

PLANNING & ZONING COMMISSION
Regular Meeting
October 15, 2013

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, October 15, 2013 at the Southington Town Hall Council Chambers. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

Stephen Kalkowsk	Kevin Conroy
James Sinclair	Paul Chaplinsky
Paul Champagne	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
Keith Hayden, Town Engineer
Greg Klimaczewski, Assistant Town Attorney
Mark J. Sciota, Deputy Town Manager/Town Attorney

Absent: James Macchio, Commissioner

The Chair seated Ms. Clock for Mr. Macchio this evening.

A quorum was determined.

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

MICHAEL DELSANTO, Chairman, presiding:

Approval of Minutes

Regular meeting of October 1, 2013

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

BUSINESS MEETING:

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

Stephen Giudice from Harry Cole & Son, 876 South Main Street, Plantsville represented the applicant. We are proposing a 9 lot industrial subdivision in and I-1 zone located on Wonx Spring Road. This application has been before you for many months. We had a long, extended public hearing with the conservation commission. They did grant approval for this application.

We are here before you requesting consideration for approval from this commission.

Through the process, we did make revisions to the plans. We received staff comments and made revisions based on those comments. We had some comments from the conservation commission and revisions were made based on those comments, as well.

I don't have much to add to the record as far as this application goes. I know there is an intervener that would like to speak and we'll let him speak and offer any rebuttal to his presentation.

The Chair advised he spoke to the intervener and he would allow fifteen minutes to ask questions of the applicant. He has some information to present. He can step right up.

Frank Punzo, 170 Wonx Spring Road. I'm an intervener and party to this application. I'd like to address you regarding it. My comments are all related to the regulations of this board and the decision in front of it.

I'd like to inform the board that we are appealing the wetlands decision that was approved October 3rd.

Second, I have a rhetorical question for all of you. The Chair responded you are not going to be asking questions to us, whether or rhetorical or not. We can't answer any. Any questions you may have had to be the applicant.

Mr. Punzo stated all of his comments go directly to the relation of promoting health, safety and morals, comfort, convenience, that sort of thing. What is this commission's purpose? Why have we elected all of you? Is it to insure that our planning & zoning regulations are followed? Is it to adequately plan so the interests of the town are met? Is it to enforce the regulations? All of the above? Perhaps we should look into the regulations themselves and they will have the answer.

He read an excerpt from Section I, for the purpose of promoting, health, safety, morals, comfort, convenience, prosperity and welfare of the community. For the purpose of lessening congestion in the streets. Of providing adequate light and air, of preventing the overcrowding of land and avoiding undue concentration of population.

Of facilitating adequate, safe and accessible transportation as well as pedestrian circulation. Of facilitating adequate water, sewerage, schools, parks and other public requirements. Of conserving the value of buildings, encouraging the most appropriate use of the land throughout the town with reasonable consideration for the character of the area and its peculiar suitability for particular uses.

Now, let's look at the 9 lot industrial subdivision in light of the purpose of this commission. The proposed development is a site with well documented serious environmental issues. Experts were hired to study the issues, the plans, the property, to assess the impact this development would have on the residents, the ecology and on the Quinnipiac River. Experts showed that developing the property would be disturbing the active toxic plumes that're on site and put the residents, the ecology and the Quinnipiac River at undue risk.

Our own conservation commission requested an unbiased third party review of our findings from the CERT. The unbiased third party CERT team did the review and agreed with our experts findings and they presented a few other issues with the plan and the property, as well.

Here are a couple of quotes from that review: The HRP ---

The Chair interrupted the Speaker. If you have any questions for the applicant I'll ask you to ask them and the applicant will come up and answer them. You are reading the email you sent this commission and we have that on record.

Discussion.

Mr. Punzo said the rest he has to say speaks directly to the regulation of promoting health and safety. The Chair reminded him as the intervener, this is his opportunity to ask questions of the applicant and the applicant will answer them. I haven't heard any questions, yet.

Mr. Punzo said he was a party to this application and he has comments and issues to present to the board. The chair asked the assistant town attorney to offer his opinion.

Attorney Klimazewski stated as being granted intervener status, you may ask questions of the applicant and they have to be relative to what was spoken tonight. We've had a public input session already. You are granted solely to ask any additional questions that may have been raised tonight as to what the applicant has raised and talked about.

Discussion.

Attorney Klimazewski reiterated it has to be relevant to what was spoken by the applicant tonight. Mr. Punzo said the applicant gave him the opportunity to speak. You said I had fifteen minutes and I'm just trying to get through it. The chair advised you have to follow

the guidelines. Mr. Punzo said he was following the guidelines as he understood them and his lawyer understood them. The chair disagreed.

Mr. Punzo spoke regarding the HRP Associate reported concerns. (Report on file in the town planner's office for review.)

I would hope you would be interested in this type of evidence to base your decision on --- complete truth.

Discussion.

In addition to that expert opinion, we have two wells in the neighborhood that have been tested and both came up positive for the same voc as on the property.

The chair interrupted. Mr. Punzo, you are treading in dangerous territory. You are bringing up inland wetland stuff and the inland wetlands board approved this application a couple of weeks ago.

Mr. Punzo argued this directly goes to the health and safety of the residents and the ecology and the Quinnipiac River.

The chair felt it sounded like he was questioning why the IW board approved that. You said earlier you are appealing their decision. You have every right to do so in court. I can't let this continue.

Mr. Punzo responded he was trying to present all of the evidence to this board to make a decision.

Mr. Sinclair said he disagreed with the chair on this one. I'd like to hear what he has to say as it is germane to our decision tonight.

Mr. Chaplinsky said it would be better if you had some distinct questions. Gave some suggestions.

Discussion.

Mr. Punzo said he would like to present his evidence and have the applicant rebut any of it.

Given the overwhelming evidence our experts put on the record as well as the unbiased third party CERT Team, is there any doubt in your minds what will happen if this development is allowed? Is there any doubt in your minds what will happen if they go digging a road right through the active plumes? Is there any doubt in your minds what will happen if you allow the storm water management system from a site with such serious environmental issues to route its discharge into the Quinnipiac River? We have placed an overwhelming amount of evidence on the public record. The third party review team has agreed with this evidence. What more do you need to see to prove to you that this is a colossally bad idea for the town? Discussion

Let's look at this development again in light of this commission's purpose. Does it promote health, safety, morals, comfort, convenience? What about the prosperity and welfare of the community? I think not.

All that signed our petition and joined our group are urging you to consider all the evidence against this application. Please consider all the environmental issues on the record. Please consider all aspects of our safety. Referred to the report published by the police department (on file in the town planner's office for review).

The QRWA (Quinnipiac River Watershed Association) is aware of this proposal and has taken a position against it.

We are all urging you to do the right thing. Promote the health, safety, morals, comfort, convenience, prosperity and welfare of our community. We are urging you to deny this application.

Thank you for your time.

Mr. Giudice commented we have been going at this for a long time with the conservation commission and now with this board, as well. In Mr. Punzo's presentation I did not hear a lot of questions directed at me. I think it was more asking you to consider your responsibility as a planning & zoning commission.

In the process of this submittal, we submitted all of the documentation for this property during the cleanup. Millions of dollars were spent. Camp, Dresser & McKee did the environmental work along with the Connecticut DEEP. At the end of the report they provided summary that said that the soils on this property had been cleaned to a level acceptable for residential development. A pretty high standard.

Two areas of ground water were of concern. Those areas are not an issue to public health unless they are confined to a building space. Explained.

I'm asking you to look at this property from a planning & zoning perspective. Look at this and compare it to the regulations and what is permitted in an I-1 zone. We're losing track of what we are proposing here. We are proposing an I-1 9 lot subdivision in an I-1 zone.

There were issues with the property in the past and we have documentation that they've been resolved. One questionable area we have provided measures in the detention basin to prevent the vocs from being emitted into the air. Even if they emit into the air, it is not necessarily a concern and it is really only when it is confined to a space. Jeff Gworek from Diversified Environmental Services was our consultant on this.

If you listen to what's being said, it is a horrible piece of property and it's contaminated and is going to be nothing but problems for the commission. That's not the case. That's what their experts, hired by them, want to believe.

Spoke about the CERT Team report. Areas in this report support this application. Depends on how you read the report and how you want to take it.

Unless you have specific questions about our proposed subdivision, we feel this is a good plan that is respectful of the property. We think the commission should approve it. We got approval from the conservation commission.

Any specific questions for me, I'll be more than happy to answer.

Mr. Chaplinsky brought up safe and accessible transportation. You need to talk about the specific lots. What have you done to allow review safe and accessible transportation within the site. Mr. Giudice responded they have a proposed roadway to be constructed to town standards, 30' wide paved roadway, curbing, storm water management. We've analyzed truck turning movements at the intersection to all parcels. And, it is well documented with the proposed plan.

As to pedestrian passage, sidewalks are not proposed. On Progress Drive, I don't know for what purpose, but I could ask the applicant that question. The applicant indicated a sidewalk would be acceptable for one side of the road.

Mr. Chaplinsky suggested later in the application talking about the area around this, as well. We did receive the police report. Mr. Giudice said you are treading on thin ice when it comes to that report as that is specific to town roads and not to the application.

On the storm water runoff and how it will be prevented from migrating, Mr. Giudice explained the storm water collection system is based on the proposed roadway and this through catch basins and through pipe to a detention basin which discharges into a swale into an existing culvert that travels to I-84. We've complied with the regulations as far as ZIRO up to the 100 year storm capacity.

We've proposed a liner in the detention basin to prevent cross contamination from the ground water on site and the proposed site runoff.

Tree removal and significant vegetation was discussed. The proposal is to just clear the areas for the proposed roadway. We are proposed some clearing around the detention basin. These lots will all come back before you with specific site plans that has tree clearing limits on them. We have required buffers on the site plans along property lines. Discussion of a specific property line and buffers (indicating). We will plant in that area if requested.

The question was asked to the town engineer: We heard the intervener, we're hearing response back from the applicant, can you guide us a little bit? What is your perspective as the engineering authority in town, asked Mr. Chaplinsky. What is your opinion on the storm water collection system? Is it adequate and meet our regulations. And, also it leaving the site.

Mr. Hayden answered he thought we were mixing two things. The contaminated ground water and storm water are not really the same issue. Storm water will come from rains and flow over land on the road and on the ground. It's going to be collected in catch basins and directed towards the detention basin. It's not going to have an opportunity to mix with contaminated ground water. There is a liner in the basin that will prevent mixing with high ground water levels. That satisfies our concerns.

Mr. Chaplinsky noted the approval from the inland wetlands commission. You are supportive of the decision of that body? Mr. Hayden responded he was not at that meeting. I'm an engineer. I don't get involved in wetlands.

Mr. Chaplinsky asked if after that decision, is there anything else this commission should consider as part of the subdivision application process. Mr. Hayden reiterated all of his comments have been addressed satisfactorily.

Mr. Lavallee added each individual site will come back for review for storm water as they propose individual developments. Nine lots, nine site plans.

If there are any ground water issues, what state agency would have jurisdiction over that? Mr. Lavallee said they will have to submit to the DEEP the construction plans so they aerate the area around the foundations.

Mr. Giudice added there are still a few more steps involved in this process: we need to go before the Army Corp of Engineers and the DEEP for our wetland portion of the application. We also need DEEP approval for the construction of buildings within the environmental land use area. The land use restriction allows us to construct a roadway and a detention basin and surface and subsurface improvements. When it comes to constructing enclosed space as a building, that's where we have to get permission from the Commissioner of the DEEP and their concern is we properly mitigate any possible vocs that may come up through the building. It's similar to the radon system installed in your house.

Mr. Sinclair brought up vocs and heavy metals and the potential for migration of the contaminants to the other properties. How would you address that? Mr. Giudice said the biggest concern is during the dewatering process for construction. Explained the recommendation is to have the dewatering happen on site and have the water go back into

groundwater on site and that would be in compliance with keeping the vocs on this property.

I want to stress there are two very small areas where there is possible remaining contamination with vocs. Referred to the summary submitted as part of the cleanup from Camp, Dresser & McKee that outlines what was done and what was permitted.

I point out that we do meet or exceed the requirements of the Town of Southington for planning & zoning. The site has gone through an extensive cleanup and we have special steps to take and we have attested we will take those steps through the construction process.

The experts have gone through the site and they will go through the site as it continues through the approval process.

Mr. Conroy discussed the roadway widths for surrounding properties and routes the traffic would take to this site. The proposed road is 30' in width. Wonx Spring is 21.52 to 24.18.

Discussion.

Mr. Conroy read sections from the regulations and stated the 30' width is appropriate for the proposed road. I'm concerned about the space between this proposed road and Marion Avenue. I would like to see if the application is approved that be subject to future site plans.

There is adequate water supply for a development of this size per the fire department.

Discussion.

Mr. Conroy brought up the CERT Report and their comment they would like to see a high level of pretreatment for the storm water system. Has that been addressed? Mr. Giudice said it has not been addressed. The question was: Was there a way to extend our treatment train basically through the detention basin. The conservation commission did not request anything further.

Discussion.

Mr. Rogers brought up extending the residential buffers to 50'. Mr. Giudice said we could do 50' along the westerly boundary but to the north, 35' or 40' would be it.

Discussion.

Lots 9 and 1 were discussed as having no immediate plans for development. Mr. Rogers asked if they could not be included in the plan. Mr. Giudice said if they aren't included as part of this, that's the land that's outside of the environmental land use restriction. Those lots are much more buildable.

Vernal pool is on lot #1.

Ms. Clock asked about adding stipulations regarding concerns about the surrounding streets and widths. Is it possible to have No Parking signs? The chair said it is outside of what we do. The roads are the town's responsibility.

Discussion.

Mr. Champagne said the police report was read so they know what's going on. No Parking signs could be put on Wonx Spring Road. They could move the bus stop to another location. Lots of things to address public safety that can be done but it's outside of this application. It's the town's responsibility.

Mr. Conroy referred to the subdivision regulations, Section 3-11-2. (Read) He felt this commission had jurisdiction from this lot to Marion Avenue in his reading of it.

Regulation 3-10.1A addresses the buffer requirements of 50'.

Mr. Kalkowski made a motion to approve. Mr. Champagne seconded.

Mr. Sinclair asked if it included the 50' buffer requirement. Lots 1 and 9 would be stipulated. And, the traffic that would be in the area, do we want to try to bring this to an SPU level to scrutinize better what's going in there.

Mr. Kalkowski said he would amend his motion to add the 50' buffer stipulation, only. Mr. Champagne reseconded.

Mr. Conroy moved to amend the motion as follows; that the applicant be required to submit a plan to the town for the widening of Wonx Spring Road from the driveway to Marion Avenue to a total width of 30' in compliance with the town's subdivision regulations on streets.

I would also ask that the applicant provide access to accommodate the WB-50 design vehicle for those turning radiuses.

But I would also ask that the development in lieu of that be prohibited from accessing this development with WB-50 or larger vehicles and that the vehicles accessing this site be limited to the WB-30 size (U-Haul box truck).

Mr. Sinclair seconded the amendment.

Attorney Klimazewski said the town roads are the town's responsibility. The additional requirements, I don't have an exact answer for you and I will have to look into that. You may not be able to require the applicant to do this.

Mr. Conroy advised his motion was based on the subdivision regulations he quoted.

Mr. Sinclair said can he make a motion to amend Commission Kalkowski's motion.

There is a motion and second. He is asking Steve to amend his motion clarified the chair.

Mr. Kalkowski asked for clarification on what we can ask the applicant to do. Are those valid requests? Attorney Klimazewski said it was his understanding that it would not be valid to have the applicant improve town roads but he would have to get a more specific answer for you.

Mr. Conroy reiterated the motion was made under Section 3-11.2. And, subsequent to Section 4-01.1.

The first part of the amendment is the buffer. That was accepted by the motioner.

The second part was to provide a means of improving the roadway from the site drive to Marion Avenue in accordance with the cited regulations. And, such design be accommodating of the WB-40 design vehicle and a width of 30' per the regulations.

In lieu of these improvements, the access to the site be restricted to vehicles no larger than the WB-30.

(Pause)

(Pause)

The chair felt this needed to be addressed to the town attorney. I think we can pass this application for now and come back when Mark comes back.

B. Frank and Mary Fragola, site plan application for a proposed 4,980 sf office building, 1829 West Street (SPR #1650)

Sev Bovino, Planner from Kratzert, Jones representing the applicant. The property is located at 1829 West Street and the proposal is for an office building for 4,980 sf.

At the last meeting we had a few issues left to address:

1. Sidewalk on the site. The current plans show the sidewalk and the applicant is not pursuing a waiver of the sidewalks so they will be built according to town regulations.

2. One way access from West Street was discussed and the plans indicate a reduced width of the driveway to 14' from 24' with a one way approach and is marked as such.

3. The 35' buffer. In lieu of that we have proposed a 6' light proof fence along the property line and a row of evergreens. We are requesting a partial waiver of the 35'. Most of the way it is 20' wide and it gets down to about 15' for about 40' distance.

Staff comments were addressed and responded to in writing.

I'll answer your questions.

The waiver was discussed and clarified.

Mr. Sinclair made a motion to grant the buffer waiver to 20'. Mr. Chaplinsky seconded. Motion passed 7 to 0 on a roll call vote.

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

C. Frank and Mary Fragola, request for 65-day extension, 1829 West Street (SPR #1650)

Withdrawn.

D. William and Jerry Blocher, 20 lot subdivision application, Steeplechase Drive (Map 56, Parcel 42) (S#1298)

Mr. Giudice representing the applicant asked for a motion to table.

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

E. Resource Business Management, site plan application for the redevelopment of existing distribution warehouse into a bowling alley, property of Donald A. Millard, Trustee, 240 Spring Street (SPR #1653)

Mr. Giudice asked for a motion to table tonight. Mr. Chaplinsky made a motion to table which was seconded by Mr. Sinclair. Motion passed unanimously on a voice vote.

F. Bread for Life, site plan application for proposed building for food services, associated parking utility connections and storm water management infrastructure, property of Sarjac Partners, LLC 296 Main Street (SPR #1648)

Mr. Sinclair recused himself from this matter. The Chair seated Ms. Locks for Mr. Sinclair for this item.

Stephen Giudice, with the office of Harry Cole & Son represented the application. Our application is for a proposed 2400 sf building at 296 Main Street. This application has been before you in the past. We've received staff comments and we've worked with the engineering and planning departments to address the concerns and we have addressed all of their comments at this time.

This application meets or exceeds your requirements and is ready for action.

However, I understand we will have public input tonight so we have submitted a 65 day extension if you decide you need time.

PUBLIC INPUT SESSION

The Chair stated we will allow five minutes per speakers. Let's be respectful in our comments. Please form a line. I'll ask the Chairman of the Board of Education to go first.

(1) Brian Goralski, 80 Buckland Street, Plantsville. He stated the opinion of the board of education on this matter as the board of ed embraces, endorses and applauds the bread for life and we continue to do that. The community does, as well.

We oppose the location and the recommendation for one reason: the Southington Board of Education has and always will make safety the number one priority. We are in no way casting an opinion on the people being served or anything else connected to bread for life.

We simply believe that our responsibility and obligation as a board of education is to always focus on safety. Sometimes safety comes in the form of unknowns and sometimes safety come in the known. In this situation it's not the organization, it's not their clientele, it's the unknown that comes with such a business next one of our schools.

Our opinion was complicated but it was unanimous and respectful.

We have since that embarked upon collaboration with the bread for life that I am proud of. It involves us helping bread for life find an alternative location. We'd like to stay within the downtown area and do what we believe the board of ed is best at which is utilizing our communication skills to help the community better understand why we need this facility and why it should be consolidated. When we share with bread for life side by side, we can get community support and help to find what they want which is a suitable location to house their center.

That is a challenge in the 60-day grace period they sought from your board and hopefully we can do that.

We support everything the bread for life does and the people they serve. They are our residents. Our peers. People that live next

door to us but at the same time the board of education will always make the priority and safety students the number one priority in all we do.

I encourage you to share your opinions and advice through Dr. Erardi's office, through Mr. McDougall and other members of bread for life so that we can find an alternative location for them.

We stand by the opinion shared.

(2) Larry Klein, 211 Beechwood Drive. I was very upset with the petition of the parents submitted to the board of ed and they way it was received and not challenged. I don't understand why a group of hungry people and seniors are a safety issue.

Discussion.

A whole group of people has been besmirched with the idea they're unsafe to have near kids. I think that's wrong.

To use town money to plant an officer across the street to observe - I don't understand what he was looking for.

Discussion.

I think it good educationally for kids to see there are hungry people. We shouldn't hide these people. It's a lesson.

I wonder if other businesses were to open up there if they would go through the same thing --- whether they would have to satisfy the safety test like the bread for life has to.

Discussion.

(3) Val Sposi, parent. 136 Howard Avenue. I echo what was just said. My husband and I are shocked by this. Just hungry people it's not a shelter or city or drug corners they are coming from.

You are stereotyping these people. This is a teachable moment like what was just said.

Discussion.

There is no safety issue. I've been there for 30 years. There is not a problem.

Discussion.

I'm all for it. If they find another location in downtown Southington, I would be for that, too. But other than downtown, I don't agree. It is a perfect location. It's near the library and two stores to by their hygiene products or medication. Centrally located.

My son is 16 and I'll have him volunteer in the summertime. I think it is a wonderful and safe program.

(4) Evelyn McKay, 73 Werking Street, Plantsville. She had concerns about bread for life being next to a school building.

If we had to expand Derynoski, we'd have to take the property by eminent domain. Population is growing and we need to be able to plan for the future. A big fear is we would take away that little piece of property on which we could possibly expand.

And, I spent all summer volunteering at the St. Vincent DePaul Soup Kitchen in Middletown, which is not like Southington. But there are people who have problems. And, I did see people lingering around.
Discussion.

Third most important is that there are a lot of properties in Southington and owners that have pieces of property and land that are not in good repair and the buildings can be used. If you have these properties would give a discount to bread for life to buy the property, it would be a problem solved.

I want bread for life to have a home but not near a school on property that could be potentially used to grow the school.

(5) Sam Hendrickson, 19 Taunton Street. I want to support the bread for life in their attempts to build a new facility on the property they have chosen. They have done nothing, their clientele has done nothing. I can't justify any imagined or real concerns for safety of the children.

Those children are not outside without adult supervision.
Discussion.

There is not really a safety issue as far as I am concerned.

Unknowns come with any kind of business. That is not a valid reason to deny this application.

Discussion.

We live in a world where probably the safest place those kids are at this point is in school, even with bread for life next door. They're in far more danger in their own neighbors and their own homes than they are in school.

I urge the application be approved.

(6) Jan Verderame, 38 Steeple Chase Drive. I'm the principal of Derynoski Elementary School.

She spoke of character traits the children are taught in school. We support bread for life. It's an honorable institution that supports our community for people in need. This charity should continue its mission as it is necessary.

She was opposed to the location for the proposed bread for life adjacent to the school building with the following concerns:

- 650 students and over 100 staff members.
- Bread for Life patrons are not required to provide identification which is troublesome to me.
- We've read the police report which has concerns.
- The unknown puts our children at risk.
- Loitering which occurs will be an issue for us.
- Students do go outside. We have a lot of before and after school activities.
- Parking spaces in the proposal are 14. Overflow will impact our school parking lot which is limited as it is.
- Dangerous section of the road as you turn that corner. Children walk that way --- half of our walkers walk up that road.

I support the mission for bread for life but I strongly oppose the location because of possible negative impact to our school community and I ask you to deny the application.

(7) Lisa Martin, 29 Amanda Lane. I am concerned about the proposed site next to Derynoski as I do not feel it is the most appropriate location for this building.

Discussion.

I support the mission & vision of bread for life. Explained the various programs she does support; i.e.: food drives by various organizations.

Discussion.

I oppose the proposed construction of the facility next to the school for reasons that will be discussed in detail by those following me tonight.

We ask you to deny this bread for life site plan application for the proposed building at 296 Main Street.

(Attorney Mark Sciota entered the meeting at this time.)

(8) Alison Poitras, 19 South Woods Drive in Southington. I'm concerned for the safety of our children which is my only intention in speaking this evening.

Discussion.

I am not against their building, just the proposed location.

Section 101 of the Southington Zoning Regulations was cited.

The board of education is against the location citing safety concerns.

The chief of police stated there are major concerns with the proximity to Derynoski School.

Discussion.

A drainage basin 70' long and a little under 2' deep is to be constructed which would extend close to the sidewalk utilized by children walking to/from school. I believe it could attract young children including those as young as 3 utilizing the daycare in Derynoski.

Spoke about the issues the people using for bread for life could have.

Location is a safety risk for the Derynoski community but also children throughout town as the fields are utilized for various after school sports. Bread for Life states they have future plans which include evening meals. Derynoski has after school and evening activities for children.

She spoke about the traffic and parking concerns.

Discussion.

What if a pantry is provided in the future?

Discussion.

What is the most appropriate use of the land?

I believe the safety of our children should be our top priority for all members of the community.

If they do not find an alternative application, then I respectfully request you deny their application.

(9) Kelley DelDebbio spoke about the responsibility of the planning & zoning commissioners.

She spoke about the safety for the children of the facility at this proposed location.

I do not oppose bread for life but support it throughout many functions throughout the year.

Discussion.

I oppose the proposed site and ask you to deny this application.

Was growth accounted for in the trip count? This is a very congested area and I think it would be in the best interest of the town to have a traffic study performed if not already done.

This is not a good idea. The facility will increase the risk to the safety of the students at Derynoski, a safety risk not shared with the other schools.

We live in a different world. Explained.

I am asking you to make your decision based on safety.
Discussion.

(10) Dr. Jill Sherwood, 141 Windward Place. I am concerned about the higher risk environment and the precedent that can be set.
Discussion.

Bread for Life is a world class facility. Elden is amazing in his knowledge and experience and his compassion and dedication.

We do support bread for life but at a different site.

She spoke of her visit to the bread for life facility for lunch.
Discussion.

Loitering for socialization after the meal was discussed.

I feel it is not the most prudent location to have right next to the school. The homeless element concerns me. Mental health and substance abuse concerns me.

Discussion.

Once it's there, it's there for decades. We can't control the expansion of services. Think of the future.

Discussion.

I am behind them looking for another location downtown.

I am concerned about the 65 day extension because I've been told they've been looking for ten years and if they haven't found something in ten years how is that going to change in 65 days?

I err on the side of caution and ask you to deny this application.

(11) Marlene Verderame, 152 Water Street.

Spoke against the location of the bread for life and asked for the application to be denied.

She stated safety was a first priority and hoped another space could be found to accommodate the needs of bread for life.

Discussion.

She gave statistical facts about the homeless population which she got off the Internet.

(12) Stephanie Leavitt, 233 Berlin Avenue. She spoke against the proposed new location of the bread for life building. I will still be opposed even if they cannot find a new location after the 65 days.

Spoke about the wonderful program bread for life is. And, the need for it in town.

She referred to the police report which validated her stance.
Discussion.

We want the best for our own children.

Discussion.

They can establish themselves in a different location where they can grow and continue to provide for the need in our town.

I'll do whatever I have to to keep my children safe. We need to be the voice our children don't have.

(13) Kimberly Ferrera, 51 Bridle Path Drive. I am here to oppose the placing of the bread for life program next to the Derynoski Elementary School. The safety of the children should always be first and I don't believe the bread for life board has taken that into account when choosing this location.

All emotions have already been thoroughly covered. I am not alone in believing bread for life is a community asset.

However, when the potential for placing our children in harm's way presents itself by placing such a facility adjacent to an elementary school, I adamantly back the chief of police, board of ed and principal of Derynoski School who publicly opposed the proposed site next to the school citing safety as their chief reason.

Discussion.

My objection would be the same should the bread for life be proposed next to any other school in town.

Rejecting this proposal will not terminate the program. Please do find a permanent location for bread for life but not next to a school.

(14) Rick Simeone, 107 Panarama Drive. I do have a daughter that attends Derynowski.

After seeing information from the police chief and board of ed, my concern is with the loitering.

Discussion.

I oppose and would like the application denied only because the people mostly impacted and safety compromised is the children.

(15) Joe Landrie, 41 Preli Court. I was appalled when the whole issue of the public hearing came before this board. This is valid proposal and all the requirements are met. This is a business zone. If not for a group of concerned parents saying: safety, safety, safety, this thing would have been voted on and passed.

One thing: This is an election year folks.

As to the safety and the misinformed parent groups, he referred to an article in The Observer on 9/27/13 written by Heidi Matusik.

Discussion.

Everybody is so concerned that one person is going to turn this world upside down and nothing will go on. Some people had fantastic articles about mental illness & training your kids. Be understanding.

Discussion.

Kids are not scared of this group. They're trying to do something to improve the group.

VIP was discussed when it was first proposed to come to town. I go to Subway quite often and I see nothing of what was said to come with VIP.

I consider the bread for life a valid proposal. Throw out all the extraneous information, safety, et cetera. Base it on the valid application, close it and vote for it and approve it tonight.

(16) Sue Allback, 245 Pratt Street. I will not reiterate my objections for the building next to the Derynoski School. I sent you all an email (on file in the town planner's office).

I thank the board of ed for taking a stance and speaking out against the proposed location.

I thank the town council, board of ed, bread for life for considering working together to find a suitable alternate location.

I thank Bob McMillan from the bread for life board of directors for meeting with me to address my concerns.

I volunteered at soup kitchens and found it rewarding and fulfilling. I appreciate the mission for bread for life. I'm proud our town provides such services to those in need.

We live in a different world than the one we grew up in.
Discussion.

I don't think locating the town's most vulnerable population to mental illness next to the town's most vulnerable is a good idea. I request that you deny the bread for life application to build a facility next to the Derynoski Elementary School.

(17) Shawn Stanton, 27 Quaker Lane. I fully support the bread for life service. I volunteer and make generous contributions to their organization.

I voice my opposition to the proposed location. Simply stated, the service does not belong next to an elementary school. We need to be proactive and not reactive to issues that involve the safety of children.

Discussion.

Spoke about Chief Daly's concerns with safety at this location.

Loitering was discussed as an issue.

The safety of the children is important. It only takes one person and one event.

Let's be proactive and not reactive.

I ask you look at the greater good of our children and act accordingly. I'm here fighting for the children at the school. To do what is in your power to protect our greatest asset as a community: our children. Put their needs above all else.

The police department, board of ed, principal of DES and several citizens have voiced concerns regarding the issues and I ask you to consider the seriousness of those concerns.

I ask you to decline this application from the bread for life to build a facility next to DES.

(18) Karen Miccacci, 55 Old Cider Mill Road. I am not a parent. My concern is not with opposing the unity of the bread for life but it is really with the location.

Discussion.

There has to be another location for this organization to be located. I can't believe we can't find another spot for this location.

Discussion.

It only takes one incident to change the life of a town, a child, a parent. Consider not changing what we have here but looking to change the location of the bread for life facility.

(19) Irene Hendrickson, 19 Taunton Street, Southington. I've been involved with bread for life for many years.

She spoke at length and gave many reason for being favor of the bread for life facility at this location.

Are we so fearful of those we are not educated about? It's understandable what the parents are trying to say to you about the safety of their children, however, I have not really seen these individuals being identified as mental problems or drug users.

The BOE decided the bread for life is dangerous and a concern near the school. Understandably. They are getting the information from others, but do they really truly know the clientele that is there? Have they listened to the information the bread for life has given them? Or have they really educated themselves so well so that they can be and say and sleep at night --- this is the best thing, keep them away. Are the rights and privacy being taken away from the citizens of this town by police monitoring the attendees?

Discussion.

This is a hard time right now for a lot of people. People should try to have a listening ear and not just say safety.

Discussion.

I have experience with similar programs in surround towns as have my children and grandchildren. Over time, the fear of the unknown made sense to them.

Discussion.

These people have been labeled as poor, dangerous, homeless, safety. You don't even know these individuals.

Discussion.

Sixty or 65 days, it doesn't matter, to locate another piece of land. It took over ten years for this land which is ideal and would another piece of land be any different to any individual as those at

Derynoski. There, too, will be an issue I am quite sure as the stigma is present, as it was in the past and will probably continue.

Try to keep an open mind and a listening ear to help your children understand the unknowns and not be afraid and their parents not be so afraid.

These individuals want a helping hand in a time of need and I know they are not a threat.

(20) Brian Davis, Laning Street. He is a client at bread for life. He spoke in favor of the program. He noted no violence or any other issue at the facility.

Discussion.

As far as safety, I understand the concerns voiced. I was offended by some of the letters I read in the paper. I am an educated man who fell on hard times. I need a place here in town easy to get to. I'm not a young man any more. Whether it is here, next door to this building, I don't care. It needs to be close and not down at the end of town like social services. I don't drive, I don't have a car, and I can't afford one. I have to walk or ride my bicycle.

Discussion.

Spoke about the teenagers that hang around the high school smoking, loitering. And, they swear and dance. It's not bread for life that's giving people trouble.

Discussion.

Please consider this.

(21) Frank Dozek, Foley Drive. Spoke in favor of the bread for life. I fully support it.

Discussion.

I support this location next to the school as well.

Discussion.

When the people leave the soup kitchen, they go to the library. Right across the street from the school.

Discussion.

After the soup kitchen, including me, not all the time, but sometimes, I go outside and mingle among some of the people. Only 15 to 20 minutes.

Discussion.

No problem. There has never been one incident where the police have come for any type of a crime. Explained.

I don't think there is a safety with issue. The school should be locked up so no one can get into the school.

Discussion.

I hope you take this into consideration. I don't think there is a safety issue that is that large.

(22) Hannah Olson, 242 Mandel Drive. I fully support bread for life and there is no however after it. I support their location next to Derynoski, as well.

I don't know where you are coming from as I am not a parent, but I have a younger sister. I am trying to relate and I don't want her to get hurt, either.

I heard a term that confused me that we live in a different world. I was under the impression we all live in the same world and in the same community. Your kids aren't at any more risk to get hurt at school or walking home from school any more than they are on a daily basis going wherever.

The people that go to get food here, they're neighbors, friends. We know them. If they were going to hurt your kids, they'd have done it, already.

That's all.

(23) Bill McDougall, 86 Williamsburg Drive. And, my colleague, Eldon Hafford, behind me. He's at 62 Park Street in Plainville. Executive director and chairman of the Bread for Life.

We have to speak. A few facts we have to talk about. People come out of church and they congregate and they're having fellowship. When four or five of our clients come out and they congregate, they're loitering.

We picked this site as a board and we have never looked at this site previously. We picked it and are very excited about it. We just started a youth group: Kids that Care. We have 50 kids. I want it to be 200.

Discussion.

Now we have this opposition with people against it. I came out at the very first and said my phone number and that I have time, give me a call. Come on down. One person called me. Dr. Erardi. He came down. He said no problems.

Discussion.

To take an action and say you're against something and you don't see it, I think that's wrong. I ask those who are voting on this to

come on down and see it. See our clients. We need a new place to call our home. We think we found it.

You're talking 15 to 20 people a day. It's wrong to look at the statistics and say this and that. It's wrong. So much misinformation.

And the police report, the first time I saw it was in the Record Journal. They never gave me a chance to look at it. There's three things in the report:

(1) traffic. We're not even there when there is the traffic problem.

(2) Incident where somebody was intoxicated and the police were called over the last five years. That was at the Episcopal Church next door.

(3) They interviewed people about the behavior of our clients. You know who they interviewed? People coming out of the American Legion.

It's not right. It's not right.

I'm thrilled Dr. Erardi has come up and we've come up hopefully with a solution to finding another location for us.

Come and see what bread for life is all about. For those who want to have any opinions about our clients for our operation, give us a call and come down and see it for yourself.

To say you don't want us in your neighborhood, that's wrong.

(24) Eldon Hafford, Executive Director for Bread for Life. I have been in the food business for 50 years. I see a need in Southington that I have never seen before.

Discussion.

Hunger. It is not going away. Its here to stay for a while. We have to deal with it right here in Southington.

I am glad to let you know there is a need here in town. To take care of that need, only you can help us to help those that has less. I see it every day.

Discussion.

Your support will be greatly appreciated. We are trying to make a difference here in Southington.

(25) Casey Massina, 132 Panorama Drive. I'm strongly opposed to the bread for life building proposed immediately next to the DES. I am asking you to deny the application in front of you.

Spoke about loitering in the downtown area.

Future plans are to expand to include weekday evening meal to accommodate those employed but still need our assistance. It would only make sense they would expand their service with a new expensive building. Once approved by this board, nothing will stop them from that expansion and that compounds my concerns about placing it next to DES.

Discussion.

I do not think the safety of the students at DES should be sacrificed because they can find nowhere else. This is not an emergency and services will continue to be provided if you deny this application and the patrons will not suffer.

If you do not deny this application, there are no limits to the program expansion.

Many aspects of this facility will be a detriment to the students and faculty at DES, not the least of which is safety.

Discussion.

Loitering, traffic and walker safety were noted.

Concerns about how the clients for the food services are vetted were mentioned. A sensitive issue.

Discussion.

Any additional risk to our children is too much. It is not small and insignificant. The BOE and police department do not see it as small and insignificant. The police report was cited.

Discussion.

Statistics and the risk associated with the statistics was commented about. It is an undeniable risk that the faculty and students at DES should not have to endure.

Act out of concern for the children of DES and not out of fear of litigation. Please stand with us in protecting our most vulnerable citizens.

I ask you deny the application to put a facility for bread for life on a facility next to DES.

(26) Joe Erardi, Superintendent of Schools. 200 North Main Street.

He read two documents into the record.

- A communication to the planning & zoning commission. (On file in the town planner's office for review.)

- A correspondence between Dr. Eardi and Executive Director Bill McDougall. (On file in the town planner's office for review.)

All speakers this evening in their own heart is correct. This is not a competition. Not about winning and losing. It is about doing what is right for the homeless and those in need.

I believe in partnership, we will trump the present proposal. I DO NOT support the present location. The school board does not support the present location. I hope you listen to the words of the chairman.

You have my commitment and BOE's commitment. We put our committee together which includes parents from DES, both side with the BOE and the bread for life. It includes town officials. I believe in 60 days we will come back to you with a different location, a consensus around where it will be located in meeting the needs of the bread for life and what they believe is most important.

I encourage you to allow us to do our work and come back in 65 days with a different location.

(27) Anne Marie Connaty, 1237 Mount Vernon Road. I'm in favor of the bread for life. I have listened to the opposition and it is always "but". I kind of resent the fact they've stood in judgment of a population of people and they assume them to be of a certain character. They don't know them. I don't think any of us stand in judgment of any other person. I don't think we have the right to do that.

I resent that the boe should have a say in this. You are our planning & zoning. They put a plan together and if they meet the requirements, you are the body that has been elected by us to make the decisions on what can or cannot go or should go some place. Not the BOE. They decide the education of our children. Not what kind of buildings or businesses should go in certain places.

You also have the power to stipulate certain things for certain businesses. If you think restrictions should be put on a building, ie. a fence around there to keep clients in a certain area, you have the power to do. You are the governing body.

You walk on a fine line if you start letting a BOE dictate what kind of buildings should be put where and how they can operate when you have been elected by the people to do that.

They have met all the requirements. They should be allowed to do and none of us should stand in judgment of any character of any individual.

Hearing no other speakers, the chair closed the public input session.

We are looking for a table on Item F.

Mr. Kalkowski made a motion to table. Mr. Champagne seconded.

Mr. Conroy asked for the commissioner to remove his table. Mr. Kalkowski agreed.

Mr. Conroy spoke about this being one of the better public input sessions he has been a part of. A lot of passion on everybody's part, but I also see a lot of people saying what we are looking for is great, what they're looking for is wrong, but we are all just wonderful people.

It is my understanding this application is ready for action. I don't believe the 65 day extension and the quest between the BOE and the applicant to find another location, while a noble one, I don't think that is the purview of this board.

We have an application before us. The time is up. Everybody here deserves a vote on this. They are still free to pursue other options. It is my belief we should act on this if it is ready.

I will make a motion to approve the request. Ms. Locks seconded.

Mr. Chaplinsky wondered if the applicant asked for the table and the 65 day extension. Are there communications on this? The chair responded the applicant is asking for a 65 day extension to work to find another location for this.

Discussion.

Discussion amongst the commissioners regarding taking a vote tonight or tabling.

Mr. Kalkowski made a motion to table. Mr. Chaplinsky seconded. Motion passed 6 to 1 on a voice vote with Mr. Conroy opposed.

G. Bread for Life, request for 65 day extension (SPR #1648)

Mr. Chaplinsky noted the applicant came to us asking for time to come together as a community and I'll make a motion to approve the extension per the applicant's wishes and it is, I fell, in the best interest of the entire town. Mr. Kalkowski.

Mr. Conroy commented on some inaccuracies. The commitment from the BOE, while noble, has no real teeth to it. In 65 days we'll find ourselves here with no new information and a likely outcome that since the organization is not able to find a new location we are right back

to where we are.

Discussion.

Comments offered by various commissioners on the 65 day extension request.

Motion passes 6 to 1 with Mr. Conroy opposed.

The Chair called for a five minute recess at this time.

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

(Whereupon, the meeting was resumed at 9:51 o'clock, p.m.)

MICHAEL DELSANTO, resuming the Chair:

The Chair seated Mr. Sinclair.

H. Cocomo Brothers, LLC request for reduction of subdivision bond from \$359,400 to a new amount of \$93,300, Curtiss Farms, 806 South End Road (S#1290)

Mr. Kalkowski made a motion for approval. Mr. Sinclair seconded. Motion passed unanimously on a voice vote.

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

The chair recapped we had a motion to approve and a second. During discussion Commissioner Conroy wanted to amend the motion to approve and wanted to put his stipulations on Mr. Kalkowski's motion.

Attorney Sciota added he spoke with Mr. Conroy. We do have some wording in our regulations about this. The courts have spoken on this section many, many times. They do not allow us to go off site and say okay, we want you to fix this, that and this. They do say is where the new road comes into the old road, there are some radii and some sight lines and things like that but the courts have made it very clear that offsite improvements are not something that the towns are allowed to do.

This is a regulation that needs to be changed and it should go to the continuous improvement committee.

Discussion.

Mr. Conroy's motion to amend had other components which were discussed amongst the commissioners. The traffic report was mentioned and his personal expertise by Mr. Conroy. He felt the current road network does not lend itself to the type of traffic that would potentially access it. I feel it's important we limit future

site plan applications to the restriction of a limited vehicular access to it. With nine lots, it has a potential for a high amount of truck traffic. If we are to respect the surrounding community around this zone it is prudent for us to make this limitation.

Discussion.

The limitation would be:

- Vehicles servicing this subdivision would be limited to a WB-30 and be no longer than 30'.

We have a motion by Mr. Conroy and a seconded by Mr. Sinclair for the amendment to limit the size of trucks into and out of the property.

Roll call:	Clock:	Yes
	Sinclair:	Yes
	Conroy:	Yes
	Champagne:	Yes
	Kalkowski:	No
	Chaplinsky:	No
	DelSanto:	No

Motion carries 4 to 3.

Now we have the motion before us to approve the application with the 50' buffer as a stipulation and the truck restriction.

Mr. Sinclair said he has some concerns about the traffic going into this site. The buffer I'm not sure is adequate. I was hoping to eliminate lots 1 & 9 which would add more buffer and bring down the intensity. I have concerns about the contamination on site. For those reasons I'll be voting against this application.

The chair added this application has been around for a long time. I appreciate the passion from the neighbors and those coming and speaking against the application. In the end, this is an industrially zoned lot and the applicant is asking to put an industrial subdivision in it. It falls within our regulations.

Discussion.

Roll call:	Clock:	Yes
	Sinclair:	No
	Conroy:	Yes
	Champagne:	Yes
	Kalkowski:	Yes
	Chaplinsky:	Yes
	DelSanto:	Yes

Motion carries 6 to 1.

6. ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

A. Lovely Development, Inc., Special Permit Use application for Open Space Preservation Subdivision, 300 Welch Road (SPU #529) November 6

Will be scheduled.

7. ADMINISTRATIVE REPORTS

Nothing to report.

8. RECEIPT OF NEW APPLICATIONS

- 31,000 sf warehouse for office and storage building, 60 Westfield Drive

- Floodplain filling application, site plan modification for a 600 sf addition to an existing restaurant at 1103 Queen Street. We had a preliminary meeting with the applicant and it went well.

- Lovely Development, SPU application for a proposed open space subdivision, Pine Valley Golfcourse.

Commissioner Comments

Mr. Sinclair said it has been a pleasure to serve under Mr. DelSanto as Chairman. I'd like to wish everybody on the Republican aisle the best of luck. Mark, as always, for the advice. Especially to Dave, he's the best town planner we've ever had.

Mr. Rogers commented it has been a pleasure for the past two years being an alternate. Good luck everybody!

The Chair congratulated Randy Gage. He's going to be leaving us as he has work and home obligations. Thank you for serving. You've been an asset and we're going to miss you.

I want to wish everyone in the election coming up the best of luck.

November 6th is the next meeting. It will be at the assembly room at the Municipal Center.

Attorney Sciota added it has been a pleasure on behalf of the administration and the department heads to work with you these past two years. One thing is for sure: for at least five minutes at the next meeting, I will be chair.

(Laughter)

9. ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 10:06 o'clock, p.m.)