

PUBLIC HEARING:

Mr. Lavallee read the legal notice into the record.

A. Proposed zoning text amendment, Section 2-01.A.5 and 2-18 (recreational vehicles) ZA §572

Mr. Lavallee advised this application is a proposed zoning regulation to add the definition of recreational vehicles and also regarding the storage of such with regard to how long a vehicle of this nature may be parked in the driveway.

It has been referred out and we have a full report from the CCRPA attached.

Staff has no objections at this time.

Mr. Rogers explained the continuous improvement subcommittee; looking at the current regulations for the storage of recreation vehicles including boats are located in the rear yard a minimum of 5' from the property line. What we're trying to do with this language is just try to present some clarity as to what kind of recreational vehicles with the definition of recreational vehicles, as well. And, also just allow for leeway when it came to not having enough room for vehicles in the rear yard as well for storage.

Mr. Champagne questioned the B and C section under the 5' property line. The C section talks about front yard parking for a specified time over a period of time. What is driving that? This is a RV people use in the summer. I used to have a boat and parked it in the front yard and was able to hitch up to it. Are we saying that they can't? We are not letting them do that? What's driving that? Next time we don't want red colored cars in the yard? What's driving it to say a motorized vehicle can't be parked in the driveway because we defined it down here as anything with motor power? If you have an RV you can drive, you can't park it in the driveway for more than 48 hours, you have to park in the back yard. I think that's too strict.
Discussion.

Mr. Macchio said the idea is to allow you a certain period of time if you wanted to clean your RV. You've used it over the weekend and it's easier for you to access it rather than storing it all the way in the back yard. This way you can access it easily and you can do it in two days. Unload it, clean it or reload.

If you are going to store it long term, you should store it in the back yard.

Discussion.

Mr. Champagne pointed out we are being very restrictive on somebody that pays taxes on a motor vehicle that is registered.

Ms. Locks agreed. Usually you have a boat, a trailer or a motorized vehicle, you might be bringing it back on a Sunday night, and then leaving again with it on a Friday. As long as it is not sitting there over months and months and months --- in the wintertime people take that RV and put it in the backyard, cover it up or move it offsite. I think we are being very, very restrictive.

Mr. Sinclair questioned the ability for enforcement both with the two days and staying 5' away from the property line. If we can't enforce a regulation, why bother to have it?

Discussion.

Mr. Lavallee noted some complaints received about storing the RV for extended period of time were glare off the vehicle, sight line issues with the driveway of the neighbors. The setback in the rear is 5', but they are so long, it's going to straddle the side and rear.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

Attorney Kevin Hecht a resident of White Oak Drive, Southington. I'm here on behalf of a client, Janet Clark Haverkampt who lives at 18 Luty Drive, Southington. She currently is the subject of an enforcement under the existing regulation 2-01.A.5.

I'm speaking against this application in that while I think it is an attempt some of the issues that exist with the current regulations, it doesn't go far enough in correcting them.

I agree it is unenforceable. Examples given. Why have a regulation that is only being enforced sporadically or upon complaint of a neighbor, for whatever reason, which is the case with my client.

She has a RV which is motorized. She can get in and drive it and drive it to/from work every day. It's taxed. It's insured. She can

legally drive it to the commuter lot, get in her beater car and drive to Hartford to work and come back every day. Also, because it's a legally registered motor vehicle between April 1 and November 1, she can park in the street in front of her house and leave it there unless it becomes an obstruction to traffic. You are regulating a use that is legal on the road. Allowed to be parked in front of her home or her neighbor's home if she wanted to be difficult about it.

It is unworkable. It is unfair.

There isn't enough storage in the Town. She got the last spot in the fall for her RV but she could not get in/out of her vehicle as she couldn't open the door wide enough. It was stuck in the storms and she had damage from the snow on the roof of the RV.

I would suggest:

(1) Where you have parking of RV including boats of 5' from the property line in the rear yard, if you added where practicable. That would encourage one who could put their RV in the back yard to do so. That would take care of many of the aesthetic situations.

(2) Consider exempting a legally registered motor vehicle. Explained she can drive it wherever she wants to go but she can't leave it in her yard for more than two days under the proposed regulation.

My client goes out at least dozen times from April to October. She's out 12 to 14 times for a few days, long weekend, whatever. She comes home late on Sunday night. And, she can't get the RV cleaned and back to the storage space for maybe three or four days. She goes to work early and gets back late. And, some of the storage places close before she gets home. An issue and unworkable from my client's perspective.

My issue in the old regulation is storage was not defined. I don't think it is being stored. It's being used regularly. There is a difference between storing a vehicle and parking a vehicle in the driveway.

Discussion.

Most people are ignorant of the existing regulation. Just drive around town, noted Attorney Hecht.

Discussion.

Attorney Hecht noted that nothing in the regulation prevents you from storing an RV in your backyard for someone else and being

compensated for it. Take a close look at this. It is fraught with problems as it exists and it is fraught with problems as it is proposed.

It should be an enforceable regulation that reasonable for all people who live in this town and want to enjoy an RV.

Stephen Giudice spoke against the application. You know, the way I read this, the exiting regulation is based on accessory uses to your home. Typically, sheds, pools, things like that. We have a 5' setback from the property line to protect our neighbors. That's what they're saying here. When it is in the backyard, it has to be 5' from the property line. It doesn't say you can't park anywhere else on the site. I don't think the accessory use is a good place for this regulation. I don't think an RV is an accessory use to a home.

Discussion.

When you create regulations based on a couple of complaints, I think we're going down a slippery slope. For that reason, I'm opposed to this regulation. It should be looked at deeper.

The Chair closed the public hearing.

B. Wonk Road Partnership, 9-lot subdivision application, Wonx Spring Road, Assessor's Map 062, Parcel 142 S #1295.

Stephen Giudice, Harry Cole & Son, representing the applicant. The applicants are here in the audience, as well.

We have a proposed subdivision for property located on Wonx Spring Road. It is a 32.98 acre parcel. It's zoned I-1. Industrial. The parcel has frontage on Wonx Spring Road and it has access by way of Wonx Spring Road, as well. We also have frontage on the westbound lane of I-84. It is served by public water and public sewer. The property is relatively flat with gentle slopes towards the eastern property line. The parcel has a driveway that is in fair to poor condition running from Wonx Spring Road up to this area and wraps around (indicating) and ends here.

The property has an open area overgrown with grass and some smaller saplings and such that have sprouted due to lack of maintenance. There are wetland areas on the site (indicated).

This property is abutted by residential properties to the west and to the north. There are industrial users to the east. And, we have 84 and property of the town to the south.

It is the former site of a company called the Square D Company known as 100 Relay Road. Explained building and paved parking areas. They manufactured electronic relays and such. At some point the building was torn down.

The property has also been subject to a DEEP-monitored cleanup. We have submitted a very large electronic file with all the documentation supporting the cleanup of this site. There were also approximately 63 monitoring wells placed on the site during the cleanup and they still exist today and are depicted on the drawings.

There is an environmental land use restriction on this property. Explained the location which has been reserved for environmental land use subject to the DEEP. It restricts development without the approval of the Commissioner of the DEEP. Explained.

The application before you is for a 9-lot industrial subdivision as permitted by Section 3-10 of the town subdivision regulations. We are proposing to construct a 1400 foot roadway. (Indicated) It would be known as Progress Drive. We will be removing an existing waterline on site but we are installing a new water main to serve the cul de sac. We have sanitary sewers in front of Wonx Spring Road. We are proposing a storm water collection system along the roadway with detention basins and outfall to the wetland area to the east of the property along Metals Drive. All lots will be serviced by Progress Drive and they range in size from 2.7 acres to 5.3 acres.

Storm water management was described. It meets ZIRO requirements. Each lot will be required to meet that requirement, as well. Discussion.

Each lot will come in for site plan. We have schematic plans for each lot and we have identified areas on each lot for detention areas.

With the roadway construction, we are proposing some clearing on this property. (Indicated) I point that out because we are not proposing to necessarily clear the whole site or we are not proposing additional vegetation in those areas as we will come back with actual site plan approvals before this commission to consider.

We are proposing the required street trees along Progress Drive as required by regulation.

This site is before the IW Commission. We have had two site walks and will be having a public hearing before the IW Commission shortly.

Jeff Gworek from Diversified Environmental Services is here, as well, if you have questions for us.

Mr. Sinclair asked about the clearing to the west. Mr. Giudice said the edge of the existing tree line is approximately 40' to 50' and we are proposing to clear 15'. Mr. Sinclair said without a site plan, is there any chance you could leave that intact.

Discussion.

Clearing on Lot 9 was discussed.

Mr. Giudice explained this is strictly a conceptual plan. It really depends upon the ultimate user.

Jeff Gworek from Diversified Environmental Services, 277-A Captain Lewis Drive, Southington. I was going to wait until the public had questions and respond.

(Those speaking in favor of the application)

Lou Perillo, Economic Development Coordinator for the Town of Southington. I am here to speak in favor of this application.

The site is approximately 33 acres. It is not an abandoned site. It has been marketed and shown for several times. He explained some of the uses and that were not desirable for the site and not supported by his office as they did not fit the regulation.

Discussion.

This is an I-1 use, light industrial. Some of the issues the site has is the location. There was contamination reported on the site. So the town would not acquire it for open space.

We require industrial uses in town as we do not have substantial amounts of available land suitable for industrial development. I am empathetic to some of the neighbors' concerns, but I do want to address some realities.

Some of the industrial subdivisions out there are running so efficiently that there are not a high level of employees that are actually in the shops, per say. Some there are. He gave the example of Industrial Drive. It's over twice the size of this application.

It is very unlikely this will be built out right away.
Explained.

This is a good thing to have in our town. As a whole town, we have to increase our tax base. You are going to see an opportunity for businesses to come in and actually develop the site. You are going to see a multiplier effect of money and you will see opportunities for jobs.

I understand concerns when a site has been unused this long and it's in a neighborhood. You get accustomed to the use. But that is not reality. I is an I-1 zone. There are certain parameters within it. There was a road and factory. There were people coming/going to work. Material being trucked in on the road.

It is appropriate within the application and I applaud you for having a public hearing on this so information gets out, it's transparent and awareness.

It was a contaminated site. Explained some other uses that were suggested and not supported by his office and the reason why they were not supported.

Currently there are three industrial uses that come in off of that road to the east of the site. So there is industrial activity in the area.

There are certain accommodations in our regulations that could be utilized to protect the residents, i.e.: screenings and wetlands which provide a natural buffer.

I'll answer questions.

(Those speaking against the application)

Stuart Estra, 55 Wonx Spring Road. My presentation is going to be on safety, road challenges, traffic and why this is not a normal I-1 zone. Comments are a compilation of emails we've received from the community.

How many total maximum square footage can be built on this site? If they use two acres per each lot, that could give them almost 300,000 sf of space. And, the application states it can be 3,4,5 stories high. I'm concerned about that.

Discussion.

What type of usage are they going to use and would they be willing to limit the size of the total building size on there.

And, can they guarantee us --- we would like to have low usage applicants go there.

From the comments compiled:

An independent study to be completed to review current traffic flow and the anticipated impact of the proposed buildings. Increased flow as well as safety as children reside in the area.

Safety is a huge concern with the increase in traffic for the employees going to and from work and the tractor trailers and delivery trucks going to /from the businesses. It will impact the residential area where the children are walking to and from bus stops, riding their bikes and neighbors enjoy walking.

Traffic congestion is a concern. Tractor trailers on smaller roads, a lot more road noise, noise pollution, exhaust. Our neighborhood is for families and residents and not a 9-lot warehouse. A traffic study would be a great idea.

Safety issues on Marion Avenue/Wonx Spring Road is an issue. We have the challenge of emergency vehicles accessing the neighborhood.

The network of existing streets that are used to access the parcel are not designed to accommodate tractor trailer trucks. The roads are narrow, corners are sharp and curbed sidewalks are not consistently provided. Truck traffic will be increased to this area making things worse. Pedestrian safety is a major concern. Young children walk to bus stops without sidewalks and no shoulders now.

A study should be prepared of alternate access route.

Dangerous intersection of Wonx Spring Road and Roxbury Road and Miller Farm Road is a concern. Tractor trailers in some cases need both sides of the road to make the turn on to Marion Avenue. A traffic study and safety study should be done before any action is taken by this commission.

Map passed around indicating four areas. Explained A is the egress and ingress to Wonx Spring Road. B is where Miller Farm, Roxbury and Miller Farm connect on a hairpin turn. C is the roadway of Marion Avenue. D is a hairpin turn on Old Mill Road. Discussion of the road widths and safety, unaligned intersections were explained.

Has the applicant done a traffic flow study of how their 9 lots are going to be accessing and using our roads?

The problem with Marion Avenue (letter D) is there are tractor trailer using this road they have to come across to the opposite side of the road to make their turn.

Discussion.

Even though they are making their exit point out to Wonx Spring Road, really, if this gets approved, we would like to work with the developer and make some modifications to this plan. We would like to see improvements made all of the way up to Marion Avenue to correct the deficiencies.

I have some photos to pass around. He explained they show some of the problems and issues just discussed. On the back they are explained.

Right now we are at our max at what we can tolerate for truck traffic and this development would put us over.

Discussion.

Finally, why this is not a normal I-1 zone. As individuals, we are all for more industrial for our tax base. Sometimes money is not the only thing to look at. He gave background from the 1950's and after I-84 came in.

Discussion.

Truck routes were explained and why the prohibition of trucks going on to Old Mill Road.

He explained development in the past 25 years. Much more residential development around the site then when this I-1 site was organized. Wonx Spring Road is a residential road with deficiencies that was never meant to be a feeder road for an industrial property.

Discussion.

Sidewalks were not put along this road.

The residents would have a lesser problem with this development if the developer could find an alternate entrance/exit. If he is forced to use a residential road, we feel this should be treated as to how your regulations treat a special permit under Section 8.

You should take into account the impact this proposal will have on the residential neighborhood. While it is true there is industrially zoned property in their neighborhood, the previous owner

was forced to use a residential road only after the access was cut off to an industrial road. The applicant should have known their egress/ingress is to a residential road and that could affect the design of their project. And, their use of the residential streets should not be without limits. Residents should have as much rights as the applicant.

You have to take into account the health, safety and general welfare, property values and comfort and convenience of the public in general. To not do so would be a gross injustice.

Right now this is way too aggressive. You have the ability to put limitations on this based on your regulations. There are precedents in your regulations and use a similar type of scrutiny to this project.

Discussion.

Subdivision regulation 3-11, subdivision lots on existing streets was cited.

Carolyn Beane, 75 Roxbury Road and John Beane, 75 Roxbury Road. My presentation is a collection of community concerns and suggestions and how to deal with them.

Landscaping, buffering, screening & lighting concerns were cited.

Impact on changes to runoff, contaminated soil disruption and soil drainage should be considered. She offered many conditions to be included upon approval.

She suggested many conditions of approval citing Section 9.

Lots 1,5, 8 & 9 were discussed as having the buffer zone be extended from the 35' to 70' and also extended lineally (indicating).

All unearthed soil from the construction site was suggested to be removed within a 12-hour period and any soil needed for landscaping be brought into the site from a reputable facility.

Lighting pollution was discussed.

She recommended an independent investigation be completed at the applicant's expense for the purpose of comparing light industrially zoned areas with comparable businesses with residential subdivisions. This is a subdivision within a neighborhood and not just bordering the

neighborhood. This would be to assess impact prior to issuing certification.

Frank Punzo, 170 Wonx Spring Road. Why not open space? Why is that not an option here?

I have to say that it has felt like all the focus is on fast tracking a development plan and very little focus on safety and welfare of the residents. It is your responsibility for both. I hope you'll consider all issues at hand.

This I-1 zone is surrounded by residences. No access except through residential streets. It is on a site that has a shopping cart size at the DEEP. I copied the files and read most of the reports. It's impressive.

This is one of two active ELURs in the state. The other two are Pratt & Whitney and UTC which for all intents are one. This is the only ELUR in a residential area. The state had the previous owner pay millions for 20+ years. They finally gave up and granted an ELUR because the land couldn't be completely cleaned. There are toxins in the bedrock and they should not be disturbed.

Spoke of the traffic in the area. There are no sidewalks.

I believe in and know that industrial development is required to keep our taxes consistent. I know there is a time and place for fast tracking development. However, this sought is fraught with many complicated issues and it is not the time or the place for a fast tracking. We need to gain an understanding for what is being proposed, gain an understanding of the history of the land, what the toxins are, their effects and what way they are moving.

What type of additional traffic is being proposed and is there a better way to route it?

Issues specific to planning & zoning I'd like to cover that haven't been covered are storm water considerations and traffic. Discussion.

You should mandate that all storm water be routed through sewers given the location and history of the property.

As to traffic, Charles Moss, a resident who couldn't be here tonight would like this entered into the record which I will read. (On file in the Town Planner's Office.)

I realize the issues are complicated and your job is difficult. I have faith you'll consider all related issues and do the right thing. Thank you.

Ryan Beveran, resident on 130 Wonx Spring Road. I'm here to sum up other uses for the property.

All neighboring residents are against the 9-lot proposal. This property is landlocked by houses and a highway. And, the road proposed is not safe.

(1) Leave the property as unused, undeveloped open space.

If that isn't in the cards, if you address as many of the safety improvements that can be done to our roads, then we would be less aggravated about a single developed I-1 business as the property had in the past.

Discussion.

We would not support gyms or athletic facilities on this lot. The roads cannot handle that volume of traffic and the hours are long. Our quiet neighborhood would not get the weekend break as it does now.

Since this is the only isolated I-1 property in our town, surrounded by residences, we hope that the town is strict on the types of businesses that would be allowed and the hours of operations. These limitations need to be spelled out by the PZC before any changes are made to the property. We encourage you to talk to the residents more before you make any decision as to what restrictions and limitations we would like to see.

Some residents, but not all, also would support the idea of changing the property back to its pre-1957 status of a residential area, R-20/25. Single family homes would not impact the value of our homes. They do not have tractor trailers. They do bring in tax revenue and provide students for our schools.

We encourage more communication led by the PZC and the EDC with the neighborhood to work out the restrictions we'd like to make the residents of this neighborhood feel as if their opinion mattered.

Please table any new business on this proposal until a compromise can be made.

Thank you.

Kristen Keska of 149 Wonx Spring Road. Right across the street. My property would form the intersection of Wonx Spring Road and the proposed Progress Drive, we are very concerned for our safety and the impact this project will have on the level of noise, destruction to our front yard and light pollution on our property.

Discussion.

Spoke about the narrowness of the road and the difficulty in passing on the road when there is a truck on the road. The winter is worse when it is icy.

Discussion.

The conception of the 22 truck loading zones are too many. How can you protect my conceptual family from cars and trucks crashing into it when slick roads prevent traction? My children not be able to play in my front yard because it is too dangerous? Is that fair to us?

If we cannot convince you of the need not to allow the subdivision, to have the intersection of Wonx Spring Road and Progress Drive widened to have a safer turn on to the road and move slightly to not have my house be the focal point of an accident.

Discussion.

If this subdivision is approved, we are devastated by the knowledge the town might not entertain the idea of an additional access point, either highway or road. Only one road is used now as an entrance and exit. Two way truck traffic was discussed. Emergency vehicle access was discussed.

Discussion.

Noise pollution was discussed from the traffic congestion they will bring.

I am also concerned about the disturbance to my property caused by car and truck headlights coming up the road if this is developed. Can we limit that? We only have 10' of property.

Discussion.

I am concerned about the damage that will be done to my front yard by the potential Progress Drive. Mail box replacement was noted.

Discussion.

I was told by the neighbors that nothing would happen in this space because of the pollution and the cost to purchase the property.

Discussion.

I do not think now anyone will buy our house when we choose to sell it. As it is at the intersection of a major industrial complex we won't get anything near the price we paid for it.

Discussion.

Anyone want to buy my house to make a safer road? The developer? The town?

I am concerned the map shown today does not include all the lots.
Discussion.

Buffer zones were discussed.

If it is not in written in stone by this committee, they can petition another day. We want the limitations in as a legal contract.

Discussion.

Lastly, a concern is there is an environmental specialist here tonight but at the last meeting it was laid out do not talk about the environment. That's the conservation commission. So we are not prepared for that.

Discussion.

I recommend you take no action today and tables any business on this proposal until a majority of the complaints are looked into and addressed by the partnership and the PZC and a traffic study is done while keeping this proposed 9-lot subdivision with all its traffic in mind.

Thank you.

Kathy LaForest, 150 Wonx Spring Road. We are very upset that this applicant has given zero consideration to what this application will do to the quality of our home life and to our neighbors.

This is where we come home to rest and raise our kids. This is where we live.

Discussion.

I am here to speak against this because I am just beside myself. I don't know what to say about it. I can't believe it.

Spoke of working at Allied Control and their business. Yes, this parcel is severely contaminated. It's been left alone for 23 years probably because of what has been left behind. It has reverted back to the wild. It's an abandoned lot and it has been. I think of all the wildlife and the environment.

We don't want this in our backyard. Just please help us. Do something. This is our lives and this is our home.

Discussion.

This is in the middle of a residential neighborhood, obviously. What happened in the 50's to have this be done to begin with? I don't understand how this happened.

Discussion.

You gave us this industrial area in the middle of our residential area. I can't believe it. The residents were there first and we don't want no more. This is not progress.

Leave nature alone. I don't know why open space has not even been considered? What better parcel would be open space than this?

Just leave us alone. They want to make a lot of money off of it at the expense of our lives. What is this doing to our quality of life?

Discussion.

We don't want this next to our house. We are not going anywhere. Whatever happened to life, liberty and the pursuit of happiness?

Do not take it lightly and please do not go through this quickly.

Spoke of traffic situations when Allied was there.

Spoke of wildlife in her backyard. Have some regard for the wildlife, the people, the living things in this neighborhood.

Thank you.

(Rebuttal)

Steve Giudice addressed concerns brought up. He talked about turning radiuses, hairpin turns, et cetera.

We understand there are issues and this is not the most ideal area for an industrial zone. The roads are somewhat substandard. But we didn't create the situation. He bought the property and he has a right to develop his property within the regulations you must follow. That's what we've done.

Discussion.

We don't have the power to create solutions for Wonx Spring Road, properly lines and increased pavement widths on town owned property.

He explained the regulation cited for developments on existing streets as being designed for lots with frontage on existing streets. We are building a new road on a piece of property. We are not required to make improvements to Wonx Spring Road. We don't see any alternate solutions to Wonx Spring Road.

I don't believe the state will allow us to put an off/on ramp from 84 on to this property. Panthorn Park is not an option for us to enter to get to other streets. We have wetland concerns. We've looked at it.

Discussion.

The intersection at Wonx Spring Road and Progress Road has been designed to have proper turning radiuses on the curb cuts to allow trucks/cars to turn into this site and limit any problems at that intersection. We can't take property from other property owners and try to fix curves in other areas. It's not within our power to do so.

Many of the traffic concerns that are existing today we don't have any power to correct, unfortunately.

Discussion.

The schematic design laid out was explained.

The applicant has stated to me that he will not build more than 100,000 sf on this property. That's on the record.

Discussion.

Landscaping was addressed. Clearing areas were indicated. And, those areas not to be cleared were indicated. The applicant is sensitive to abutting property owners' concerns. We also have wetland areas where we propose no impacts to the setback areas. I'm sure we could compromise to fill this area (indicating) with a landscaped buffer. Individual site plans for the lots would identify the required buffer to protect the property owners.

I want it to be clear that we have guidelines that we have to follow to come through the process. Once this subdivision were to be approved, each lot would come back through the site plan process.

What is permitted on this site is what is permitted in a light industrial zone. Not a lot of traffic. Buildings with uses that are not objectionable to being next to a neighborhood and that's why you see I-1 zones adjacent to residential neighborhoods. It's not as intrusive as an I-2 zone.

Discussion.

The other thing I wanted to mention is the comment was made residents couldn't speak to environmental concerns tonight. I think what was said was residents couldn't talk about wetland issues tonight. The Conservation Commission regulates wetlands and watercourses. Anything to do with soils or watercourse on this property or an activity within a regulated area would go before them. The PZC doesn't typically get into environmentally contaminated topics because it's not within the purview of your regulations. Occasionally it does and that's why Mr. Gworek is here tonight to answer those questions.

Discussion.

The DEEP has reviewed this property and will determine ultimately what is acceptable to be built on this property.

The traffic concerns are not something this applicant can do with this application. It would have to be done with the town. If there is something the town felt strongly about, I'm sure we would look at it. I am not sure how to solve the problems there.

Traffic study requirements were discussed under the site plan regulations and not under subdivision.

Discussion.

Storm detention on each lot individual lot are schematic explained Mr. Giudice just to identify an area that can be used. It's good planning for the lot.

The Chair asked if any storm water on any developed property would venture out to the residents. Mr. Guidice said no because we have low lying areas that run through the property from a west to east direction. Explained the drainage pattern.

Buffer distances were discussed. We will maintain 35' or 50'. We don't want to go to 70' until we see what the users might be.

Mr. Sinclair asked for a report on how thick the existing vegetation is there now on the northerly side. Distance wise.

Mr. Guidice explained this is not an application that has been fast tracked. We take the concerns seriously and within our ability we will try to work towards a common ground.

Discussion.

Jeff Gworek, Diversified Environmental Services. He went over the Roxbury residents concerns. They are west of the site and this is considered the up gradient part of the property and the water flows

west to east to 84. Any contamination that was found and could potentially still exist would be flowing to the east to 84. Explained.

On the property, the soil has been remediated per DEEP criteria for even residential use. That is not a concern going forward. You won't see any contaminants being distributed anywhere else.

As to Mr. Punzo's concern, the two criteria with the groundwater issue are the surface water protection criteria and the volatilization criteria. The difference are service water protection obviously is if groundwater discharges to a surface water body --- that would be an issue. Investigations demonstrate a compliance with these criteria and the 63 total wells show no issues were found with the water on 84. The volatilization criteria is left and that is why the land use restriction was put in place. It prohibits any building over that land use restriction unless you get an order from the DEEP Commissioner saying its okay.

A system would be a very basic system similar to what is used for radon. Explained.

Since the beginning of remediation and investigation the DEEP has involved in all activity out there. They've approved it and overseen it.

Mr. Giudice said that conclude his presentation. I know the residents have a lot of concerns but unfortunately a lot of them are beyond this applicant's control. There are things we can do to try to incorporate some changes and alleviate some concerns. We'll be happy to meet with the neighborhood representatives to discuss.

Our proposal before you is a 9-lot industrial subdivision for this property.

The Chair closed this public hearing at this time. We are not taking any action on this meeting tonight. It will be tabled in the business meeting portion.

BUSINESS MEETING

A. Proposed zoning text amendment, Section 2-01.A.5 and 2-18 (recreational vehicles) ZA #572.

Attorney Sciota suggested this be tabled and sent back to the subcommittee for review.

Mr. Sinclair is concerned about the enforceability. Maybe they want to give a longer timeframe than 48 hours for enforcement. As Attorney Hecht pointed out, you can legally park this thing on the street for most of the year and that might need more flexibility. They're registered and taxed. You might want to find more leeway when it goes back to the committee.

Mr. Chaplinsky commented for people having difficulty getting the RV in the rear of their property, is there an option for them to go to the ZBA? Attorney Sciota pointed out right now they are not allowed in the side yard. The ZBA couldn't change a regulation; they could only vary a regulation. Mr. Chaplinsky said it may be somebody has insufficient space and can we allow that go to the ZBA, have a public hearing and determine if that is insufficient space. Attorney Sciota said you are then giving the Z BA the ability to make that decision.
Discussion.

Mr. Chaplinsky also said along with RV and boats, personal watercrafts should be included, i.e.: trailers.
Discussion.

Mr. Macchio said this was just to redefine an RV. Explained.

Mr. Chaplinsky would be open to something more loosely than the 48 hours. Also, consider the number of vehicles on a single parcel. Do we want to talk about sizes of motor vehicles? Attorney Sciota warned the regulation should not be texted to-death.

Mr. Chaplinsky added that it should be defined what storing is by a time limit. Three days, five days consecutive?

Mr. Chaplinsky added he was concerned about enforceability. When we talk about an RV and the use on a parcel, for me, the purpose of this regulation is because some people find the storage of an RV on a residential parcel to be intrusive when it's on the side property or in the front. I would think we should consider language that ties this to our blight ordinance. Explained it is considered a nuisance and nonconformance can be referred to the police department for enforcement under the blight ordinance and a fine could be issued.
Discussion.

Ms. Clock brought up the storage of RVs on your property for other people.

Discussion.

Mr. Rogers made a motion to table. Mr. Champagne seconded. Motion passed unanimously on a voice vote.

B. Wonk Road Partnership, 9-lot subdivision application, Wonx Spring Road, Assessor's Map 062, Parcel 142 S #1295.

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

SPECIAL SIGN PRESENTATION

Pete Rapocchio, owner of Sign Pro, gave a brief presentation with regards to A-Frame Signs to meet the requirements recently passed in the zoning regulations so you are familiar with the sign type. This is commonly available in the market place. He passed around information on the sign type. Very easy. Post on the road or sidewalk. They come in different colors. Very durable. This unit will not rust. A changeable reader board is available as well as a dry erase board with this sign.

Discussion.

As to permitting the sign, we came up with a small label that would be displayed on this sign (indicating). If you applied for this permit the building permit issuer would fill in the dates and the decal would be attached to the sign. Easier for everyone to know as to dates for display.

Discussion.

Very affordable. It's two sided, as well.

Mr. Macchio said this is representative of a standard size sign.

The Chamber and the sign maker can work together so they are all conforming and look aesthetically okay.

Discussion.

C. Zoning Text Amendment, Section 4-00 (new 4-050 West Street Business Zone) ZA #571.

Mr. Chaplinsky stated the acting town planner has indicated that we will by the time this comes up for discussion at the next meeting; we will be out of time. I'd like to request a 65-day extension.

Mr. Sinclair made a motion for a 65-day extension. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

Mr. Chaplinsky said we are still getting information from people in the corridor to try to modify the language fitting the corridor better.

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

D. Pergioni Family Jewelers, site plan application for proposed retail building and parking lot, 834 & 848 South Main Street SPR #1645.

Mr. Giudice showed a rendering of the building. We still have to go before the conservation commission Thursday night.

Parking and storm water detention basin were indicated. We have moved some development away from the river for a better buffer from the river. A lot line revision along the Napoli piece is proposed to put the buildings side by side with a handicapped space in front. We are proposing street trees throughout the site. The storm drainage system and infiltrator system are proposed for the roof leaders.

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

E. Galaxy Development, LLC site plan modification to change proposed use from sit down restaurant to multi-tenant building with drive-thru restaurant, retail and medical office, 365 Queen Street SPR #1605.1.

Patrick Dogherty, Mid-Point Engineering & Consulting. Also with me is Mr. Hilson from Traffic Engineering Solutions.

At the last meeting we presented a site plan modification being that we had permitted a sit down restaurant for this property. That fell through. The applicant has found several tenants interested in what he is proposing now. It would house Panerra Bread, two small

retail centers and a medical facility. We had several questions at that meeting and were asked to get more information.

I did receive engineering staff comments after the meeting on the drainage. I believe we have successfully resolved all of his questions.

He ran through a summary of the questions that were addressed. (On file in the engineering department.)

He referenced a letter from Panerra Bread regarding the architecture. (On file in the planner's office and distributed to the PZC members.) He did note that canopies have been added to the elevation and we could do better signage --- photos passed around showing the corporate branding.

Mr. Sinclair asked for a rendering. Mr. Dogherty submitted what he had.

Bruce Hilson, Traffic Engineering Solutions, reviewed the letter he prepared updating the November 21, 2011 letter. He handed out when he was finished for the record. (On file in the town planner's office). He concluded that at no time will there be 75 or up to 75 additional trips associated with the proposed use as opposed to the diner previously on site. The other uses we didn't credit for: bank with drive thru teller window. We conclude a traffic study is not required due to the proposed use.

Discussion further on the traffic counts and the need for a traffic study.

Mr. Lavallee requested a stipulation from the engineering department that they would require submittals on all the structures prior to fabrication of the units on site.

Mr. Chaplinsky asked if there were concerns for the turning radius or queuing for cars coming in off of Loper Street and wanting to go through the drive thru. There is conflicting traffic flow in that area. Mr. Lavallee said he did not.

After discussion, Mr. Chaplinsky made a motion to approve with the town planner's stipulation. Mr. Champagne seconded.

Mr. Sinclair said he would be voting against this. When they came in originally there was a public hearing for multiple uses on this one site. We asked them to bring in a proposal and they brought it in with a sit down restaurant and a bank. The lease they have here

doesn't satisfy me this is what will eventually get built here. So, I'll be voting no.

Motion passed 6 to 1 with Mr. Sinclair opposed.

F. Southington Water Department, request for approval under Section 8-24 for the installation of various water mains MR #477.

Attorney Sciota noted this is self explanatory. The water department through the Council is asking for a favorable 8-24 to replace water mains on the roads listed in the attachment.

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

G. Request for approval under 8-24 for the purchase of land on Lazy Lane behind the police station, MAP 157, Parcel 003, MR #478.

This is a request from the Town Council for 8-24. It has been through the open space and land acquisition committee and the council. Its 3.8 acres behind the police department. Assessed by the town for \$31,600 and that is the purchase priced agreed to. We would request a favorable recommendation from this commission to move forward.

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

H. Release of E & S bond, 196 Clark Street SPR #1617.

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

I. NorthStar Centers, reduction of E & S bond from \$10,000 to a new amount of \$5,000, NorthStar North Plaza SPR #1461.

Staff supports this. Mr. Sinclair made a motion to approve which Mr. Rogers seconded. Motion passed unanimously on a voice vote.

ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

Nothing new.

ADMINISTRATIVE REPORTS

Attorney Sciota noted the map amendment will be on for the July 15th meeting for West Street.

RECEIPT OF NEW APPLICATIONS

Stabler Properties request for zoning regulation amendment to set the public hearing for the 16th of July.

ADJOURNMENT

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

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