

PLANNING & ZONING COMMISSION  
Public Hearing & Regular Meeting  
May 7, 2013

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, May 7, 2013. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

Stephen Kalkowski	James Macchio
Paul Champagne	Kevin Conroy
James Sinclair	Paul Chaplinsky
Michael DelSanto, Chair	

Alternates: Susan Locks  
Ryan Rogers  
Jennifer Clock  
Randall Gage

Ex-officio members present were as follows, viz:

David Lavallee, Assistant Town Planner/Acting Town Planner  
James A. Grappone, Assistant Town Engineer  
Keith Hayden, Town Engineer  
Mark J. Sciota, Deputy Town Manager/Town Attorney

A quorum was determined.

The Pledge of Allegiance to the American Flag was recited by everyone in attendance.

**MICHAEL DELSANTO, Chairman, presiding:**

The Chairman recognized the new Town Engineer, Keith Hayden. Welcome aboard. We wish you the best of luck.

**Approval of Minutes**

A. Regular Meeting of April 16, 2013

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

**5. Public Hearings**

The Acting Town Planner, David Lavallee, read the legal notice into the record.

**A. Chris Fields, special permit application for live-fire training facility, 75 Aircraft Road (SPU #524)**

Chris Fields, 5 Edgewood Circle. I am proposing that I want to expand my business. My application is to open a live fire expansion of my facility to have a flat range and a shoot house. The range and the shoot house, as in the plans, and the building that we're talking about is on the same property, 75 Aircraft Road. It's a 12,000 sf building. It's from our current location into the other building and we'll occupy both buildings.

The building we're looking at will become vacant July 1<sup>st</sup> with the current tenant moving back to Waterbury. It will become available for the range in July.

The range will be live fire. It's going to be real weapons, ammunition and real training in addition to the training we already provide there. Same thing with the shoot house. That is set up like a house that you go in and you have real pistols, real rifles, shotguns.

In my background, we use shoot houses and flat ranges to work on our skills as a team and as individuals.

The idea of the expansion for our primary clients will be government agencies, municipal, state, federal agencies. Law enforcement. And, after that private security companies.

The location is 75 Aircraft Road and already being in there, we think it's a good location to expand this business into instead of taking it somewhere else in the town and then going to another town.

Some stuff I want to bring up is the noise and pollution, lead, air, traffic. We'll address all of these per town regulations. We'll abide by whatever regulations are put forth by the town for the air pollution and sound control and for the traffic which we don't anticipate to increase much.

The concept is going to be the same as what we offer concerning traffic in that we're going to be offering classes. It's not a range open to the public. They'll have to schedule themselves or by instruction to be on the range and shoot house. We're not anticipating it to be open to the public, at large. People will be buying instructions and while there shooting real guns, they're going to be backed up by instructors that either have security background, law enforcement or military background, such as me.

We are working with a company out of Newtown. They'll be doing the actual construction. They'll be working on the insulation ---

area back and the filtering and lead abatement that would accumulate through the practice of the indoor range or shoot house.

The traffic we don't anticipate to be any more of a problem because it's set hours and time blocks where people'll be able to come for a specific time.

I did talk to Keith Jensen. He understands what I'm trying to do and he says as long as he doesn't hear it, he doesn't care.

We're going to be providing the same caliber of training we're proving now. Just it will be live fire to compliment our business and help it expand.

In that business we are in the process of applying for our FFL to procure and sell ammunition and firearms. The primary client with that is going to be the police department or private security companies that might need large amounts of firearms for their police department. We want to be able to facilitate that.

We don't anticipate being another JoJo's or anything like that and we're not in competition with that so I'm not planning to put guns up on the wall. The idea of the FFL and the ammunition is going to be for our instructors, for our clients who come through or for any of our clients who need to purchase same.

I want to elaborate on the type of training and why we would want to expand into live fire in this manner. I've been training private citizens around the world and government agencies as well as private contractors around the world for over a decade. The idea is that this proves --- as well as the simunition training I've already been doing for almost a year ---this proves your capability to go in and do whatever it is you need to do for an arrest, a raid or SWAT Team. We have had the police department come down and train there. This would be a great training application for them. Discussion.

We like the location. The landlord is talking to their insurance and they understand what we're doing. We have been in communications with them and other community members and some of the people in the town. We expect an impact on the economics in town such as restaurants, hotels, gas stations, convenience stores.

We do intend to hire instructors and trainers in the future. I am anticipating hiring people to run the facility. We are working with the chamber of commerce and we have a good relationship with them.

We do have a good relationship and rapport with the town and we want to do continue to have that grow.

That's all I have for the initial pitch.

Mr. Champagne asked about the hours of operation. Mr. Fields explained right now it would be 8:00 am to 10:00 pm. But that's not

set exactly. I want them to be accommodating for the police department.

Discussion of JoJo's being a gun store in town and this facility not being that. We want to train people and provide them with the appropriate firearms and ammunition and supporting equipment they would need to help their chances of doing whatever they need to do.

Mr. Sinclair asked about the certification for the live fire instructors. Mr. Fields said there are a bunch of different ways: The NRA, municipal, state and federal agencies with certifications for their law enforcement officers. We have military background. All will be vetted by me. There is no certification to be an instructor required by the state or federal agency.

Mr. Sinclair asked again why live fire as opposed to simunition. Mr. Fields explained they complement each other. Simunition proves the live fire. The live fire is where we work on our fundamentals and principles: stance, grip, drawing out of the holster. Discussion.

We have space we rent around the state which I will keep as I have a relationship with those ranges. The biggest difference with live fire is how the firearm works. Frequent management, sight management and grip management. They can't go into any type of operation only having done simunition. Police department sometimes have to qualify every couple of years. Discussion.

Mr. Conroy asked for an explanation of a shoot house as opposed to a firing range. Mr. Fields said a shoot house is like a firing range but it is actually 360 degrees. I can enter the door and fire to the left, right or in front of me or if need be, behind me. This is all indoors, insulated properly. Once we put in the proper insulation, as far as sound, it will be meet the town regulation.

Mr. Kalkowski asked if there were any way a round could leave the building. Mr. Fields said not with the construction we are planning. Frank Bavaro can talk more on that. He'll be building it. But the 360 degree range, there is no way because it's like shooting in a six sided box and the walls will absorb and trap the round.

The flat range will be built to industry standards. Explained.

Mr. Kalkowski asked about the vault. When you leave at night is everything going to be locked up in a vault. Mr. Fields explained the vault is a six sided concrete box existing. The idea is any inventory we have that we might deem sensitive we'd be able to lock up. Under lock and key with an alarm system backing that up. Meet all federal requirements and we've met with the ATF already about this.

The pro shop is where they'll be able to purchase supporting equipment.

Mr. Chaplinsky brought up safety features and the design criteria. Mr. Fields said the safety aspects will be put into place with the shoot house being 360 degrees. There will be a baffle that is bullet proof. It is a six sided box you are not going to be able to fire through. We'll manage that by the caliber of the round. And, we'll manage that also on the flat range as well as the training, the ramp up program that we have for those going into the range and shoot house. They have to pass certain criteria to shoot and have been trained on any type of method before being sent into the range. Discussion.

The materials being used was passed around. We are not planning on having any machine guns or machine guns fire in there. The material for the backstop are not going to be penetrated.

Mr. Chaplinsky asked if someone would come and speak who was certified for designing and building this type of facility.

Dean Bertolli, 6 Cook Road, Wallingford, CT. I'm a partner in King 33.

Frank Bavaro, 201 Miller Farm Road. Spoke about the design of the facility and the safety and welfare of the surroundings. There is really no certification; it's just knowledge and experience. I've close to 18 years in the field. Gave his background.

Mr. Chaplinsky showed a document called Range Design Criteria he got off the internet. Department of Energy, USA. Is this something - are you going to build to this spec? Discussion.

The standard we'll build to will probably surpass that added Mr. Fields. In my background, the ranges we build and use are built to a very high standard for our survivability. We train to a dynamic level. Our people being trained is not going to push the limits of this instruction.

There is no design standard, no industry specification. Discussion.

Mr. Lavallee commented that initially the insurance company will require a high level of comfort themselves. Discussion.

Mr. Fields said the standards for the shoot house are going to be where there are no air gaps or light gaps they can pass through. The idea is that six walled system with the exterior wall behind the entry door will be ballistic rated to keep the rounds inside. The flat range is going to be built to a standard to have the shooter fire from a fixed point position and he could fire in any direction and no round will escape due to design based off trajectory from the firing point. The idea is they'll be there with an instructor and we have the insurance back up. We have the construction and the instructor and the credibility of the instructor, as well. A lot more than just the design goes into this.

Attorney Sciota said if you look at this design and down the road if this is approved it is stipulated that you build to those standards, that's not a problem for you? Mr. Fields said it was not.

Mr. Lavalley agreed that is a starting point. If you are going to exceed this, that's great. We know that is a typical standard backed up by the US government.

Mr. Sinclair asked if the goal was still to limit firearms coming on to the property. Mr. Fields said that is true. The limiting will be mostly on the private citizen side. In the live fire range side of things we're going to want people to bring their firearms as if they were going to a range because we want them to practice with theirs. They need to be proficient with the tools they use in the trade.

Discussion.

On the simunition side, we still as they use ours. But we have the capability of converting their firearms to a non-lethal training system.

Mr. Fields explained who would be involved with the live fire side of it. Discussion.

We do pistol permit classes. We do NRA classes. We want those people to come and train. Discussion.

People on site will be in training. You will come for instruction. This is not a range shooting facility.

Mr. Kalkowski asked for the details on the safety ceiling. Mr. Bavaro explained the construction of the flat ceiling, 4 x 8 foot panels, 3/8 in thickness.

Mr. Fields explained we are not going to require people take their gun off of them. We want to improve the capability, understanding and responsibility behind that. Discussion.

There is no other company like this in the state or region.

Paul Rochowski, I live in Meriden, 62 Hidden Pine Circle. I assist Mr. Fields on the law enforcement side of the house. Gave his instructing credentials.

The reason why we're going to try to do what we're going to do is the stuff is coming here to our towns, cities and state and we want to bring our law enforcement agencies up to that level. We want the SPD to be at that level should something happen.

I talked to municipal, state and federal agencies in the State of Connecticut and they all want a piece of this. This is just in Connecticut. They all want to come down here for a different kind of aspect of how they can work with this. This is dynamic. Discussion.

We believe we can set something up that is going to be great not only for the state but the region.

Special training for law enforcement guys was explained. (State certified, municipal certified or federal certified) It would be simunition and not live fire. It would be in a private setting.

(Those speaking in favor of the application)

John Bidler: 130 Rolling Hill Lane, Southington. Spoke in favor of the application citing economic benefits of having new business enterprises coming to town.

My wife and I trained at King 33 simunition. It's different than any other kind of training available. Discussion.

He spoke of having a burglar in house and dealing with a stress situation. Spoke of training he has had which required motel stays, restaurants, gas stations and ancillary types of business.

I am definitely speaking for this. Chris Fields is a decorated war veteran of this country and that's part of the consideration to assist somebody starting a business. He's put up for our country; we should do the same for him.

(Applause)

Ms. Jansen: 500 Darling Street. I am in favor of this application. I am also here on behalf of the chamber of commerce who also supports this application. When a business evolves and expands it is good for Southington. This business draws from all over the state and those people spend money in this town. A very unique business we should be proud to have in town.

Safety is always Chris's first concern. This is a good thing.

Robert Gagnon: 17 Sandy Pine Drive. I do speak in favor, also. One is a little bit of reality. If you have a clue with weaponry, you'll understand that when you are training with the government and police department, if they were to train just with simunition and not live fire, it's not practical. Discussion.

It's a necessity and it is also for safety of our town, people around us. There should be no issue and no reason why we can't have more training. The more training we have benefits all around us. It's all about safety, the number one priority.

With all that's going on, look at why we're doing this and trying to implement extra safety. Discussion.

I do support this.

Sara Hall: 72 West Pines Drive. I've attended training at this facility. There is a lot of opportunity to learn things there that you wouldn't learn anywhere else as an individual. Discussion of having experience with pistols and rifles and I have my conceal carry permit. I appreciate a facility like his to go and train.

I like to have this facility in our town so I know the SPD is getting that level of training. Discussion.

That's why I support it.

Bob Crosley: 84 Matthews Street. I'm an NRA instructor and I refuse to be a victim instructor, pepper spray instructor. I'm impressed with Chris and what he does. Spoke of travelling to New Hampshire to get this training. Now we have one here where we can train.

I know people will come from throughout the northeast and visit Southington. It's going to bring business into the city. It's not just the training facility.

I want to see this approved very much.

Len Pauquette, West Street, Southington, CT. I'm a veteran and an air force patrol dog handler/trainer/supervisor. I really think a facility like this is extremely beneficial to bring in business to town and keep our tax rates lower.

A lot of police departments can use somebody of his expertise.

Thank you.

Neil D'Udo, 98 Juniper Road, Southington. I would like to support this venture. I train with Chris and can speak first hand from my own experience it's a first rate facility with first rate staff. I think we would be lucky to have something like this as the aforementioned speakers discussed. Bring those dollars and spending to our community. I prefer that spending in our town. I would support this and do support this and continue to train at Chris's facility.

Al Benson, 21 Churchill Street. As far as I'm concerned, professional safety and handling of a firearm - what more can I say? Very good premise. Thank you.

Sebastian (Inaudible) : 79 Malcein Drive. I support this. I've trained under Chris and he's the most professional person I've trained under. He takes care of all the safety issues. I'm sure he will address all the issues we have concern with.

Thank you.

Billy Morin: 77 Welch Road. I support Chris and King 33. I've been training there. He discussed a situation in New York a while back where the police offices weren't well trained.

As a taxpayer here in Southington, I think the revenue would be good for our town. So I support it.

Lou Perillo, Southington Economic Development. I'd like to thank Mr. Fields for bringing his business here. It's unique and more successful than originally anticipated.

What is important is the demand is here in town and we have an opportunity to take advantage of it and support his business. He's more than professional. He's an expert.

As far as the building goes, everyone wants safety and has safety in mind. He has the insurance policy that'll look after it, but his landlord who is a major land holder in the US is also going to have his insurance company looking after it. Also, you have building standards. We have regulations for building codes. Another benefit is it is indoors and we have a controlled environment. To have that kind of training is paramount.

Live fire training? It's what training is about. Discussion.

In speaking with our local law enforcement professionals, they'd love to have an opportunity to have this training in town. We wholeheartedly support this application. It's in the right zone and we feel it's the right business for Southington. We should help him expand his business.

Richard Crampton, 83 Kathryn Lane. I've known for Chris for about six months now as I've done some training with him. He's a serious person. This is not a casual affair. A good benefit for the town and I hope you guys approve it.

(Those speaking against the application)

No response.

Mr. Fields added: thank you for the opportunity to have my business in town. I like this town and I'm happy to be here and I want to grow my business and stay here.

The Chair closed this public hearing.

**B. Lee and Lori Dibble, Home Occupation application to install a small commercial kitchen to be used for "order only" baked goods business, 48 Elizabeth Drive (HO #65)**

Lori Dibble, 48 Elizabeth Drive explained her business. What I would like to do is provide a vital service to the town. I bake

custom cakes, cupcakes, pastries. I would like to have an in home business. No traffic to the neighborhood. I have an existing space to the back side of my garage, a large enclosed room, to create a very small kitchen.

If you have a special occasion for a cake for cupcakes, baked goods, custom cakes. We deliver our product. I don't want to bring any traffic into the neighborhood. No signage.

Supplies will be picked up and not delivered. No fryolaters. It will be a convention oven, normal refrigerator, work tables, a mixer. Nothing elaborate or complicated. No frying involved in anything I make. No automatic grease removal unit will be necessary.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

The Chair closed this public hearing item.

**C. Zoning Text Amendment, Section 4-00 (new 4-05 - West Street Business Zone) ZA #571**

The Chair turned this over to Mr. Chaplinsky for a rundown on the application.

Mr. Chaplinsky gave a background on the subcommittee and how it got to this point. I will explain the discussion points tonight so we can set up the topic.

He noted the subcommittee took initial action on the northwest quadrant which was out near the Lake Compounce area. We rezoned some parcels of land out there.

Next, we looked at the West Street Corridor and the charge of our work was to offer recommendations for fostering economic development while protecting the quality of life and design as well as minimizing traffic impacts for further build out and development along the West Street Corridor. We recognize there are people who come regularly asking about business development on this corridor, the town has been thinking for many years, how do we protect the corridor to be sure when it is built out it is done in a manner that protects the surrounding areas and is consistent with the plan of economic development.

We had public input sessions. And all the public input sessions and the work the subcommittee did have culminated into tonight. We've taken the collective opinion of the commission, the subcommittee members, the residents and the subcommittee did have two or three

residents on the subcommittee who represented that corridor. We tried to communicate with the people in the area and we did a nice job of getting people out to come and talk to us.

We've taken the recommendations: insuring that we have large setbacks on West Street so there is room for the road to be redesigned for future expansion in case there are traffic concerns. We may put a median down the middle of West Street and we will be able to do that as parcels get acquired. Those things would be in effect.

There is verbiage in the regulation that talks about easements -- - encouraging turning over easements to join parcels so as they are purchased and developed throughout the next one, three, ten, twenty, thirty or more years, there may be an access way to the rear of the parcel to minimize traffic down West Street diverting traffic to service roads, as necessary.

We talked about language that will provide buffers to abutting residential zones. We put in sizeable buffers.

There is language to protect the flow of traffic and improve the flow of traffic on West Street so there are no more new curb cuts on West Street.

Aesthetics. There is descriptions about what the buildings and building material should look like with facades in the fronts and backs. We're encouraging parking to the rear. Try to keep an aesthetic look throughout the corridor. We're trying to encourage colonial style materials and designs.

A lot of suggestions were taken into consideration. Dave Lavallee did a wonderful job of championing this and writing these regulations from the collective input.

Today's process is really about the language. It is to create a new zone. If a new zone is adopted, what would that zone sound like look and feel like? That's in the verbiage here. If it gets passed, the second step is where does it belong? Explained.

Tonight we are not talking about parcels or people's properties. Specific boundaries, not the zoning maps. This is really about creating a new zone for the town. If it is passed the next phase will be sit down and decide where we draw the boundaries in the areas. There'll be opportunities for public hearing and notification. You can come and talk about those.

After this public hearing is closed, if there are residents that would like to talk specifically about their parcels, staff is offering the opportunity for you to contact Dave Lavallee or Attorney Sciota to have a one on one discussion about how your land may or may not be affected.

Tonight we'll focus on the language, the look and the feel and the regulations and not about specific parcels as they haven't specifically been identified, yet.

Mr. Lavalley added as a general feel for what we're trying to shoot for is a pedestrian oriented type development (Evergreen Walk, Somerset Square). Smaller village feel with fountains and resting areas. Very walkabout. I agree with Paul now it is more about the language.

(Those speaking in favor of the application)

Sev Bovino, Planner with Kratzert, Jones. I'm in support of the planning that has gone into this. I've a few things to mention for you to take into consideration when you make your final decision.

I feel the location -- if you think about the location, the language is going to be impacted. Example: from Spring Street to West Queen Street, you take both sides, in your language you say the first 75' cannot be developed other than for an access to the property. You take that area into consideration, it turns out to be 17 acres, approximately which turns out to be an 185,000 sf building potential. That impacts the property owners and the tax base. Keep that in mind.

The parking, I submitted reports to the subcommittee, for you to consider reducing the parking. Around town there is all kinds of pavement that doesn't get used all the time. Even during Christmas it doesn't get used. I encourage you to look at that.

You have to look at the impact to a lot of small property owners along West Street. Forcing people to put together multiple parcels, you're freezing the potential for one of them to be able to sell their property and the value.

Thank you.

Mr. Conroy noted it might be a loss of 185,000 sf out of 2 or 3 million square feet.

Fern W. Shrier. I live at 199 Rolling Hill Lane. I'm President of the Southington Historical Society. I'm not sure if I'm for or against but I wanted to request that you take into consideration the historic nature of West Street as you're talking about what it is going to look like. There are three significant historical properties. Explained.

I ask when doing development this historical nature is taken into consideration.

Thank you.

Maryellen Pauquette, 1506 West Street. I don't know if I am in favor or not. And, 1506 at one time was on the historical registry. It was built in 1742. About ten years ago we tried to get our business into Southington. We're a canine behavior business. Explained.

When I saw the map, we were totally excluded from any commercial zoning at all. We want to preserve, but did you ever walk down West Street? I will not take my dog on a walk on West Street at all. Look at the accidents. You're not going to stop it.

I want to be a small business in town. Explained her business.

As far as taking people's easements and property for a walkway? I'm afraid for your life. Just sit on West Street for ten minutes. It doesn't matter what time or day it is.

Len Pauquette, 1506 West Street. I ardently support your efforts to bring about this proposed business zone into the town on West Street. Progress is inevitable. There is plenty of land available for farming without impacting West Street.

I found it curious as to why our property was not included in the proposed business enterprise zone.

We would bring additional tax revenue into the town. I know this is not supposed to be about property and I understand about the language. I thought I heard it had to be a minimum of an acre --- I did hear about the buffer zone which I'm sure you'll take into consideration. Discussion.

It is our fervent hope in the language you do include 1506 West Street. It goes right up to the light and it makes sense for the future of Southington. What business wouldn't want to be on an end piece of property? It's very quiet there. Discussion.

Mr. Chaplinsky asked the speaker to reach out to the town planner and the town attorney about his specific property. We'll take your discussion into consideration when we work on the zoning maps. Discussion.

Thank you for your time.

Al Benson from the West Street side of Churchill Street. 21 Churchill Street.

My concern is fast food establishments, restaurants. We have too many fast food restaurants now. Mr. Chaplinsky mentioned drive thrus have been excluded from this zone except for a bank. Discussion.

With the restaurants you get dumpsters, odors, coyotes can be a factor big time. Skunks, rats. Discussion.

A lot of screening and seasonal color to the landscapes is a consideration. Balance out the look of the area.

How much of a buffer between the homes and businesses?  
Discussion.

Liquor permits and hours of operations are a consideration which I've heard nothing about. Discussion.

Mr. Lavallee added that the special exception process gives another level of review for the liquor in a restaurant. Discussion.

Other than that, I like the direction you're going with. Maintaining the look and feel of the town. I strongly support that. I hope everything works out that way.

Thank you.

Joe Palfini, 95 West Pines Drive. I participated on the West Street Subcommittee as a resident representative. I just wanted to say we 1.5 year or so discussing a vision for that part of town. Some didn't have the expertise to put our vision into black and white. After reading this, frankly, you nailed it! Everything we talked about is covered if it is passed as written and enforced the vision for West Street is a possibility.

The other issues we talked about have to be resolved.

(Those speaking against the application)

No response.

(Correspondence)

Mr. Lavallee read a letter to the PZC from Attorney Bryan Meccariello regarding the zoning text amendment. (Letter on file in the town planner's office.)

Mr. Lavallee read a letter into the record from CCRPA. (Letter on file in the town planner's office.)

The Chair closed the public hearing.

## **6. Business Meeting**

**A. Chris Fields**, special permit application for live-fire training facility, 75 Aircraft Road (SPU #524)

Mr. Champagne made a motion to accept this special permit application and approve the SPU 524. Mr. Chaplinsky seconded.

Stipulations discussed:

1. No range only activity. It is training activity only type activity.
2. Hours of operation from 8:00 am to 10:00 PM.
3. Discussion between staff and the applicant as to which of the following design standards will be met.

One is the Department of Energy Design Standard and there is an NRA Source book that has design standards for indoor ranges.

Mr. Champagne withdrew his original motion. He then made a motion to approve the application at 75 Aircraft Road, SPU 524 with the stipulations below:

1. No range only activity. It is training activity only type activity.
2. Hours of operation from 8:00 am to 10:00 PM.
3. Discussion between staff and the applicant as to which of the following design standards will be met. Staff needs to agree to the design standards.

Mr. Chaplinsky seconded.

Mr. Conroy commented all are in favor of the application and it's a logical expansion of the business doing well in town. His concern was the design standards of the range. He's not comfortable with the stipulation after an approval has been given. It's a heavy stipulation for me. He would like to the applicant to meet with the town planner, town attorney and town engineer and go over some of the details and report back to the commission with the decision so we can get an educated decision as to what is going there. I think for his protection, protection of the town and future owners of the town, he would be more comfortable with the stipulations more formalized before we act. Discussion.

Attorney Sciota suggested adding to the Stipulation #3 that staff reports back to the commission on the design standards before issuing the zoning permit. Discussion.

Further discussion on reasonable stipulations after discussions with the applicant and staff that can be presented to the commission for approval.

Mr. Conroy made a motion to table. Mr. Sinclair seconded. Motion passed 6 to 1 with Mr. Kalkowski opposed.

**B. Lee and Lori Dibble**, Home Occupation application to install a small commercial kitchen to be used for "order only" baked goods business, 48 Elizabeth Drive (HO #65)

Mr. Sinclair made a motion to approve with the stipulation that there are no customer pickups and no commercial deliveries and no employees.

Possible stipulations were discussed.

Stipulations agreed upon:

1. No commercial deliveries.
2. No customer pickups.
3. One assistant.

Mr. Kalkowski seconded.

Motion passed 7 to 0 on a roll call vote.

**C. Zoning Text Amendment**, Section 4-00 (new 4-05 - West Street Business Zone) ZA #571

Mr. Chaplinsky made a motion to table the decision on this for one meeting to give residents a chance to contact staff regarding outstanding issues and give us the chance to look one more time at what is proposed. Mr. Kalkowski seconded.

Mid-vote, Mr. Conroy indicated he had a comment. Mr. Chaplinsky removed his table as did the seconder.

Mr. Conroy requested when we do act on this we do so with a map.

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

**D. Supreme Forest Products and Materials, Inc.**, Earth Excavation, filling and Grading Application for storage of wood chips, brush, gravel, topsoil and other earthen material, as follows: Parcel A - imported/exported/stored 65,000 +/- c.y., 49 DePaolo Drive (Property of B & R Corp); Parcel B - imported/exported/stored 55,000 +/-, DePaolo Drive (former landfill, property of Town of Southington); Parcel C- imported/exported/stored 50,000 +/- c.y., 2064 West Street (property of Theodore & Linda Guerrette) (EE #143)

Mr. Lavalley noted a final response to our list of comments and there were no issues with what was requested. We do request approval of this with town council approval for the lease agreement for the

landfill portion of it. Other than that, they have addressed our comments.

The Chair seated Mr. Gage for Mr. Chaplinsky as Mr. Chaplinsky wasn't at the last meeting.

Mr. Sinclair made a motion to approve with the stipulation noted by the town planner regarding the lease. Mr. Kalkowski.

Motion passed 7 to 0 on a roll call vote.

**E. Supreme Forest Products and Materials, Inc.,** site plan modification depicting volume reduction plant and modified stockpile locations, 49 DePaolo Drive (SPR #1621.3)

Mr. Lavallee reported staff did review this. There is a request from staff for a table. There may be some other issues.

Mr. Sinclair made a motion to table. Attorney Tracy interrupted that the least has to do with the next application and not this one. Mr. Sinclair removed his table.

Attorney William Tracy, 43 Bellevue Avenue, Bristol representing the applicant. The lease has to do with Item F. The site plans are independent of each other and I'd like to go ahead with the site plan modification.

Mr. Lavallee noted this item was to add the millings to the previous approval.

Mr. Conroy noted he did not recall the commission approving a 35' high stockpile. It was discussed but never addressed. It was clarified that 35' is the regulation.

Attorney Sciota added the town is doing a lot of roadwork and this is beneficial to the town and the administration supports this.

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

**F. Supreme Forest Products and Materials, Inc.,** site plan to facilitate expansion of existing operations on adjacent parcel including mulch and woodchip storage, aggregate storage, roadway milling storage and volume reduction activities, DePaul Drive (former landfill) SPR #1641.

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

Mr. Sinclair had to leave the meeting at this time and the Chair seated Ms. Locks for the remainder of the meeting in his stead.

**G. Wonk Road Partnership**, 9 lot subdivision application, Wonx Spring Road, assessor map 062, Parcel 142 S #1295.

Stephen Giudice with the office of Harry Cole & Son represented the application. This is a 9-lot subdivision we are proposing. It is 32.9 acres with 4.3 acres of wetland. We are proposing 9 industrial lots and a roadway to be known as Progress Drive. Public water and public sewers. Residential buffers were noted per regulations.

We are going through the wetlands commission process right now.

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

**H. AA Denorfia Building and Development**, floodplain filling application in conjunction with a mixed use development, 54 and 76 Liberty Street FF #236.

Stephen Giudice represented the applicant. This is a modification of a floodplain filling that had been approved on Liberty Street. There were two corner properties and we came in with plans to fill the floodplains. We had proposed compensation off site. We're proposing a slight modification along to the north as we've acquired another property and we're going to include some floodplain filling on that property, as well. We've modified our plan to incorporate this property. It is a very small amount of modification as we are proposing an addition 119 cubic yards of floodplain filling. We are proposing 2400 cubic yards of compensation and with this property added our total will be still be beyond the compensation amount required for the filling.

Mr. Conroy noted he wasn't very supportive of this application last time. I had questions that weren't answered to my satisfaction. I still believe the compensatory storage on this particular application is not necessarily the solution. Has there been any additional consideration given to the conveyance of this particular culvert and the backwater elevations associated with the river. Mr. Giudice said they haven't done much more investigation. Discussion.

As we move forward to the site plan, we wanted to make sure we could answer your questions at that time. Mr. Conroy stated unfortunately, they have to be answered at this time. Discussion.

Mr. Macchio made a motion to approve. Mr. Kalkowski seconded. Motion passed 6 to 1 on a roll call vote with Mr. Conroy opposed.

The Chair reseated Mr. Chaplinsky for Mr. Gage at this time.

**I. Hospital of Central Connecticut**, site plan modification for proposed 2 story building and associated parking, 209 Main Street (SPR #1642).

Stephen Giudice, Harry Cole & Son, represented the applicant. This is at 209 Main Street. This came before you for a site plan application for two buildings. One building was constructed and we came back and modified the building for the rear and received an approval.

At this time we are proposing to modify the site plan again. Explained previously the parking was required based on gross building square footage. Since that time you have modified the regulation and it is calculated on a net use. If you're familiar with the property, there is a lot of vacant parking and we think the regulation change is beneficial.

Originally, the building didn't have an elevator and now it does. We proposing to eliminate the parking at the rear of the property. We did make modifications to the side lot and we've eliminated the connection made to Southington Care on the back.

Mr. Hesketh did a traffic study on this application and his here to answer any questions.

Mr. Giudice gave the history of the request to connect the parking lots at the rear. The hospital wasn't in favor at the time but we did go forward and make that change. We got an STC approval as we were connected to the Care Center and the hospital. Discussion.

Upon further evaluation, the hospital does not want to make this connection as we don't feel it's in the best interest of the hospital or this facility or the Care Center. Hence the request for this modification.

The people leaving the site through the Care Center is not a positive for the hospital.

Debra Ford, with the Hospital of Central Connecticut, is here also tonight to talk about the hospital's desire to eliminate the curb cut, as well.

We've submitted the plan and met with staff. I'll let them speak to their position on that, either way. I'll answer any questions.

Mr. Chaplinsky asked: What exactly is the reason that the hospital feels there is no benefit to the connection? Mr. Giudice said they were concerned about safety.

Ms. Ford explained she was director of projects for the hospital. The two concerns the hospital is safety and cost. Having that connection provides an active roadway and we don't feel it's safe for patients or staff coming from their cars to either one of the buildings, exiting or proposed, if people are trying to use it as a

cut thru. The additional parking requirement in the back, not having that, takes out about \$60,000 on the project. It is very, very steep there. We've also had issues with skate boarders on the property and we think that driveway coming down very steep meeting the building would cause some very significant accidents the town would have to respond to. Those are the chief concerns the hospital is.

Two representatives from Southington Care were here earlier and had to leave. On the Southington Care property, the parameter of their property is residence home. They go out with their wheelchairs for a walk and if people are zipping through there because they are trying to avoid the intersection at Meriden Avenue and Route 10, it provides a very large concern. We feel this creates a roadway and it is not just a campus connection. We have very little need for people to go from 209 to 211 up to the hospital or back. Very, very little traffic.

Mr. Chaplinsky asked Mr. Lavallee how staff felt about the traffic and safety aspect.

Mr. Lavallee said he would be happy to speak to that but first the prior SPU expired and there is another coming before us. I don't know how much you want to hear at this point prior to the SPU. Discussion.

Mr. Giudice again outlined the request for modification. We couldn't forward until the SPU is approved and we have submitted it and it will be on a future agenda. I don't think the commentary on the driveway affects the SPU, in my opinion.

Attorney Sciota advised it was his information that the town itself is taking no position on that part of it. Let the commission decide how to handle it.

Mr. Lavallee said he had generated a checklist and he doesn't know if the applicant has received a checklist from all of staff.

Attorney Sciota suggested a table.

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

**J. Tilcon Connecticut, Inc.**, two year renewal of earth excavation application, West Queen Street and Welch Road (EE #24.13)

Sev Bovino, Planner with Kratzert, Jones representing the applicant. This property is located on the north side of Welch Road and West Queen Street. It's been going on for many years and this is the renewal. Its 187 acres. Only 10 or 15 acres of the property is dedicated to the excavation of material. The truck traffic will be the same. Explained.

The hours of operation will be 8:00 to 5:00, no weekends, no holidays, the way it's always been.

Mr. Lavallee advised it is ready for action.

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

**K. Southington Water Department**, request for approval under Section 8-24 to install 550' of new 12" water main on Columbus Avenue from Liberty Street to Main Street (MR #476)

Attorney Sciota advised this is a referral to the planning and zoning commission from the town council. The water department is increasing their services to the town and we hope for a favorable recommendation back.

Mr. Rogers is here if you have any questions.

Mr. Lavallee advised it's ready for action.

Mr. Chaplinsky made a motion for a favorable recommendation to the town council. Mr. Kalkowski seconded. Motion passed 7 to 0 on a roll call vote.

**L. Washington Concrete**, release of \$13,300 E & S bond, 110 Townline Road (SPR #1483)

Mr. Lavallee said this is ready for action. Mr. Kalkowski made a motion to approve and Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

## **7. Items to be scheduled for public hearing**

A. Southington Farms, LLC, special permit use application for parent/grandparent apartment, 30 Curtis Farms Court SPU #525 - May 21

B. Southington Auto Wash, special permit use application for addition to existing car wash facility, 254 Queen Street SPU #526 - May 21

C. Proposed Zoning Text Amendment, Section 2-01.A.5 and 2-18 ZA #572, June 4

Mr. Lavallee advised an additional one will be the SPU for the hospital.

## 8. Administrative Reports

### - West Street Subcommittee

No action.

## 9. Receipt of New Applications

Mr. Lavallee reviewed the new applications.

- SPU for parent / grandparent apartment on 30 Curtis Farms Court

- SPU for Southington Autowash for an addition and the associated SPR for that

- Site plan modification for an outdoor patio on 1217A Queen Street

- SPR 834-838 South Main Street

- SPR 1605.1 for site plan modification for Galaxy Development at 265 Queen Street

### Commissioner Comments

The Chair asked what was going on over at 322 with the intersection of Old Turnpike Road and Route 10? (Carwash and Tony's Pizza area) About that light, taking a left on to Old Turnpike Road. I have to sit a minimum of three light cycles before you can take a left on to Old Turnpike Road. I was told they are revamping that and they'll make it a four way intersection.

Mr. Grappone advised there have been several takings requiring variances and they were just acted on by the ZBA. Several meetings with residents regarding their concerns. At this point the project is coming to final submission. They're moving forward with it.

The Chair asked about a left arrow.

Mr. Chaplinsky asked about the Darling Street property, the demolition project. Mr. Lavallee said they have posted their bonds. It's moving forward at this point.

**10. Adjournment** - Mr. Chaplinsky made a motion to adjourn and Mr. Macchio seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 9:01 o'clock, p.m.)

