet.

Mr. Early explained there will be future development on the Florian, Rediker and Zommer parcels. And, it would be in accordance with the regulations for the CB zone.

We are proposing two phases. The first phase will be on the parcels that're going to be used for the CB zone with CB use. We'll take the material out and as part of the first phase, construct the 20 foot landscape buffer to the north of the South Gate piece.

The second phase will to remove the material behind the South Gate piece. Bioswales will be constructed and the trees will be planted.

Discussion.

The homes on Belrose Avenue were discussed in relation to this application.

(Those speaking in favor of the application)

Arthur Cyr, 103 Berlin Avenue. I speak in favor of this application. Without this application we will never do the economic development in this area that needs to be done.

Discussion.

Michael Early added to his presentation: In respect to the volumes here, the proposal is for 41,500 cy of material. If the grades were approved in this manner as shown on this plan here, there'd be approximately 6,000 cy removed from the Florian piece, 12,000 cy removed from Rediker's piece, 2,000 cy removed from Zommer's piece and 22,000 cy on the South Gate property.

(Those speaking against the application)

JD Musto. I live at the South Gate apartments. It is a beautifully forested area in back of the apartments. It's a nice buffer between the apartments and Mr. DeLucco's place and the others on Belrose and Meriden and Southington Avenue.

I would like to ask that before this permit is granted, perhaps we can a little more detailed explanation about how far back, how much woods is going to be taken out. I was confused by some of the answers this evening.

Discussion.

If we a big flat open area with field grass on the hill and shrubs along the top, that's an eyesore.

With regard to the trees, we are talking trees that are 150 years old, a hundred years old. The trees are not going to grow quick. Our great grandkids won't see the trees.

If we're going to put something in here that's worthwhile and is going to help the town, that's a great idea but we haven't received any information on what's going to go here.

Discussion.

Nicholas DeLucco, 71 Belrose Avenue. I heard a lot of useful remarks. But none for the ones that are proposing this.

Discussion.

My concern is preserving the land that we have now. The additional taxes are not my concern.

Discussion.

He spoke about the animals being moved with development.

He was concerned for the children growing up on that street. I think we'd be remiss not wondering what the PZC had in mind 25 years ago when they granted the right to them people to build apartment buildings and now they want to change it.

Discussion.

(End of Tape #2, Side A)
(Beginning of Tape #2, Side B)

Richard Liebler, 75 Belrose Avenue. One of my major concerns is the barriers, retaining walls. I cannot see grading the slope, no matter how it is. It's going to take time for the earth to settle.

I think the earth movement after all this is said and done and should be addressed before the approval is granted with regard to this permit.

The Chair stated the applicant is asking for a waiver of the reverse bench slopes. Explained they slow down the speed of the runoff. They don't want to do that. They want to pull the toe of the slope back about 40 feet and then the slope will just go up to the top and then there'll be a 20 foot vegetative buffer along the back of the properties. Exactly like the sites next door --- straight hill --- as proposed.

Mr. Liebler added he is very concerned about the water going down into that area in back.

Discussion.

Richard McClintock spoke about the plans for the drainage.
Discussion.

Scott Valke questioned the area where the proposal is to fill for commercial development and if he understood it is not going behind the apartments.

Discussion.

The concern is there is no way that enough open area is there to build a building or even put a parking lot in behind the Zommer apartments.

Discussion.

Said his apartment building, which is right behind the hill, has no water issues, we don't get water in the basement and no flooding in the back of our building. The other two buildings get water in the basement because of a high water table and it has nothing to do with the hill.

Discussion.

(Rebuttal by Mr. Early)

Michael Early addressed the amount of the hill that's coming down. Unfortunately, in order to create the useable area in the CB zone, we have to take the material out behind them. In order to do that, we have to remove the trees. We understand there are going to be mature trees that'll be removed from the area. We don't have the count and species of the trees.

If you run to the easterly end of the Florian piece, it's roughly 250 feet from where the toe of slope and the existing tree line are today to what we're proposing.

As you move towards the southern end of the Zommer parcel, the amount of tree line to be removed gets less and less.

From behind building c, we are proposing to move the toe of slope back 40 feet and then it's another 80 feet to the top of the hill.

Behind the South Gate piece at the toe of slope, 40 feet off the building on the north end and 90 feet off the building on the south end we're proposing a new tree line at the toe of slope. We're not proposing to reforest the hill after it's been excavated. We're proposing plantings and shrubs to help with erosion and stabilization as per the Environment Planner's suggestions. They would be planted at a 20 foot on center pattern along the bank which would grow behind the proposed tree line at the toe of the slope.

As far as what's going to be proposed as far as development in the CB zone, we need to get the grade approved before we come forward with any application that'll have a direct effect on the amount of useable land.

There is no proposal to do anything behind the buildings on the South Gate parcel. The proposal is to alleviate some of the drainage issues behind that building and to clear up some useable land behind building C.

We would like to grade this down at the bioswale at a lower elevation than the first floor elevation for building C to get the drainage to run away from the building.

Discussion.

Spoke about the regrading behind the south side of building C to get the water to run down to the parking lot or to run to the bioswale to the east.

Discussion.

The Chair asked if the applicant had ever thought about eliminating the second phase. Mr. Early said they have not at this point. It is possible to do that and just do the first phase. The owners of South Gate are adamant that they would like to at least be able to do something behind the building there to alleviate some problems.

Discussion.

Mr. Kenefick pointed out that all the flack is coming from the second phase. You could eliminate that.

The Town Planner had no comments to add.

The Chair closed this public hearing application.

(Whereupon, the public hearing portion of the meeting was adjourned at 9:45 o'clock, p.m.)

(Whereupon, the meeting was recessed at 9:45 o'clock, p.m.)

(Whereupon, the meeting was resumed at 9:50 o'clock, p.m.)

MICHAEL DELSANTO, resumed the Chair:

Business Meeting

A. Joseph LaRosa, Earth Excavation application for the removal of 5,800 cubic yards of material, property located at 72 and 74 Summer Street (EE #131) public hearing continued from June 15th.

The Town Planner brought to the commission's attention the responses to comments that were in the packet. The application was for the removal of 5800 cy but there is going to be some importing of material, actually. Approximately 388 cy, 11-12 truck trips over a two day period. 8:30 to 3:30 Monday thru Friday.

You are being asked for a waiver of Section 11-16.3A. And, a waiver of Section 11-16.3B. You need to take action on those waivers first and it requires a two thirds vote to pass.

Staff has no other comments on this application.

Mr. Tranquillo noted there is some damage to the sidewalks. And, we do look at sidewalks under the site plan phase. The damage is relevant to the earth excavation.

Discussion.

Another comment was the request for a privacy fence between the parking lot and the residential structure.

Mr. Kenefick made a motion to approve the waiver of Section 11-16.3A. That says you cannot do any work or tree cutting within 100 feet of the property line. Mr. Chaplinsky seconded the motion to approve the waiver. Motion passed 4 to 2 with Mr. Costello and Mr. Kalkowski opposed.

Mr. Kenefick made a motion to approve the waiver of Section 11-16.3B. Mr. Chaplinsky seconded. That's the 3:1 slope instead of a 2:1 slope. Motion passed 4 to 2 with Mr. Costello and Mr. Kalkowski opposed.

Mr. Kenefick made a motion to approve the EE. Mr. Chaplinsky seconded.

Mr. Costello said he would be voting against this. He felt this was a case where the applicant had clear knowledge of the process. In his opinion, he circumvented the process. This is asking forgiveness instead of permission. And, I'd like to vote yes to have him put 1500 yards back. Is that an option for the town if this were to be denied?

Ms. Savage-Dunham said that would be a legal matter but this was the subject of a violation and the commission is not bound to approve it.

Mr. Costello I want to be on the record that this type of activity in town needs to stop specially with an applicant who has a clear knowledge of the process. He should have a clear understanding of the regs.

Mr. Chaplinsky agreed this has to stop. On the other hand, I look at what is in the best interest of all the parties.
Discussion.

Mr. Costello felt this was not a mistake, as Mr. Chaplinsky said, but something that was done intentional. This type of activity has to stop and we have to set a precedent sooner or later.
Discussion.

Ms. Conroy asked Mr. Kenefick if he would consider adding a stipulation amending the motion that the developer replace the approximately 40 feet of sidewalk and curb cut that was damaged as a result of this earth excavation, as recommended by the Town Engineer.

Mr. Kenefick agreed to amend his motion to include that stipulation. Mr. Chaplinsky seconded. Motion passed 4 to 2 with Mr. Kalkowski and Mr. Costello opposed.

B. Michael Meade, site plan application to construct a parking area, property of Jim and Joe LaRosa, 72 Summer Street (SPR #1570)

Stephen Giudice, representing the applicant, advised this site plan is just for 72 Summer Street. This plan proposes to add a few parking spaces to the site and a sidewalk connection to the front of the building. We are maintaining a 12 foot driveway to the back of the building. Explained.

A small depression is being proposed at the back of the property for storm water retention. Explained.

Public water and sewer.

It's an existing building that is being rehabilitated.

Landscaping and fencing was discussed.

Revised plans have been submitted to staff. The plan does contain notes stating the sidewalk will be repaired as determined necessary by the Town Engineer.

A small shop is going there. The ZBA has granted approval for this less nonconforming use.

The Town Planner advised she just passed a checklist from the Environmental Planner. We did receive revised plans and responses to comment at noon on Friday, past. We haven't had time to do a review. Staff is requesting a table.

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

C. Michael Zommer, Special Permit Application to modify existing approval to allow removal of existing wooded hillside, 25 Old Turnpike Road (SPU #484)

The Planner advised she did pass around during the public hearing the checklist for the SPU. If there were action on the application, the stipulation be that the existing dumpster enclosures must have gates installed.

Discussion.

I did provide in your packet the photos of the existing sites. They are asking for waivers of Section 11-16.3A and B. They'd like you to authorize them not to install the reverse bench slopes.

They are proposing some replanting at the bottom of the slope. Staff would say a landscaped buffer along the bioswale that was shown on the map; they're proposing a tree every 20 feet. Explained there may be some middle ground on the planting along the bottom of the bioswale and the vegetative buffer. Twenty foot on center doesn't provide much.

Discussion.

I'm happy question you may have.

I remind you this is adjacent to a residential zone so when you're acting on the EE you are to be cognizant of and refer back to Section 8 which is the SPU section. You have to make a finding. Explained the criteria.

Mr. Chaplinsky referred to the point that was made with regard to Phase I and Phase II. For me to Phase II is really tough to swallow.

Discussion.

Mr. Kenefick said he wanted to go out and walk the site. Therefore, he made a motion to table. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

D. Lovely Development, Inc., Special Permit Use application for open space subdivision, property located at Pacer Lane, Assessor's Map 050, Parcel 096 (SPU #484)

The Town Planner explained to the commission that the question at hand with this special permit is do you do an open space preservation or is the property developed as approved with a conventional subdivision.

Section 3-07.2 of the regulations was referred to. The 6 purposes were enumerated.

You have been provided the applicant's statement of purposes. As you review this request, refer to Section E review standards. Explained the findings necessary.

The application is ready for action. If you support it, they would go back to wetlands and they would then come back before you for the more technical aspects of the development.

After discussion, Mr. Chaplinsky noted the open space provides a buffer for the people. Section 3-07 specifically on preserving and conserving land, section A. Also, Section c, to conserve forest and wildlife, more so than a conventional. And, also control flexibility of design. These are aspects that an open space subdivision gives a little bit more latitude to work with. He then made a motion to approve the subdivision as an open space subdivision versus a conventional development. Mr. Costello seconded. Motion passed 6 to 0 on a roll call vote.

E. St. Thomas Catholic Church, Special Permit Use application for addition to existing church building in a residential zone and to allow multiple buildings on one parcel, 99 Bristol Street (SPU #485)

The Town Planner commented this is for the intensification of a special permit use in a residential zone and to allow multiple buildings on one site. The application is ready for action.

The commission needs to make a find that the proposal is appropriate for a residential zone in accordance with Section 8.02.11 of the regulations.

Staff completely supports it.

Mr. Costello commented he found it very appropriate for a neighborhood. I'll make a motion to approve. Mr. Chaplinsky seconded. The Costello added that motion for approval is with the finding the proposal is appropriate being in and adjacent to a residential zone. Mr. Chaplinsky seconded. Motion passed 6 to 0 on a roll call vote.

F. St. Thomas Catholic Church, site plan modifications and parking improvements, 99 Bristol Street (SPR #1575)

Mr. Giudice reviewed the application briefly. It's mostly parking lot modification and a small addition to the back of the building.

Discussion.

(End of Tape #2, Side B)

(Beginning of Tape #3, Side A)

Continued to explain the parking lot layout proposed.

Drainage improvements are proposed. Explained impervious area on site is being reduced. ZIRO was handled relatively easy.

Overall it is all improvements being done out there. Landscaping is being proposed to the site.

We did receive staff comments. Nothing earth shattering and very easily addressed with some revisions. We'd like to move forward.

The Town Planner said plans were reviewed and a checklist provided July 2nd. Most of the comments are more construction feasibility comments. Fairly minor project with some demolition.

There's a checklist from the health department dated June 21, 2010 also attached.

In our opinion, all comments could very easily be stipulated and worked out after approval by the commission.

Mr. Chaplinsky made a motion to approve with the stipulations contained in the Planner memo and the health department's memo. Mr. Costello seconded. Motion passed 6 to 0 on a roll call vote.

G. Format, LLC, Gerald Rediker, Michael and Linda Zommer and Southgate Management, LLC, Earth Excavation application for the removal of 46,600 cubic yards of material, property located at 301-303, 319, 323 Main Street, and 25 Old Turnpike Road (EE #130.1)

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

H. Hawk's Landing Country Club, site plan application for year round use of existing structure and 1,050 square foot addition, 201 Pattonwood Drive, SPR#1533.2.

Stephen Giudice presented the application and gave a history of the application which has been before you for a couple of meetings.

The health department was supportive of the modification to the plan. Explained.

Ms. Savage Dunham said the application does seem to be ready for action. Staff would recommend stipulating the July 1, 2010 health department memo.

Mr. Chaplinsky made a motion to approve stipulating the health department memo dated July 1, 2010. Mr. Kalkowski seconded.

Mr. Costello brought up some concerns about traffic. Was anything done to address to the concerns brought up by the neighbors. The Town Planner said she was not aware of any action being taken. The traffic was considered under your SPU. Staff did not take any action on that. Many of the neighbors did get up and say they supported the application, she recalled. She didn't recall a specific referral to staff.

Motion passed 6 to 0 on a roll call vote.

I. Request for approval under Section 8-24 for the sewer easement on Mill Street regarding the Farmstead/Mill Street interceptor project (MR#450)

Mr. Chaplinsky made a motion for approval to send back a favorable 8-24 to the Town Council. Ms. Conroy seconded. Motion passed 6 to 0 on a roll call vote.

J. Mt. Southington, site plan application for installation of new equipment, 396 Mount Vernon Road (SPR #1574).

Mr. Bovino reviewed the application to date. He noted the proposal is to replace the T-bar with a people mover.

There is a wetlands application because we need to cross an existing ditch. Showed on the map.

Mr. Kenefick made a motion to table and Ms. Conroy seconded. Motion passed unanimously on a voice vote.

K. High Ridge Industries, LLC, release of \$5,000 bond in lieu of site plan compliance, 125 West Queen Street (SPR #1510)

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

L. Unique Builders, release of \$4,100 erosion and sedimentation bond, 79 Interstate Park Drive (condos) (SPR #1323).

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

M. Dan Michaud, request for release of \$4,000 erosion and sedimentation bond, the Meadows Condominiums (SPR #1450).

Staff supports this. Ms. Conroy so moved the motion. Second by Mr. Kalkowski. Motion passed unanimously on a voice vote.

N. S. Carpenter Construction Co., request for release of \$47,000 subdivision bond, Strawberry Fields S #1259.2)

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

O. Ridgeview Estates, request for one year extension, 1985 West Street (SPR #1360.2)

Staff supports this. They have been moving along, noted the Town Planner. Because there was some issues out there, the time for the continuation of the extension in the past was discussed. The last year you gave them is now approaching expiration. They'd like to have another year.

The Town Planner reported on the work they have done out there.

Charlotte Goldblatt, Orange, Connecticut, partner in Ridgeview Estates discussed the project to-date.

Ms. Conroy made a motion to approve the request for a one year extension. Second by Mr. Chaplinsky. Motion passed 6 to 0 on a roll call vote.

P. Automaster, 1217 Queen Street, discussion of calling of bonds, SPR #1548.

The Town Planner commented this matter is on the Agenda for discussion. This originated out of a violation about a year and a half ago. The applicant was ordered to do a number of things and has been working diligently to do so. Included in those items were connecting the gutters to the downspouts, obtaining building permits, screening the dumpster, restoring some disturbed floodplains wetlands area with loaming and seeding.

Now there was some floodplain filling that occurred. This application was to do some restoration. The applicant also has a side venture going on in that he's a landlord. He has tenants coming in and wanting to open up businesses in his building. The Town typically doesn't sign off on things on a site with active violations.

We've been working with his tenant to help them go along and get open. In the same vane the applicant has been working with the Town to remedy his issues.

The only thing outstanding at this time is pulling back some fill from the floodplain and wetland area and basically digging out a swale, which is floodplain mitigation. Explained.

It is a technical matter. Staff has been going out to the site and working with the applicant. In fairness to the applicant, he has been doing a lot of the work himself.

The only thing outstanding from staff's perspective is the finalizing of the swale. We've hit an impasse. We felt it was important to have a conversation because the last time staff went out to inspect the site, we observed there was actually was more fill extended into the floodplain and the wetland area. There's a garden on the stream bank in the upland review area. The dumpster screen is irregular. Our main focus it the floodplain mitigation. We have taken a more relaxed approach to a lot of items.

We have a \$1500 bond. We don't want to call the bond, but the last thing that's needed is to finish this, plant some grass seed and it's done. We want to have this done before the next flooding season. Then that would solve our issue on signing off on COs for units in a building where there's active floodplain and wetland violations.

Discussion.

The applicant is here. Mr. Tranquillo was on site today for an inspection and talked to the applicant.

Mr. Tranquillo said he was on site in preparation for this meeting. The major issue is the floodplain filling in the back of the property. The site plan shows the area being excavated for flood storage and it's not there now. The applicant, I think, understand he has to do something with that. At parting, we decided that we would meet as a group, staff and him, on site and go through the issues and try to resolve them. I believe we will be able to come to some kind of resolution.

Extensive discussion back and forth between the commissioners and staff as to the work that needs to be done and the applicant's knowledge of that.

Harry Terdigian and his brother came to the podium and participated in the discussion on what needs to be done and staff's aid in doing that.

(End of Tape #3, Side A)
(Beginning of Tape #, Side B)

Discussion continued regarding the work that needs to be done.

Discussion about the importance of protecting the floodplain.

The Town Engineer stated that when the work is done, an as-built is ordinarily required. But in this case, he would have his staff go out and take a few shots.

Discussion.

Q. Northstar Centers, LLC, Executive Boulevard South and Lowe's property, discussion of calling of the bonds SPR #1461.

Ms. Savage-Dunham said this is on for discussion. She gave a brief history of the matter. On the north plaza there's some unstable piles of dirt that were at one point covered. Now the tarp is flapping in the breeze. It's unsightly. We received complaints about it. The fence around it used to have a green mesh on it and now it is ripped and deteriorated. There's a gate that sometimes is open. There are some bare areas of soil underneath the sign where there was some parking. There's the matter of the access drive behind Lowes heading down to the sanitary sewer manholes and that was supposed to be treated with process and it's not. The vegetation is about two feet tall.

The matter has been ongoing for over a year. Explained the engineer that we were working with left the company and then nothing has happened.

I hoped the correspondences I sent would get them to call me.
Discussion.

Between now and the next meeting I am actively try to track down the responsible party and if I still don't have a resolution by the next meeting, then I may recommend calling some bonds because we need to have the stabilization in place prior to the winter.

Discussion.

Mr. Chaplinsky brought up **Washington Concrete**. Ms. Savage-Dunham said it was taken off the Agenda. It was a similar matter. I sent out the letter and I didn't get any phone calls but I did drive by the site last week and I saw that the excavator had been removed from the site, so I took that as an act of good faith by the applicant. I asked my staff to touch base with them and asked them to do a little more seeding out there.

Mr. Chaplinsky brought up the May 20th letter. It says that the special permit use for this property has been declared null and void. The Town Planner responded in the I-1 zone, outside storage and display is SPU. SPUs are valid for one year and you can get a one year extension. If it is not put into effect by then, it's null and void.

Their SPU stipulated they had to build the building before they could start just storing material. You were concerned about the aesthetics of the site. That never happened. The time went by. So now it is null and void.

The approval for the building is good for five years and if they want to come forward and do the rest of it, they would simply make new application, have another public hearing and go through the commission.

Mr. Chaplinsky brought up erosion control and dust control. How do we determine if there is activity going on there within a 30-day period. The Town Planner said staff is out there all the time. She reviewed the state guidelines for erosion and sedimentation control.
Discussion.

Extensive discussion back and forth between Mr. Chaplinsky and Ms. Savage-Dunham regarding what defines activity on the site in relation to erosion control on site.

Mr. Chaplinsky requested staff to determine if there is activity and if there is regular activity, even though it might not be as much as we want, hydroseeding may not be appropriate for this.

Mr. Tranquillo said if staff has to do that with every site, we'd have three guys riding around all over town looking at what people are doing. They're supposed to call us so we can schedule what we're doing and not waste our time on the town's dollars.

Discussion.

Contact between staff and Washington Concrete to date was reported on by Ms. Savage-Dunham. Mr. Lavalley contacted them and then nothing else ever came up with this. We were supposed to get a response back with some additional details. Never got a phone call back. No one has ever called the Town Planner directly.

Discussion.

Mr. Chaplinsky pursued discussion on how the site was being done.

The Town Planner stated that none of what we're talking about here is unreasonable but I can't chase the guy down to have the conversation. At some point there has to be some positive action.

Mr. Chaplinsky gave a brief update on the Continuous Improvement Subcommittee. We have a rough list of all the comments that we've received. We hope to pare this down a little bit and make it more meaningful and circulate it around. (Doggy daycares, commercial vehicles, corner lot definition, financing, mobile billboards, outdoor wood burning furnaces, et cetera)

I will speak about it specifically at the next meeting.

The Town Planner passed around a cease & desist on Rite Aid. It's an FYI. We sent out a violation order on their time and temperature sign for scrolling advertisement.

Discussion.

Ms. Conroy brought up the intersection of Route 120 & 322. The old appliance maintenance place. It is becoming an eyesore. The Planner stated she is not sure there is an easy solution to this one, but we can have a conversation about it.

Discussion.

Items to schedule for public hearing

None at this time, but we may get one in before the next meeting.

Administrative Reports

None this evening.

Receipt of New Applications

Ms. Savage Dunham passed around a list. (List on file in the Town Planner's office.)

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

(Whereupon, the meeting was adjourned at 11:15 o'clock, p.m.)