

PLANNING & ZONING COMMISSION
 Public Hearing & Regular Meeting
 July 16, 2013

***REVISED AGENDA**

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, July 16, 2013. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The Chair introduced the new Director of Planning & Community Development: Mark DeVoe. Mark, welcome aboard. Mark comes to us from Plainville.

(Applause, applause)

We're happy to have him.

The following Commissioners were present, viz:

James Macchio	Paul Champagne
James Sinclair	Paul Chaplinsky
Steve Kalkowski	Michael DelSanto, Chair

Alternates: Susan Locks
 Ryan Rogers
 Randall Gage

Ex-officio members present were as follows, viz:

Mark DeVoe, Director of Planning & Community Development
 Keith Hayden, Town Engineer
 Mark J. Sciota, Deputy Town Manager/Town Attorney

Absent: Kevin Conroy, Commissioner
 Jennifer Clock, Alternate

The Chair advised he heard from Ms. Clock and she will be unable to attend tonight's meeting however, I have not heard from Mr. Conroy.

The Chair seated Ms. Locks for Mr. Conroy. A quorum was determined.

Mr. Sinclair stated he heard from Mr. Conroy and he could not be here because of a work commitment.

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

MICHAEL DELSANTO, Chairman, presiding:

4. Approval of Minutes

A. Regular meeting of June 18, 2013

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

PUBLIC HEARING:

Mr. DeVoe read the legal notice into the record.

The Chair announced that if anyone is here for business on Items A or C, both of those applications have been withdrawn.

A. Stavo Properties, Inc., request for zoning regulations amendment, new Section 18.2.B.3 of R.O.D regulations (ZA #574)

- withdrawn by applicant.

B. Proposed zoning district change proposed West Street Business Zone, properties identified as: 179-004; 179-003; 179-001; 179-002; 167-024-0005; 167-023-0004; 167-012; 167-011; 167-010; 169-009; 167-008; 167-006; 167-005; 167-004; 167-003; 167-002; 155-021; 155-083; 155-020; 167-001, 125' width of its easterly border; 179-021; 179-020;, 1,300' from West Street; 179-022; 179-024; 179-025; 179-027; 179-026; 179-028; 167-014; 167-015; 167-016; 167-017; 167-018; 167-019; 167-020, 1,300' from West Street; 155-018 (ZC #543)

Mr. Chaplinsky introduced the application. The West Street Business Zone subcommittee has heard a number of discussions on the text amendment with respect to the public hearings and public input sessions we've had. What is before us for this public hearing is the proposed map change for the proposed West Street Business Zone.

The Chair called for those speaking in favor of the application:

Bob Porzio, Chiropractor. I live in Waterbury but my son in law and I have an office at the West Queen Street on the corner of West Queen Street and West Street. It's a building that's 5000 sf on the top. If you go down West Queen Street, in the back we have our chiropractic office and a massage center. I've owned the property for close to six years and I've had very, very little interest in office space up on top. We've had a number of offers for this type of a zone change, so I am much in favor of it. It's suited for the building and the position for that type of zone change.

Andrew Hawley, I'm a chiropractor that works over on West Street. As my father in law said --- 1815 West Street, right on the corner of West and West Queen Street. The upper level has been vacant for about six years. We've had a lot of offers but none that really suit the current zoning. So I am also in favor of the zone change.

Mike Baker from Patrick Baker & Sons, 1650 West Street in Southington. We've been business owners on that property for 30 years. Obviously, we were excited when we read the news about the zoning and the change because we feel it would be very beneficial for us in the future in maintaining the standards that our customers desire along as our family.

The business in, we've seen a big decline. So we are excited with the fact there is the potential for new business to come into the area and enhance the area and help us move forward in the future.

So I do support this venture. We're excited we're hopefully getting this in the right direction.

Thank you.

Len Paquette and Mary Ellen Paquette, we reside at 1506 West Street. And, we very much appreciate being part of this. We have been included in the new proposed business enterprise zone and we want to say we are obviously very much for this.

We think that the inclusion of our home in this would not really impact any of the property owners that reside nearby because of the constraints put on how close our property could be if it were to have an existing business on it, which again, because it does not have the acreage or the frontage of and by itself it could not, but if somebody were to come in later this would enhance the overall commercial aspects and tax revenue for the town for people on West Street.

So we are very much in favor of it.

Thank you.

Monica Cusano, 90 Welch Road. I've a few questions. I am not sure if I am in favor or not in favor.

I want to know the definition of mixed use. Half of this zone is --- a line is going through half of my property and I want to make sure and clarify what mixed use is so you're not doing something to my property that I can't use later on. Originally, it is an R-40 zone. Residential. Can I still do residential there? Are you forcing me not to do that? That's what I would like to know.

My next issue is that anything that you do do up here on West Street, my biggest concern always, is water. And, I am going to keep coming at your because we still haven't fixed the original problems that are up there.

We have water issues there. I know we're downhill and water flows downhill but there are also ways of preventing it. Really good ways. That's my other issue. Properties that are up there are still draining water down on our property. One of my major issues.

Mr. DeVoe explained as to mixed use, as the regulation is written, we're talking about the map amendment but the regulation that goes along with this map amendment, mixed use essentially means mixed use residential / commercial which would permit commercial on the first or second floor of a particular facility with residential on the upper floors. It is different from a standalone residential zone. It's mixed use/residential/commercial within the same zone.

If the text amendment is adopted, any use that exists would remain as an existing nonconforming use. The proposed uses that do not exist that do not comply with this text would be prohibited.

Extensive discussion.

Mr. DeVoe clarified: What the map amendment would do, your property is being transected, this larger property here, by this new proposed zone line. So for the smaller portion of your property, because there is a desired depth of development on West Street, for the length of the property, the easterly side of the property would be in this zone and you would not be able to develop that smaller portion stand alone R-40 housing development because it is no longer in R-40.

Ms. Cusano pointed out in previous meetings that is not what she was told.

Discussion.

Ms. Cusano said she was okay if she could use it for either / or but she is not okay with it if you're telling me I can't.

Attorney Sciota said it is not a floating zone, so staff is right in what they say.

Extensive discussion.

The Chair clarified the speaker was not in favor of this because it dissects her land and she wants to see the line moved to the end of her property.

Discussion.

Ms. Cusano said in previous meetings she was told this would be a mixed use where she could use it for residential or commercial or business. Now you're saying you can't do R-40 in that piece.

Discussion.

Attorney Sciota explained an overlay zone as being the underlying zone still exists and you have an overlay zone. That may be what was explained to you. That I think is where the confusion is coming from. This is not an overlay zone.

Ms. Cusano said she was not sure at this point if she approved of where the line goes. Does it benefit me? Does it not benefit me?

The Chair said the commission would take the information and assess it and make a determination.

Ms. Cusano said she didn't approve of the new zoning if it's not an overlay zoning. She is in favor of an overlay zone as originally described to her and discussed with her.

Discussion.

That's a big piece to cut it in half, what do you do with the lower end? You can't stick residential in the middle of mixed use. Again, I am very confused about what you are doing right now.

(Those speaking against the application)

Billy Morin from 77 Welch Road. He stated that the map was very poor and vague. What does do to our residential homes that are on Welch and Westover and all those roads? Will we be able to sell our homes?

He indicated where his home was on the map the commission had.

Mr. Chaplinsky said Mr. Morin was adjacent to this zone and it doesn't affect his property. The zone stops at the bottom of the driving range that is east of your parcel. Adjacent. You are notified because you are within 500'.

Discussion of the buffer zone between zones as being 50'.

Mr. Morin asked what they are planning on building there. The Chair advised this is a long range plan and not going to happen overnight. This is one section of the corridor being considered for rezoning to make it more attractive for business/industry/housing to come in.

Mr. Morin said if you want to put residential, why increase the traffic with more business. You have empty businesses down on Queen Street and West Queen, why build more? Revitalize Queen Street. Attack it that way.

I'm opposed to this.

Ron Tooley, 1570 West Street. I am completely confused. Spoke of difficulty getting out of his driveway except when the light on Welch Road turns red to stop the traffic. What're you going to do to my property between now and 40 years from now? You keep squeezing the people who own homes there out. What're your plans for the four or five houses next to the Indian hall to West Pine Street.

Your map stinks. It doesn't tell me where my land is and what you plan to do. That's what I want to know.

I am dead set against this thing until you can tell me what's going on and how it's going forward.

You're making West Street another Queen Street and it's terrible.

Thank you.

Bryan Meccariello, 142 North Main Street Southington, CT. I'm here tonight on behalf of one client although I do represent several clients who own approximately 100 acres along West Street. Tonight, my client owns three. My client who owns parcel 155-021, single family house at 1532 West Street and the adjacent property which is parcel 155-083 which is vacant land at 1516 West Street.

The vacant parcel is in an R-40 zone and in reading the regulations, Section 4-5 regarding yard and bulk requirements and minimum lot size of 2.5 acres, at the end of that paragraph, the

second sentence is: pre-existing lots that do not meet the minimum acreage under the regulation, shall become legal nonconforming upon the enactment of this regulation. That signals to me the fact that if my client were to build a house on the vacant lot, he would be able to do so under my reading of the regulations. But with the discussion here, it sounds like that can't happen.

For that reason my client is not in favor of the map however, he does wish for me to express his thanks to Mr. Chaplinsky and the committee for the time they spent on this. We understand the intent.

My client also owns property north at the corner of West Queen and West Street, parcel 179-028, a single family house at 1829 West Street. The problem is when you take that parcel the parcel mentioned previous that has a house on it, just from a contiguous point of view; he cannot fit within these regulations. There is not an abutting property owner that he could look to and even if he were to add to it, we don't the cost or what he would lose. We object to that part.

This is similar to putting the cart before the horse. We've got this map would seem like an overlay. That's the problem. It hasn't been nailed down. The lines drawn do affect my client's properties.

Looking at the map aerially, there is only one parcel of land that fits within the regulations as written. All the others need to combine with their neighbor, cut deals.

Discussion.

Maybe you should approach this from a different point of view. Look at the large tract property owners and individually create what you would like to see in terms of development. Sit with the property owners and talk about it.

Discussion.

This is of a confiscatory nature to my client and his vacant property (1516 West). You're making him unable to do anything with that lot. He bought it as an R-40 zone. In my reading, he would be allowed to do it but if not he would have to go to the ZBA and get a variance. That's what a lot of property owners here will have to do.

Sev Bovino, Planner with Kratzert & Jones. I represent the Merrill Family that owns about 15 acres on West Street and Welch Road. They want it to be on record they would like to be excluded from this zone change - their property.

If you decide to include it, they would like you to consider only zone changing the first 400' to meet the requirements of your regulation 400 by 400 so it could be worked out along West Street. The back portion would not work out for mixed use development.

We have done multiple studies with the land and we agree with that. It just doesn't work out to have a mixed use down on the bottom portion of the property.

That's all I have to say.

Mark (Inaudible), 115 Welch Road. Spoke of the proposal suffocating Welch Road. Why? What's going to go in there?

Discussion.

Spoke of trucks banging their tailgates all night in the area keeping the residents awake. Back up beepers all night. Tilcon property.

Spoke of Queen Street development. West Queen Street was discussed as needing to be developed. Now you're coming to a place where people live. Keep it on West Street where you've already built and keep it to commercial where people have businesses. Make their area commercial or whatever. Why do you have to do everything and take land where people are living?

Monica Cusano, 90 Welch Road. I just want to come up so that you know I am against you putting that on my property. I'd appreciate you moving my boundary line back so it stays an R-40 zone. With the way the regulations are that you are doing them, it is not what was explained to me. So I'm against you doing this to our property.

Roger Tolles, 712 Spring Street. Having reviewed the application to rezone a portion of land from Spring Street to West Street/Queen Streets on the east side of West Street and land north of West Pine and west to West Queen on the west side of West Street currently zoned I-1/R-40 and BL to WSB to me it seems as an attempt to possibly have a portion of land along West Street out of the Comprehensive Plan disrupting the tenor of the neighborhood, affecting only a small portion of West Street.

It clearly gives advantage to some and not others. And, it is beneficial to the entire West Street community as a whole. I am against this small localized type of zone change along West Street after the neighborhood has waited since 1991 for a Comprehensive Action Plan.

If it takes another few months to redo the entire corridor, it would be in the best interest of an orderly, comprehensive plan that has all the pieces in place for an orderly development.

Why are you only taking a piece of it? Why do it in piecemeal? Why not give everybody an equal opportunity. I realize we have to have change and we're probably going to have change. I think it would be advantageous to give everybody --- the people to the north of West Queen and the people south of Spring Street, I would say they are at a disadvantage.

I would like to see if it is going to happen the whole thing as a whole be changed.

Thank you.

Beverly Tooley at 1570 West Street made a comment. Okay, I am against it.

Why hasn't the committee ever considered - you have a Target and Lowes and you left the rest of it to grow up like a cornfield.

There are other properties that've been ignored. The intent was to build it and bring more in. Let's finish the other jobs before we start on West Street. You've done enough to West Street which has hurt many, many people who have lived there much, much longer than I have.

Look at the whole town where you have areas that were started and never completed.

Thank you.

Doris Tolles, 712 Spring Street. I side with my husband as I really don't understand why the West Street corridor is being chopped up and done piecemeal when we've been coming to meetings on the issue of redoing West Street with a comprehensive plan to figure out what is really in the entire best interest of the community and the whole town.

We are large and small property owners on that corridor who are extremely sensitive to your decisions. I feel to sit there and do a small portion of it is sort of slapping the other people in the face and saying we'll deal with you another time. You might get a better response if you looked at it as a fuller picture with a more orderly development coming from the 84 corridor and working up to the Bristol line. The traffic is awful and something needs to be done. Work

together to make one plan that will deal with that street for the best interest of the community you can find something to really work. A lot of great ideas out there.

You've done a lot of work and now you just need to juggle it a little bit more to have people feel more comfortable with it.

Thank you.

Sev Bovino, representing the Merrill Family and another property owner on West Street, they asked me to ask you to consider tabling this to allow them more time to review the proposal.

Mr. Gage noted that the recommendation that the subcommittee brought back were made in a PowerPoint presentation on June 19, 2012. You could go back in the Minutes on line and look at the recommendations made and note there were different things added. This is one step in the process. We're trying to break it down into cohesive little areas that we can change as we go.

Mr. Chaplinsky further added that the reason we are doing it in pieces - these lines are very close to what the professional planning agency recommended for the West Street Business Zone. We're trying to follow a process. Because there are multiple components to the corridor, there are also multiple zones. Explained.

Part of the overall proposal you've seen in the past there are a few different components. This is the West Street Business Zone and it's the one we prioritized as the highest that we wanted to work on as a commission together.

There are two mixed use transition zones which is north and south of this. That will be a second phase.

The interchange commercial zone is closer to the highway which has some components to it already.

We recognize the recommendation for the mixed use transition zone and the interchange zones are different in language and mapping so we have to take one at a time. This is the top priority. And, when this is completed we will move on to the next two zones. That's the process that the committee had recommended to the commission and decided to go forward with.

Doris Tolles said she understood they were doing strictly this one portion of the plan that was presented. Was it because this zone was going to generate more money for the town, bring in more economic

return or to develop it for the best interest of the community as a whole? Was it to tackle that and throw it into the business zone as being in the best interest of the community? To me, there is no rush to take it out of the present zone. There are a lot of businesses areas open to be purchased and developed. To just pick that one spot out and say we're going to change it over to business, I can't make sense of that. It seems like you're saying that is the easiest thing to deal with right now and move along.

Thank you.

Mr. DeVoe read in the following communications, either for or against, which are all on file in the Town Planner's Office for review:

- Email from Nelson Merrill which corroborates Mr. Bovino's representation statements put into the record.
- Letter received from Attorney Richard M. Krezel dated July 12, 2013 regarding the Joseph D. Klepacki property.
- Email received today July 16, 2013 from Ralph Calabrese and Tony Valente.
- Letter dated July 14, 2013 from Mr. Nelson Merrill which is in support of the statements made by Mr. Bovino.

The Chair stated for the record we are elected officials and we are here on our own time, we're not getting paid or here to line our pockets.

I don't know what happened on Queen Street when it was developed.

We're here for West Street and we're moving forward and this is the process we're going to take.

The Chair closed this public hearing item.

C. Lancaster Land, LP, petition to enact a zoning regulation amendment of text, new Section 3-08.22 of the HOD regulations ZA #573),

- withdrawn by applicant.

Mr. DeVoe advised that the applicant, in his request for withdrawal has asked me to notify the commission he will resubmit for

another public hearing. CCRPA received the wrong text. The applicant has asked that the fee be waived.

The Chair asked if there were interest in having the application fee waived for the next submittal.

Mr. DeVoe responded to Mr. Sinclair's question as to why they were resubmitting, that they received a response from CCRPA that was not favorable. The response was based on misinformation that CCRPA received. The applicant gave CCRPA the wrong text. It was not the text that was submitted to the town.

Mr. Chaplinsky made a motion to approve it. I know it is not standard practice but at the last meeting there was confusion as to what was submitted and what was what. I think under normal circumstances I would not be in favor but given the confusion we had at the last meeting I'm okay with it.

Mr. Champagne seconded it.

Mr. Kalkowski said he would be in favor of waiving the fee if we or town staff did not spend time on this but again, we have a motion for approval so I'll be okay with it but I think in the future, if we spend time on it, that's the reason for fees to cover our time and to cover town staff's time. We should look at this differently going forward but I am okay with it for now.

Motion passed 6 to 1 with Mr. Macchio opposed.

6. BUSINESS MEETING

A. Stavo Properties, Inc., request for zoning regulations amendment, new Section 18.2.B.3 of R.O.D regulations (ZA #574) withdrawn by applicant.

Withdrawn.

B. Proposed zoning district change proposed West Street Business Zone, properties identified as: 179-004; 179-003; 179-001; 179-002; 167-024-0005; 167-023-0004; 167-012; 167-011; 167-010; 169-009; 167-008; 167-006; 167-005; 167-004; 167-003; 167-002; 155-021; 155-083; 155-020; 167-001, 125' width of its easterly border; 179-021; 179-020; , 1,300' from West Street; 179-022; 179-024; 179-025; 179-027;

179-026; 179-028; 167-014; 167-015; 167-016; 167-017; 167-018; 167-019; 167-020, 1,300' from West Street; 155-018 (ZC #543)

Mr. Chaplinsky stated to address Commissioner Champagne's comments, I think with the reduction of the 500' to 400', I think the intent of the job and the reason it was there had to do with the uses that were there and the topography of the land. We are constrained by the topography of the land and what is usable and what is going to be an appropriate depth. I think that sliver of land could be reduced if you felt as though you wanted to redraw that line smaller so it was a smaller piece of the property to a 400'. That was the intent, to capture those parcels that topographically made sense.

Discussion.

Mr. DeVoe advised that Mr. Bovino made a request that Mr. Merrill's property not be zoned any further than 400'.

Discussion.

Mr. Sinclair suggested this be tabled. The Chair agreed it should be tabled.

The Town Attorney noted two questions that have to be answered:

1. Do you want us to pull the line all the way back to the easterly boundary of the Cusano property? We'll change the map to that affect.

2. What do you want to do with the property just to the north of that?

Mr. Sinclair said the representative said as it is written, they can't develop that portion so maybe it would be better to leave that as a residential zone for now. Mr. Chaplinsky added leaving that zoned R-40; it's going to be difficult if we split the property. The intent of provided a mixed use residential on the western part of the property is to provide for a transition between the existing R-40 to something that was a mixed use and then finally the business. I am afraid if we rezone it just the 400' and leave the other half R-40, I'm not sure.

Discussion.

Mr. DeVoe restated three requests:

1. Attorney Meccariello stating his clients would have difficulty developing closer to West Pines Drive.

2. Ms. Cusano indicates unwillingness or a desire not to have that easterly portion of her property in this zone.

3. Mr. Bovino representing the Merrill's on their property requesting it not be zoned further than 400' back allowing them to retain the rest of that rear property as R-40.

Mr. Sinclair made a motion to table. Mr. Chaplinsky seconded.

Mr. Sinclair removed his table as did Mr. Chaplinsky remove his second.

Mr. Kalkowski reiterated for the record: We are now going to go back and redraw the map with eliminating the long strip and 400' on the golf course. Mr. Chaplinsky suggested the planner do a review of the appropriateness and give the commission some options.

Mr. Chaplinsky stated if there are individual land owners that have questions on the map to please see the town attorney or the town planner before the maps are drawn so we can take them into consideration for the next discussion.

Mr. Sinclair said we wanted to do West Street as one parcel, one plan. If the subcommittee could keep moving as they're moving and start bringing the other parcels we can see how they connect and that would help with questions when looking at the map.

Discussion.

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

C. Lancaster Land, LP, petition to enact a zoning regulation amendment of text, new Section 3-08.22 of the HOD regulations ZA #573), withdrawn by applicant.

Withdrawn.

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

The Chair advised this has been acted on.

E. Wonk Road Partnership, 9 lot subdivision application, Wonx Spring Road, assessor's map 062) Parcel 142 S #1295.

Stephen Giudice, Harry Cole & Son represented the applicant. We are in the process of making revisions to the plans in response to staff comments. We are still in the wetland process. So tonight I'll ask for a table.

Mr. Chaplinsky made a motion to table. Mr. Sinclair seconded.

Mr. Chaplinsky removed his table as did Mr. Sinclair his second.

Mr. Champagne asked staff about the traffic reports presented from the police department and one states they are not for it because of the tractor trailer traffic can't pass. There should be a liability thing the town needs to address one way or the other now that it's in writing.

Discussion.

Attorney Sciota said the police department understands the situation and we understand that whatever this commission decides we'll take whatever action is necessary.

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

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

Mr. DeVoe referred to the text amendment sent by email to the commissioners. The only comment during the public hearing, aside from the negatives and positives that was substantive in terms of the regulation itself, was the Merrill's request that their setback be reduced from 500' to 400' and that's relative to the map amendment and not the text. However, it might impact the text amendment.

Mr. Chaplinsky added that would be Section 4-05.6. Letter A, end of the first sentence: . . . from West Street on the east side of West Street and 500' on the west side of West Street. That change pertains only to that specific property and if you wish to reduce it from 500' to 400', it would apply to the entire zone which I believe is a reasonable request and I am supportive of that.

Mr. DeVoe referred to the request regarding setback for Ms. Cusano, the 400' setback would still encompass a portion of her property.

Mr. Chaplinsky clarified the 400' is a minimum requirement that does not affect the map. The 400' is a text change that talks about the residential component if a residential component were to be included it says on the east side it's 800' away from West Street and on the west side it would 400' instead of 500'. Just for clarification it doesn't change the zone map boundaries. It eases the burden of the requirement of the lot depth.

Mr. Sinclair had questions regarding Section 4-05.4, permitted uses, Section A. Four uses are excluded (hotels, clubs, lodges & funeral parlors). What is the logic behind why we don't want those particular uses in the zone? Mr. Chaplinsky said this was a recommendation made by the planner at the time with respect to the activities that are there. There are additional areas within the town that these uses could fit into.

Discussion.

Drive thrus are permitted for financial institutions noted Mr. Sinclair. Mr. Chaplinsky responded the committee had agreed that financial institutions would be the one that would fit mostly into the West Street Business Zone. We did not include pharmacies as we felt there was ample space and areas within the town that those types of things would exist, with a drive thru. Without a drive thru, a pharmacy is allowed.

Discussion.

Mr. Sinclair brought up 4-05-8E. The use of neon tubing and similar lighting, I like that. Do we want to take it further and get some design standards for signs in this zone. Mr. Chaplinsky added the continuous improvement subcommittee is working on sign review as a whole.

Discussion.

Mr. Sinclair stated at on 4-05-8G, he loved that part of it. You have to submit an elevation with the plan.

Mr. Chaplilnsky made a motion to approve the zoning text amendment as presented. Mr. Kalkowski seconded.

Attorney Sciota asked about Section 4-05.6 - do you wish to remove the 500 and replace it with 400?

Mr. Chaplinsky amended his motion to the town attorney's comments to reduce the requirement from 500' to 400' in 4-05.6. Mr. Kalkowski seconded.

Mr. Sinclair stated he liked the direction we are going with these regulations. We are looking for design standards and we're looking to create something that will be pleasing to the town. I'm all in favor of the regulations.

Motion passed 7 to 0 on a roll call vote.

G. Pergjoni Family Jewelers, site plan application for proposed retail building and parking lot, 834 & 848 South Main Street (SPR #1645)

Stephen Giudice represented the applicant. You've seen this quite a few times. We have been able to address staff concerns and comments. We did receive a memo from staff that the plan is ready for action.

Mr. Sinclair asked the applicant to look at Napoli's Deli previously. Anything come out of that? Mr. Giudice said not at this time. We will be back, though.

Mr. Sinclair asked about the lot line revisions. Mr. Giudice explained the property line runs on an angle away from the Napoli building and we're proposing to do a give and take to run the property line parallel to the two buildings.

Discussion.

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

H. *Town of Southington, Floodplain Filling application for work associated with the construction of a 5' wide sidewalk as part of a Safe Routes to School network, connecting Crest Road to Woodruff Street through memorial Park, 776 Woodruff Street & Town owned parcel adjacent to 157 Crest Road FF #238.

The Town Engineer, Keith Hayden explained the application in detail. He noted it is an improvement.

Mr. Sinclair made a motion to approve which Ms. Locks seconded. Motion passed 7 to 0 on a roll call vote.

I. Acceptance of West Pines Drive, from its present terminus to West Pines Drive (a loop roadway), a distance of 1,850 feet, subject to the acceptance of a maintenance bond in an amount to be determined S #1280.

After a question about the bond amount, the town attorney suggested the motion be that the maintenance bond amount be acceptable to the town engineer's office.

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

J. Acceptance of Brookfield Court, from West Pines Drive to its terminus, a distance of 1,165 feet, subject to the acceptance of a maintenance bond in an amount to be determined S #1280.

This is ready for action. Mr. Sinclair made a motion to approve which was seconded by Mr. Kalkowski. Motion passed unanimously on a voice vote.

K. El Pupo, release of \$1,000 E & S bond, 1217 Queen Street SPR #1644.

Mr. Sinclair advised for the record he would be recusing himself on this application. The Chair seated Mr. Rogers for Mr. Sinclair.

Staff advised this is ready for action. Mr. Chaplinsky made a motion to approve which Mr. Macchio seconded. Motion passed unanimously on a voice vote.

*** Mr. Chaplinsky made a motion to add Item L which is a request or a second 90-day extension to file mylar, 40 Old Mill Road, Albright Meadows Subdivision s #1294.

Mr. Sinclair seconded. Motion passed unanimously on a voice vote.

Mr. DeVoe stated it was ready for action. Mr. Kalkowski asked the reason for the second extension. Mr. DeVoe believed there was some delay in terms of getting bonding information. They'll be posting bond. We don't anticipate them getting very far into this 90 day extension before starting.

Mr. Sinclair made a motion to approve the 90-day extension. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

ITEMS TO SCHEDULE FOR PUBLIC HEARING

None this evening.

*****THE CHAIR ADVISED THE NEXT MEETING IS THE 20TH OF AUGUST.*****

ADMINISTRATIVE REPORTS

None this evening.

RECEIPT OF NEW APPLICATIONS

The town planner passed around a sheet with the new applications.

COMMISSIONER ITEMS

Mr. Kalkowski brought up the continuous improvement subcommittee has been working on several items:

(1.) This came from Mr. Lavallee who was getting feedback regarding garage sizes. The average garage size we allow is approximately 12 x 24. It was recommended we extend that 2' on each side potentially up to 14 x 26. We did some research of other towns and cities. We're not able to find specific regulations that address a garage size as most regulations are around a square footage requirement.

We found something that was complimentary and the average square foot of a 2 bay was about 676 sf which translates into a 13 x 26.

We're going to propose and recommend we go with town staff's recommendation and allow up to 14 x 26. We'll work with the town planner to draft that language.

Mr. Chaplinsky asked the subcommittee to also consider the number of garages. Should we have a scale by zone?

Discussion.

And, should a detached garage be considered a separate size? If you have two and you want a third garage, detached, can it be larger?

Mr. Sinclair said this was redone not long ago and maybe the verbatim Minutes can be checked for comments and logic used at the time. Maybe six years ago.

Mr. Kalkowski will look into that.

(2.) We had Sign Pro come in and present a potential A-frame sign standard with a same sign. We are going to work with the town planner and have formal regulations around an A-frame design standard.

(3.) When we did approve in January the temporary signs including the A-frame, we had a provision which was 13-14 letter O. It said this regulation as it pertains to A-frame signs along the public roadway shall be for a pilot period of six months from the date of enactment of the regulation without further action by the commission this subsection shall expired.

Our recommendation is going to be to let this expire for three reasons:

1. Most of the A-frame signs out there are not following our regulations at all. They're not coming in for applications, et cetra. That's an issue.

2. Most of the A-frame signs along the public roadway are not being brought in at night and they're not following the regulations as written.

3. We feel that the Southington Chamber of Commerce does not appear to be following through with their commitment to help the town educate the business community regarding the temporary sign regulations nor are they helping us with the enforcement aspect.

Therefore, we recommend we allow this to expire.

The Chair said it is not anyone's fault, but we are understaffed. We may have to revisit this.

Attorney Sciota noted the business community came to us and said they'd like X,Y & Z and they would follow through. I can't agree more with Steve in the fact that that didn't happen.

Discussion.

Mr. Macchio explained why he agreed, as well.

Mr. Gage brought up the corner of Loper and Queen Street. It is all overgrown with vegetation. The sight line is an issue. Staff will look into this.

EXECUTIVE SESSION to discuss real estate matters.

Mr. Chaplinsky made a motion to come out of our regular meeting and go into executive session barring the press and public. Mr. Sinclair seconded. For the record, the town attorney, the planner and the town engineer will be joining.

Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned to executive session at 8:44 o'clock, p.m.)

EXECUTIVE SESSION

The Southington Planning & Zoning Commission entered executive session immediately following their meeting with the following in attendance in order to discuss real estate:

The following Councilpersons were present, viz:

James Macchio	Paul Champagne
James Sinclair	Paul Chaplinsky
Steve Kalkowski	Michael DelSanto, Chair

Alternates: Susan Locks
Ryan Rogers
Randall Gage

Ex-officio members present were as follows, viz:

Mark DeVoe, Director of Planning & Community Development
Keith Hayden, Town Engineer
Mark J. Sciota, Deputy Town Manager/Town Attorney

Absent: Kevin Conroy, Commissioner
Jennifer Clock, Alternate

A real estate matter was discussed.

No motions were made or votes taken during executive session.

Mr. Sinclair made a motion to adjourn executive session. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

(Whereupon, executive session was adjourned at 9:05 o'clock, p.m.)

REGULAR SESSION

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

(Whereupon the meeting was adjourned at 9:06 o'clock, p.m.)

Mark J. Sciota
Acting Clerk