

PLANNING & ZONING COMMISSION
Public Hearing & Regular Meeting
September 4, 2012

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, September 4, 2012. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

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

Alternates: Jennifer Clock
 Randall Gage

Ex-officio members present were as follows, viz:

Mary Savage-Dunham, Town Planner
James Grappone, Assistant Town Engineer
Mark J. Sciota, Deputy Town Manager/Town Attorney

Absent: Paul Champagne, Commissioner
 James Macchio, Commissioner
 Susan Locks, Alternate
 Ryan Rogers, Alternate

* Left meeting early where noted.

The Chair seated Jennifer Clock for Paul Champagne for this evening's meeting. 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 is available for review.

MICHAEL DELSANTO, Chairman, presiding:

The Chair seated Randall Gage for James Sinclair for this evening's meeting.

Approval of Minutes

A. Regular meeting of August 7, 2012

Mr. Kalkowski so moved the motion for approval of the Minutes. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

Mr. Chaplinsky did indicate he read the Minutes even though he was not present.

B. July 17 Minutes with verbatim transcript addendum

Mr. Gage indicated he appreciated the change and I think that it is appropriate. I will move to accept the Minutes as presented. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

Public Hearings

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

A. Thomas C. Downie & Rebecca Romajas, 2 lot resubdivision application, 590 West Street S#1289) public hearing continued from August 7

Sev Bovino, Kratzert, Jones, representing the applicant. We had a public hearing. It was tabled for additional comments which we received. The three comments were addressed and responded to in writing.

The property is located at 590 West Street. Front portion is zoned R-12 and the rear portion is R-20/25. We are proposing a total of three lots. One is with the existing residence. The other one a barn and then there is an additional lot to the rear (indicated).

Comment 1 was related to a note on the subdivision that this back lot would be served by sewer pump and that is note 21.

Comment 2 is note 22 which addresses the issue of planting in the future. We were asked to look at the need for additional buffering.

Comment 3 related to the driveway leading to the new lot. The applicant has agreed to provide a 5% grade as required by the regulations and has agreed to pave the driveway from where the existing stonewall is here through the steep area. The rest he would like to leave it in its natural conditions.

I'll answer any questions.

Mr. Bovino noted it is not a rear lot and it is not an unusual request.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

The Chair closed this public hearing item.

B. Cocco Brothers, LLC, 6-lot resubdivison application, South End Road, aka Map 23, Parcel 6, property of Thomas A. Curtis (S #1290) public hearing continued from August 7

Mr. Gage recused himself and left the bench. The Chair noted six would be voting and that is still a quorum.

Stephen Giudice, Harry Cole & Son, represented the applicant. This is a continuation from your last meeting. I did present the application at the last meeting.

We have revised the plans in accordance with the staff comments received. We did propose access easements to the open space at Lot 2. We did propose a paved driveway for Lot 2, as well. There is some landscaping along the driveway. We added the buildable squares to the lots.

I'll be happy to answer any questions.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response

The Chair closed this public hearing item.

Mr. Gage re-entered the room and was reseated.

C. WB Staebler Properties, LLC, special permit use application for outside storage, 409 Canal Street SPU #517

Sev Bovino, Kratzert, Jones represented the application. He showed and explained an aerial shot of the property. This is the old Clark Brothers Bolt Factory.

This property is at 409 Canal Street in Milldale in an I-1 zone. The property is served by public water and sewer. The total land area is 7.5 acres.

On November 18, 2003 the property was granted SPU #365 for a mixed use and redevelopment comprising office space, retail space, woodworking shop, warehousing and skating area. (Submitted copy for the record)

Tonight we are here to address a modification of the special permit to include outside storage associated with Schmidt Lawncare Services which is located on the north portion of the property. (Indicating)

They have concrete blocks containing various materials that are used in their business, i.e.: sand, mulch, topsoil.

Two of the areas have temporary cover over the top to protect the product from the elements. These will have to meet the building code.

There is an existing buffer at the north and west side of the property (indicating). We are proposing a double row of evergreens along the easterly portion of the property which is along the Rails to Trails and suggested by staff.

Jason from Schmidt Lawncare is here as well as Todd Russell from the Staebler properties to answer questions.

The appropriate notification was sent to the neighbors. (Entered copy of map and names for the record)

Staff has reviewed the application and received copies of our responses. There were no issues with the application as far as the SPU #517 is concerned for outside storage.

Hours of operation are: 7 am to 5 pm.

We would like you consider granting this approval to modify the SPU to include this type of use to have a storage area dedicated for their business on the outside in that location.

The Chair asked Mr. Bovino to talk about screening from the Rails to Trails which he did indicating a double row of evergreens are proposed where the end of the current buffer is moving up to where the detention area is. The evergreens are at a height of 6' - 3-inch diameter. Double row with no gaps per staff request.

The Town Planner said they have added supplemental plantings from the initial review so we feel they've responded to our request and are working with the town.

Mr. Chaplinsky brought up the limit of 8' for outside storage. Any need for storage higher? Mr. Bovino said the applicant will comply with that.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

Arthur Cyr, 103 Berlin Avenue. Brought up a drainage problem that went from this property to the Rails to Trails. Has this

property corrected any drainage problems causing problems on Rails to Trails? By the nodding of the head of the Planner and Engineer, I guess that answers my question.

The Town Planner agreed there were some drainage issues and they have been rectified with the last two plans before you. The detention basin in the previous plan was to accept the water being discharged previously on to the Rails to Trails. I haven't seen any problems out there.

The Acting Town Engineer concurred.

The Chair closed this public hearing item.

D. Lake Compounce, modification of special permit use approval to include Map 190, Parcel 006 SPU #518

Andrew Quirk, Kratzert, Jones, representing the applicant. This is a request to expand the present special permit use for the amusement park facilities that they have to include the former Reynolds piece which is now owned by Lake Compounce.

They presently own approximately 420 acres including the former Norton piece. The last modification to the SPU was in 2005 which added this piece to the SPU.

We'd like now to include the 10 acre former Reynolds piece to the SPU which presently exists.

The area is zoned I-1. Bounded to the north by the Bristol/Southington town line. To the west is bordered by Tilcon property and the Norton property that Lake Compounce owns. To the south is the Eight Mile River and Town of Southington property. To the east is a mix of I-1 and residential properties that are the rear of the West Street properties.

The intent of this area is for use as a proposed campground as an accessory use to the amusement park.

We believe the modifying the SPU to include this piece is appropriate since it is the same ownership and is the best use of the property adjacent to the existing property.

Jerry Brick is here to answer questions, as well.

Mr. Chaplinsky for further discussion on the use. Mr. Quirk said it is for a mix of campers with sites for campers being brought in and on site cabins and tent areas. It would all be operated by Lake Compounce and managed by them.

(Those speaking in favor of the application)

(No response)

(Those speaking against the application.

(No response)

The Chair closed this public hearing item.

E. Proposed zoning text amendment, Sections 9-01; 12-10.1, 12-10.2 and 12-10.3; and 14-02.1 ZA #566.

The Town Planner explained the application has been generated by the town. These are proposed zoning text amendments which came out of the work of the Planning Process Subcommittee. The intent of the revisions is to clarify what types of applications require a full site plan approval and what activities or development can be approved or accomplished with the zoning permit process at the staff level as opposed to coming to the full commission.

We have referred the revisions out to the regional agencies and have received comments back they are not in conflict.

The concept in general became that we do have sometimes minor, minor applications. The way our regulations read right now, technically any addition to a business or industrial facility would require a site plan modification. The commission was working towards trying to streamline the process and improve customer service and felt there may be some instances of minor additions, ie: adding a cooler to the back of a restaurant. It is a structural addition that requires permits but may not need to come back before the full commission.

The proposed change to 9-01 was explained as providing more exceptions to the applications requiring site plan approval.
Discussion.

The other changes are related text changes to make sure the intent is cross walked through the different sections of the regulations, i.e.: parking waivers.
Discussion.

The proposed revisions are intended to streamline the process for minor applications and still maintain the process for the substantive applications to come before the full commission for review and analysis.

Different examples were discussed in relation to the changes and what is reviewed by staff.

(Those speaking in favor of the application)

Sev Bovino said he was in favor of this application on behalf of all future applicants. Thanks to the commission and staff for working on this.

Steve Giudice stated he was in favor of the regulations. We worked pretty hard with everyone on the committee and I think they are good.

(Those speaking against the application)

No response.

The Chair closed this public hearing item.

Business Meeting

A. Thomas C. Downie & Rebecca Romajas, 2 lot resubdivision application, 590 West Street S#1289) public hearing continued from August 7

Public hearing has been closed on this application. Staff has received all responses to comments and we're satisfied with material submitted. This is ready for action should you choose to.

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

B. Cocco Brothers, LLC, 6-lot resubdivison application, South End Road, aka Map 23, Parcel 6, property of Thomas A. Curtis (S #1290) public hearing continued from August 7

Mr. Gage recused himself and left the room.

The Town Planner advised we did review revised plans today and we have a couple of minor comments. Staff feels that the application is ready for action. We would suggest you consider stipulating as follows:

- That the applicant verify the size of the existing sewer pipe in South End Road travelling north and review the internal sewer design with the Acting Town Engineer.

- Comment #14, we'd like to stipulate and that is for the applicant to verify if sewer equity is appropriate.

- Stipulate that we have all road deeds and easements for review and with regard to the Phase I, we did receive some information and we reviewed it. Staff has advised the applicants as follows: the

environmental statements have been reviewed and to complete the file the town needs an unequivocal statement from the environmental engineer stating the property being transferred to the town ie: open space, roadways, et cetera is free from any environmental issues.

- Stipulate we'd like to have the sewer work and the road work in South End Road coordinated with the town because the town is going to prepare to pave that section of the road and we don't want to pave it and then have it ripped up for a sewer project. And, that's been agreed to, but we'd like to stipulate it because we feel strongly about that.

With that, this project is ready for action from staff's perspective.

Mr. Kalkowski made a motion to approve with the aforementioned stipulations by the Town Planner. Mr. Chaplinsky seconded. Motion passed 6 to 0 on a roll call vote.

Mr. Gage re-entered the room and was reseated.

C. Walmart, site plan application for 8 temporary trailers until February 1, 2013, 235 Queen Street SPR #1210.10

Jay McClure, representing Walmart. Christmas is right around the corner. This is the same application as last year. Trailers with the same security deposit and they'll be gone by February 1st. Last year we made it well within the deadline of getting those off the property.

This is eight trailers for a four month term. A \$3,000 cash bond.

We're looking to put the trailers in around October 1st, and out by February 1st, 2013.

The travel patterns were discussed for the trucks.

This is acceptable with regard to fire. It was reviewed last year and it's the same number of trailers as last year. Fire Department is satisfied with this.

Mr. Chaplinsky made a motion to approve with the stipulation there is a \$3,000 bond it's for four months, October 1 to February 1 and Mr. Kalkowski seconded. Motion passed 6 to 1 with Chairman DelSanto opposed.

D. WB Staebler Properties, LLC, special permit use application for outside storage, 409 Canal Street SPU #517

The special permit is for the outside storage. We heard testimony tonight they don't need to exceed the 8 feet in height.

This application is ready for action.

Mr. Conroy asked if this was an existing use. The Town Planner explained it was and this was to close out a cease & desist order. This facility is actually constructed and in place.

The wetland boundary is accurate. We had delineation during the Rails to Trails as well. The wetlands agent has reviewed it and signed off on it.

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

E. WB Staebler Properties, LLC, site plan application for outside storage structure, 409 Canal Street SPR #1622.

Sev Bovino presented the application. He oriented the commission to the map showing the area the applicant occupies. There is no additional parking required or proposed. We are proposing to add additional buffer as requested.

The Town Planner advised this application is ready for action.

Mr. Chaplinsky made a motion to approve. Mr. Macchio seconded. Motion passed 7 to 0 on a roll call vote.

F. Lake Compounce, modification of special permit use approval to include Map 190, Parcel 006 SPU #518

Ms. Savage Dunham advised this application is ready for action. This is simply expand the land holdings that can be used for the family fun park or any accessory use. It's presented tonight it would be used for a campground but you are approving it as part of the Lake Compounce holdings. Any accessory use to Lake Compounce certainly would be able to be there with a site plan.

Mr. Chaplinsky made a motion to approve the special permit use. Mr. Kalkowski seconded. Motion passed 7 to 0 on a roll call vote.

G. Lake Compounce, site plan application for proposed campground facility, Mt. Vernon Road (Map 189 Parcel 04 and Map 190, Parcel 06) SPR #1623.

Andrew Quirk, Kratzert, Jones, presented the application. Here to discuss in more detail the campground facility that is proposed.

The location is the former Norton and Reynolds pieces. This is an area excavated years ago and it is a flat open area (showed aerial map). The access easement was pointed out.

The main park entrance road was shown coming down to the parking area. This is the open field area (indicating).

The proposed location is the north end of the 94 acre Norton/Reynolds pieces. It is to build about 30 acres on the northern end. This is a site plan to be built over a series of five phases for:

- 34 cabins
- 94 camper sites
- various tent sites.

Facilities will include a Welcome Center building in the center including food preparation, bathrooms, showers and other amenities to go along with the camping facilities.

Overall the development is intended to enhance the present family amusement park theme they have and expand the patrons that use the park facility.

The entrance to the area was appointed out with landscaping and screening. They'll come to a check in booth facility to get information they need. There is a landscaped island with connections to the various phases. The Welcome Center building is in the center with all amenities and conveniences they would need.

He indicated the camping facilities point out the cabins, tent sites and camping facilities.

We have proposed bathroom and shower buildings which will come in with the various phases as developed.

Upon exiting will be sewage dump station (indicating).

Site is served by public water from Bristol. We've met with Bristol and Southington Water and almost have a completed agreement.

A private water system with hydrants is proposed throughout the facility.

Sewer will also be through Bristol. On site series of gravity sewer from all the cabins, the Welcome Center and bathroom/shower buildings. And, then combined with the sewage dump station a pump to the gravity line in Bristol. The final agreement is in its final stages. We have conceptual approval from the Bristol Sewer Authority on that.

Cabins proposed are about 640 sf and would have bathroom and kitchenette facilities including sink, microwave, refrigerator. The showers in the shower buildings and not in the cabins.

On site storm water management was described. ZIRO is achieved through the 25 year storm. Both basins are to be built in Phase I.

Extensive landscaping is proposed --- shade trees and shrubbery as the rest of the park is in terms of landscaping and quality of development.

Jerry Brick is here to answer any questions.

Mr. Quirk explained the cabin facilities (94 proposed). Each is a cabin site with a dedicated parking space. Slab on grade construction. Sewer & water, stand alone cabin.

The camper fields proposed are in an open area with a landscaped island in the center for a central hook up for power, sewer & water. They have a space for the camper and some space around the camper. Fire pit area. It is a 30 by 50 area for each site.

The tent areas are for tents.

The phasing was discussed. Phase I is the biggest investment as it is all the infrastructure and that might take place in the next year or two. That would entail bringing the sewer from Bristol to the central location and water from Bristol to the central location. Building the park entrance road, Welcome Center and cabins here (indicating) as well as prepping some camper sites.

Each phase, once you reach a minimum of sites you have to have another shower or bathroom and that would come on line. Expansion of the areas.

Discussion.

Buffers were discussed to the closest residences which are at least 300' to the east.

The Town Planner suggested a table. It is a very complex application and we just reviewed the responses to comments today and there are outstanding items. We need to meet with the applicant again. There are some things they need to resolve.

Mr. Conroy asked to have staff go over the zoning history on this as he didn't see anything regarding campgrounds or RV parks. The Town Planner explained zoning language in the regulations allow family fun and amusement parks and this is being proposed as an accessory use to the family fun park concept. That is how it's being proposed.

Discussion.

Mr. Conroy asked how this would affect somebody who was in an industrial zone and wanted to put in an RV park or campground. The Town Planner said it would have to be an accessory use.

Attorney Sciota explained this is not a primary use. It's an accessory use so it's allowed under the regulations under the concept of the family fun park.

Discussion.

Mr. Conroy said at least 10 percent of the cabins are noted as being ADA compliant. Why isn't there something more universal? I would suggest that all cabins be made ADA accessible. Mr. Quirk would discuss that with the applicant.

Discussion.

Mr. Quirk did further indicate it is seasonal use: May through October following the park schedule.

Mr. Chaplinsky asked about staff concern regarding the fire pits. The fire department has reviewed it. There is going to be hydrants close.

Mr. Conroy asked if the police department had commented. The Town Planner said they did get a copy of the plans and we have not received comments back which is typical if they have no concerns. She will double check with them.

Noise was discussed. It is a complaint that would go to the police department for enforcement.

Lake Compounce has security and trash removal and shuttle.

Access way to the area was discussed. An emergency access is provided as well but it is not for guests. All within the security fence of the park.

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

H. Proposed zoning text amendment, Sections 9-01; 12-10.1, 12-10.2 and 12-10.3; and 14-02.1 ZA #566.

The Town Planner advised this is ready for action. Mr. Kalkowski made a motion to approve. Mr. Chaplinsky seconded. Motion passed 7 to 0 on a roll call vote. Effective 15 days after the date of publication.

I. Information presentation: Future Industrial Development

Attorney William Tracy, represented B & R Corporation and presented. This is a very brief overview of the sister companies have and some of the work they've been given thought to and action with going forward.

Part of this is also on your agenda following. We thought it was time as we are far enough into the process to be able to lay some things out for you and give you an idea of what the ultimate goal would be for the company if everything goes according to plan.

We have prepared a concept plan. It just an idea of where certain things might be placed and how some properties might be used.

The ultimate goal is a fairly comprehensive recycling facility here in the town that would deal with organic and green waste. Our sister company deals in forest products and manufactures mulch and playground fibers distributed in this state and neighboring states. It operates a volume reduction facility in Harwinton.

The thought was to bring some of those activities here to Southington. The size and location of the four undeveloped parcels we are looking at would be able to handle the type of facilities we are thinking about.

Ideal traffic access in terms of industrial development. Access to West Street was identified as being central to the state and the New England area.

It is an ideal traffic route currently used by industrial traffic.

Discussion.

Even though it is very central, it is relatively isolated from its surrounding. These parcels you don't see from West Street. Explained the very mature tree borders.

The privately owned parcels are pretty much set in a bowl as the elevation difference runs from 5 to 25 feet where they are below the adjacent parcels to the east. That combined with the tree cover isolates this property from view and would provide a very good noise buffer. To the west is the land fill and we are talking about leasing portions of that site for storage of the composted mulch materials.

The town currently operates a leaf composting operation on the Guerrette parcel which is the northernmost parcel and that is attractive to the company.

The ultimate goal would be a comprehensive recycling center which would involve a volume reduction facility to take the green waste, trees branches, shrubbery and reduces that to wood chips and grindings. They're looking a source separated composting facility or other organic wastes. They're looking at a waste to energy plant to transfer the wood and organic waste into a fuel and also a much manufacturing site. These require greater permitting from the state DEEP.

Discussion.

The mulch manufacturing site, on your agenda next, is one of the stand alone items we would operate whether we go on with the rest of the plan or not.

Discussion.

A volume reduction plant for wood waste requires a DEEP permit. The company has experience with this and would go through the process to bring a new facility here to Southington.

The source separated organic compost is something that has come out of the legislature in the last year which mandates that kind of recycling once the facilities are permitted and on line. The company wants to be at the forefront of those technologies and develop that process so that that will be available when recycling is required.

The waste to energy is an interesting technology. This is a process that involves pyrolysis (sp) which is the application of a high amount of heat in an atmosphere without oxygen for a short period of time with a rapid cooling resulting in a substance similar to a home heating oil. The other result is a charcoal or by product which can be reused as fuel for the pyrolysis (sp) process. That will require state permitting. A very clean technology developing alternative energy sources.

Discussion.

Projecting anywhere from 12 to 25 new jobs projected if this comes on line. Part of this process will handle the exiting composting and recycling needs of Southington.

We have existing contracts with the Dudak and Guerrette parcels. We have an agreement in principle with Tilcon which provides for the access giving us the ability to use the existing access easement the town has to the landfill giving space for scales and maintenance building.

Discussion.

At the Town Council meeting we will discuss the leasing of a portion of the landfill area as a compost and mulch storage site. If they're amenable to that it would be an 8-24 back to you. Then we'll be back with more detail.

That's an overview of our thinking and where we'd like to head with this.

We will be back in as necessary for specific site plan approvals step by step in accordance with your zoning regulations.

J. The ARC of Southington, 4 lot subdivision application, 314 Summer Street S #12391.

Steve Giudice represented the application. The ARC owns this property at the corner of Summer and Prospect Street. Large historic house they use for some of their residents.

The property is zoned R-12. It is a 1.37 acre parcel serviced by public water and sewer.

They are proposing to subdivide this into four building lots. One would be the exiting home and barn in the back with three new lots fronting on Prospect Street. All frontage lots.

Lots 3 & 4 are 12,000 sf and Lot 2 is 26,000 sf.

Existing sidewalks run along Summer and Prospect Street. An existing driveway portion will be used as access to the existing house shared with Lot 2. Lot 3 & 4 will have new driveways.

Roof leader infiltration systems are proposed to meet ZIRO.

Some minor grading and clearing proposed as part of the development.

We have received staff comments and submitted revised plans.

Any questions, I'll answer them for you.

The Town Planner confirmed receipt of new plans. I talked to Mr. Giudice about a couple of minor items he is in agreement with, so from our perspective it is ready for action should you choose to.

Mr. Chaplinsky made a motion to approve. Mr. Gage seconded. Motion passed 7 to 0 on a roll call vote.

K. 865 West Queen Street - Discussion of Notice of Violation/restoration plan

The Town Planner advised the commission has a proposed restoration plan before them. Very briefly there was an existing landscaped buffer associated with this building which had been cleared.

The commission and staff received some complaints and concerns from the neighbor with regard to loss of the buffer and potential impacts to their property values. This is an industrial property and the adjacent property is residentially zoned. The 35' landscape buffer is required by the regulations.

A proposal is in front of you. It has come to you with a great deal of effort on the part of this property owner and the neighbor. They worked together to find a solution they both can support.

It is for 16 6'tall blue spruce or Colorado spruce trees to be planted to try to replace that buffer.

Staff's perspective on this is both the applicant and neighbor feel this is a good compromise position. Staff feels these are very big trees and there may be a more advantageous grouping that staff might suggest.

I suggest if you were supportive of this position, that there should be a stipulation the final location of the trees be worked out with staff and the property owner. We may suggest some trees be shifted a little bit within that 35' buffer to achieve the best possible screening effect.

Representatives of both parties are here. They have indicated support for this to me today.

After discussion, the commission members agreed they have no objection to this matter being resolved this way.

L. B & R Corp., special permit use application for outdoor storage and processing of mulch, 49 DePaolo Drive SPU #515.

Ms. Savage Dunham stated the refocus on this application is for special permit use to allow the outdoor storage and processing of mulch on property known as 49 DePaolo Drive. With the SPU you are clearly just authorizing outside storage. The proposal is that some of the piles would be up to 35' in height. For you to authorize outside storage in excess of 8', you need to make a separate vote with a majority of you supporting that.

These plans have much more detail than you saw the last time. It shows the piles and the access. We have heard tonight and I've seen an email verifying this applicant is in the process of finalizing a deal to purchase a strip of land from Tilcon to physically own the access from DePaolo Drive which would cement the concern with regard to access. We're satisfied with it.

Discussion.

Another matter of concern is the hours of operation. To clarify for you, the proposed hours of operation are Monday - Friday, 5 am to 7 pm. Saturday, 6 am to 5 pm. Closed Sundays.

I have heard from the Lake Compounce facility and they have concerns with the 5 am start time. They're proposing a 30-acre campground immediately adjacent to this. This start time might have an effect. They felt 8 am would be more appropriate. You take hours of operation under consideration. If you were to not stipulate hours of operation, they would be starting work at 5 am and going to 7 pm. This is for this special permit which is a mulch processing facility.
Discussion.

If they expand and incorporate new land, they would have to come back to you with a site plan and SPU modification. If they were to expand this use to the adjacent landfill, they need to come back to modify those approvals.
Discussion.

The objection from Lake Compounce was submitted to staff via email and it was not at the public hearing.

The Chair commented on the hours being a long day and something to think about.

Mr. Conroy said he was not really comfortable acting on this until the access has been secured in a more formal fashion.
Discussion.

The Town Attorney said he had no problem with a stipulation on that. We've done it in the past. In this case, they can't go forward without the access because they won't get the approval.
Discussion.

Mr. Conroy renewed his opinion.

In response to a question by Mr. Kalkowski discussion followed about the activities that are anticipated for the site use.

The height of the mulch piles were discussed. The regulations allow 8' unless you were to authorize higher. They are looking for between 25' and 35' for the mulch piles. The larger the footprint of the pile, the higher it would be.

Ms. Savage Dunham passed around a packet containing a synopsis with clarifications.
Discussion.

Buffering around the property and topography of the property were discussed. As far as being visible, staff has no concern about that.

Further discussion about the hours of operation. Mr. Gage is a fan of looking at normal I-1 hours of operation.

Site elevations were discussed.

More discussion on the hours of operation and activities on the site. Noise issues were discussed, as well.

The Town Planner advised this is ready for action. The public hearing was closed and the applicant is anxious to have action on this. We could take it to the next meeting if they were to consent to an extension.

Discussion.

More discussion on the hours of operation.

William Tracy, representing the applicant, stated there is a specific state of hours with delineations of what happens in the response passed around.

Mr. Kalkowski made a motion to approve with the stipulation of hours of operation 7 am to 5 pm Monday thru Saturday and a stipulation about granting of the driveway access based on negotiations ongoing.

The Town Planner clarified approval would be effective upon securing legal access.

Mr. Gage seconded.

Mr. Conroy renewed his objection to not having a more secure access agreement. He brought up the access they have to West Street and he did not want to approach an SPU of this nature if that is the access.

Discussion.

Roll Call:	Chaplinsky:	No
	Conroy:	No
	Kalkowski:	Yes
	Macchio:	No
	Clock:	Yes
	Gage:	Yes
	DelSanto:	Yes

Motion passes 4 to 3.

M. B & R Corp., site plan application for proposed mulch processing and outdoor storage, 49 DePaolo Drive SPR #1621.

Attorney William Tracy stated this is the site plan, physical arrangement on the property with the various component parts of the operation. Explained the different areas.

They are expecting to keep 50' of the mature tree line along the east side of the property toward the residences on West Street. There is a hedgerow between this property and the property to the north we

have under contract and we're proposing to keep that in place and add a mulch berm to assist in funneling the drainage into the water quality basin shown.

Discussion.

There are some revisions to the driveway entrance to further accommodate the large trailer trucks that would be coming in and out. There is more than enough area for interior traffic circulation.

Discussion.

We're showing the Tilcon parcel on this plan which has the frontage to DePaolo Drive. If you are of a mind to grant the site plan application subject to that same stipulation about achieving that access, we are amenable to that. The real traffic access has to come from DEPaolo Drive and we understand that and are not going to propose anything different.

Discussion.

The mulch berm and swale was discussed.

The Town Planner noted a couple of minor comments. This is supposed to have a 50' vegetated buffer as it's an I-2 zone. On the border where the mulch berm is, the applicant is working to secure 500' additional from the property owner to the north. The applicant would like to have 24 months before he puts it in because if the other property is secured, he'll be back for a site plan mod and the buffer will be put up there. There is a note adjacent to the mulch berm. The Town Planner discussed with the applicant they need to clarify the language to make it clear that the mulch berm to divert the storm water would be put in right away and for your clarification, they are looking to defer the vegetative buffer for 24 months. Either condition it and say fine if you don't expand to the north within 24 months then we'll be looking for that 50' vegetative buffer.

Discussion.

On the east side there is a 50' vegetative buffer and they're saying that is to remain to be supplemented as needed. Staff will walk it with them and ask them to fill gaps.

Discussion.

As to any other outstanding comments from staff, the commission has the option to stipulate approval effective upon securing legal access. We wouldn't issue permits until they had that access, anyway.

We would like to note for the record that any proposed future detention would require future design and review.

Discussion.

Aside from that, this application, for what is before you in this form, is ready for action concluded the Town Planner.

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

N. Liberty Bank, site plan application to construct a 2,100 sf bank building and remote drive up teller and ATM canopy, 30 and 60 North Main Street SPR #1625.

Joe Wren, Professional Engineer and with me tonight are David Stein, project architect, Paul Edwards from Liberty Bank and also Ron and Nancy Serafino, local business owners who own the business property we are going to be discussing.

Paul Edwards of Liberty Bank gave a brief history of the community mutual savings bank. We are very excited about this location in the center of town and to be able to offer our services to the community.

David Stein, project architect with Silver Petrucelli & Associate, Hamden. We've been work with Paul and his team for numerous years and this a great opportunity to be able to bring their bank into the community. I think this site fits well for the scale and the architectural elements expressed.

Showed renderings and explained the intent is to create a building that works within the scale of the context of your downtown area. Our biggest goal was to be able to address the pedestrian traffic through the entryway of the building. The tower was noted.

Discussion.

As to the mural, we did not want to come in and block that mural. Discussion.

He briefly spoke about the architectural: the focal point which is the pedestrian entry way and a side entry way for pedestrian and vehicular traffic.

He described the real materials to be used. Real brick and real architectural trim.

Explained the drive up element in the second parcel. That architectural is trying to blend it without being too over powering but to create a structure for 24 hour drive up traffic, well lit and so forth.

Discussion.

He pointed out the pitched roof fit well architecturally with the proportions of the building and it is able to hide any of the mechanical units that would be placed there.

Discussion.

Joe Wren discussed the site plan. The bank building is on its own separate parcel. Explained.

The remote drive up ATM facility/teller is on a separate piece of property. Explained.

The third parcel is all taken up by the Allstate building.

The former building on this site was demolished recently. What is proposed is a 2100 (+/-) square foot building - 2127 sf to be exact - in that location. We are taking advantage of your zero side setback which is helpful as this is a very narrow lot. Explained.

There are approximately 50 striped parking spaces on the site currently. Tallying the uses of the parking area it gives us an approximately estimate of 54 according to your current regulations. With the implementation of the drive thru facility on the pharmacy lot, we are losing 10 striped parking spaces. To the southeast of the site, within 400' walking distance, there is a municipal parking lot. So in accordance with your regulations, we can reduce the amount of spaces by up to 25% which is essentially what we're doing. Explained.

We have a waiver letter written to the Parking Authority and that will be on at their next meeting. If successful, we will come back to you with that waiver in-hand.

This project would resurface the whole entire parking lot including the southeast quadrant. Explained some minor drainage issues would be corrected with the proper surfacing and graded in the right direction.

Drainage pattern and infiltration was discussed. Overall runoff we expect to be less and we want to be green and think about the overall environment so we've added one drywell. Explained.

Roof drains were discussed.

Landscaped areas were discussed.

The drive thru canopy was discussed.

Lighting was discussed.

Signage was discussed.

We met all requirements of the zoning criteria in this CB zone.

Mr. Chaplinsky applauded the applicant's work. This is exactly what's needed there. It's beautiful. My personal opinion on the lighting is the cutoff lighting you show is the preferred and the halo

lighting would be internally illuminated. It would be my preference not to have the halo lighting and go with the lighting with the gooseneck you are showing there.

Mr. Wren noted the mural indicating they tried to leave as much space between the buildings so you can maintain and preserve the mural. There is about 6' between the buildings for people to walk. And, on the interior of the bank on that wall facing the mural, we have a bank of windows there so when you are inside the bank you can see the mural. Bring in the whole feel of the downtown Renaissance.

Mr. Grappone brought up a traffic study. Mr. Wren pointed out the threshold of 75 transactions per hour. We do not meet that, so a traffic report is not necessary.

Discussion.

Entrance to the YMCA was discussed on High Street.

Ms. Savage Dunham stated staff will do a review checklist and it will be on the parking authority agenda and then back to you.

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

O. Lake Compounce, request for release of \$160,000 public improvement bond, Mt. Vernon Road EE #119.1.

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

P. Discussion of calling bonds: Central Connecticut Industrial Park S #1262.

Ms. Savage Dunham reported the applicant is here. Staff has this on the agenda for you to discuss and consider calling of the bonds. This was on your agenda in July. It is in regards to Subdivision 1262, Industrial Drive.

Staff has determined that the road is hazardous and as such we are looking for the applicant to assure us that the road would be completed prior to this season. At a previous meeting they had stated that they would have it ready for acceptance by September 15th.

Attorney Case is here and he represents the applicant.

Attorney Richard Case, Avon, CT representing the owner of the industrial park. We had met in late June with Mary, Jim and Attorney Sciota about this whole issue. At the time we had indicated that we

thought we could have this all done by September 15th. There was some ongoing litigation which now has appeared to be resolved. It took more time than we thought.

At this point, we have engaged a contractor to do this work. He contacted Jim today to go out into the field so he knows exactly what the repairs are that are required. We would commit to you that this work would be done by October 15th.

Attorney Sciota said if you could get it done by the 15th, they could stipulate that if it's not done by the 15th we could use the bond money to complete the road. The motion would be to call the bond, suspend it until October 15th and if the work isn't done, we use the money.

Mr. Kalkowski made a motion to call the bond and suspend it to October 15th, 2012. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

Q. Northstar Centers, request for reduction of erosion and sedimentation bond from \$128,500 to a new amount of \$10,000 (SPR #1461.

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

R. Request for release of \$33,000 maintenance bond, Prosperity Court SPR #1497.

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

S. Request for release of \$75,000 maintenance bond, West Pines Drive S \$1213.1.

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

T. NBA, LLC, request for release of \$29,000 maintenance bond, Sandy Ridge Estates S #1235.

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

U. Captain Lewis Industrial Park, LLC, request for release of \$10,000 erosion and sedimentation bond, 320 Captain Lewis Drive EE #123.

Staff notes for the record this project hasn't been completed. However, the site is stable so we support the release of this bond but any further activity out there would require a new approval from you and a new bond to be posted. They have stated they are done with their work and are not going to do any more work and they would like their money back. The site is stable.

Discussion.

Staff supports this. Mr. Chaplinsky made a motion to approve. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

Items to Schedule for Public Hearing

- **Medical Marijuana, ZA #565, September 18th**
- **Request for zone boundary change, 243 and 253-255 Prospect Street ZC#540, October 2**

Both will be scheduled as noted.

Ms. Savage Dunham indicated she also had a home occupation she would like to be on the next meeting.

Administrative Reports

(1) 185 West Street Condo. This was approved and the project is finished. The approval requires a fenced in play area. This was approved with a split rail fence around the play area so it's more of a demarcation than a security type of fence. They have asked me to allow them to remove the fencing. I bring it before you for your approval.

This was required per your regulations. I have a letter that was signed by the builder and the homeowners association. They'd like to eliminate the fencing.

If you supported that, we could do that at the staff level.

After discussion, the commission indicated they were okay with it as long as it is reviewed for safety.

(2) This is 56 Center Street. A couple of years ago it had come before you for approval for a 4 story building. It went to Town Council for the air rights as it is adjacent to a municipal parking lot. I bring this before you now because the applicant came in and

pulled a zoning permit to build a 3 story building. Normally when someone goes smaller than what they are approved for, staff doesn't differentiate.

This did have an 8-24 and a lot of architectural renderings. I just wanted the commission to see this change and they would like me to sign off on the zoning permit so they can start building and I just wanted to be sure it was okay with you without making them come back.

After discussion, the Town Planner said she would scan in the color renderings and send them. This looks a little bit different, but it is still a nice looking building. You put a lot of scrutiny into the aesthetics of the last approval. That's why it is here.

I want to know if it is acceptable to you for staff to sign off on the zoning permit or if you need them to come back and modify their approval.

Discussion.

The commission will let the Town Planner know after review.

Receipt of New Applications

- Eight temporary storage trailers you acted on tonight.
- Liberty Bank building came in. You saw it tonight.
- ARC of Southington came in and you acted on that tonight.
- Zone boundary change for 243& 253-255 Prospect Street ZC#540. It's a split zone. That would be on for public hearing the first meeting in October.
- Home occupation for a legal office on your next meeting.

PZC Subcommittees

- West Street Subcommittee

A lengthy discussion led by Paul Chaplinsky as to the most important issues that the committee had for staff to look at and move forward. A possible scope of services and RFP were discussed.

Mr. Chaplinsky's comments regarding any new text to be written for any of the new zones on West Street.

- The proposed West Street Business Zone (WSB) is one that needs to be tackled. That would be the parcels between Spring Street and West Queen Street. We need to begin writing the regulations to be debated.

- The Mixed Use Transition zone. We need to begin write those. If we are going to have mixed residential and business use, we need to begin writing those. These are parcels between Curtis Street and Spring Street and then north of West Queen Street on the east side.

Those are two keys to the corridor that are going to require a significant amount of work.

- Interchange Commercial Zone down by the highway.

We are talking about other zone changes as well.

I think the West Street Business Zone and the two Mixed Use Transition Zones proposed we should begin to write those.

Discussion.

Public input forums were discussed.

Mr. Conroy offered his opinion that he was not exactly sure we were ready to do at this point. He is still not comfortable with the end product. What the regulations eventually written will lead to with regard to development, I'm not sure we have a grasp on what that is going to be. I think we need to look at West Street more closely before we start drafting regulations.

Discussion.

Has a marketing study been done to see the demand for certain types of businesses? I'm concerned we might write a regulation that is a little more stringent than what we have but doesn't really point us in the direction of where I think we want to be.

Discussion.

The Town Attorney said Lou Perillo would be invited the initial meeting to get some ideas. At this point, if you want us to get going, we can get going. If you want us to go a different route, we'll go a different route.

Mr. Conroy said he was expecting a draft of a scope of work to work with before starting to write regulations. Whether done internally or externally. Attorney Sciota that was modified during a conference call based on everyone's expectation of getting started internally. So, we are going to start in that direction.

Discussion.

Development of West Street was discussed by Mr. Conroy. Corridors of 322 and Queen Street were discussed as also maybe being included with regard to the regulations written and the controls that would apply.

Mr. Conroy pointed out with regard to Route 229, West Street; I would recommend we contact the regional agency and our liaison through them with DOT. We can discuss the possibilities of corridor studies and what might and might not be allowed with controlling the amount of traffic.

Mr. Gage and Mr. Conroy had a discussion centered around what else the municipality could do besides drafting regulations for this area. Mr. Conroy noted this is a different kind of regulation, a different method as opposed to simply the permissive use. We're going towards more of a form based code thing, more of a modern planning principle. You create regulations that fit these kinds of things into a larger plan. You have to understand what the types of uses are that you are going to want there. In order to do that you need to know what development uses the market will support.

Discussion.

Mr. Chaplinsky said he felt this should be left to staff. We've had a lot of input on the visions of the types of businesses and buildings and access management for this area. I'd like to see what they can come up with in working with the economic development coordinator to write regulations for something that fits and there is a market for. Let's see where it takes us.

Discussion.

The Chair stated through the conference call we have agreed to go this route.

Discussion.

CEASE & DESISTS - Ali's Nursery

Ms. Savage Dunham stated she received an email stating they would stop and the ZEO will be sent out periodically to reinspect.

OTHER ITEMS:

Mr. Gage brought up the building on West Street which is part of the Hartford Group which is not being maintained. A little overgrown. Ms. Savage Dunham stated it is in foreclosure and the town has reached out to get the bank to do something about it as it is considered blight. There hasn't been much of a response. A local developer did offer money to buy the building and redevelop it and the financial company's response was: sorry, we're already in receivership and they don't want to deal with it. The property manager have closed off the area so people can't get into it but the bottom line until it is actually given to someone who wants control we're frozen. A blight letter will be issued.

Discussion.

Mr. Kalkowski said as part of the subcommittee, they were looking at the possibility of allowing restaurants that are currently in residential zones to be able to serve beer and wine. I'd like to get your thoughts on that. If we get a positive response, we'll continue down that path.

The Town Attorney said they are nonconforming as they are in a residential zone. Isn't the process through the ZBA now?

The Chair said he wanted to make an adjustment to the regulations because there are too many businesses in town that are suffering and cannot do what they want to do.

The Town Attorney pointed out the aspect of introducing alcohol in residential zones.

Ms. Clock said she supported that with some sort of wording of no bar. The Chair said it would be beer and wine and no liquor. The Town Attorney advised once the town says you can have alcohol there, then the state takes over and dictates. You can give a permit but if you want a service bar or a bar we lose control. Once they have the liquor permit, they answer to the state.

Discussion.

Discussion of the ZBA process being broken.

Operational hours may change with the introduction of alcohol to a restaurant.

Attorney Sciota advised Mr. Kalkowski to look at modifying the regulation where it only requires a special exception. Right now it requires a special exception and a variance. The problem you have is people buy restaurants and under a variance you need to have a hardship and under special exception you don't.

Discussion.

Adjournment - Mr. Chaplinsky made a motion to adjourn which Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 10:13 o'clock, p.m.)