

PLANNING & ZONING COMMISSION
Public Hearing and Regular Meeting
November 6, 2013

The Planning & Zoning Commission held a public hearing & regular meeting on Wednesday, November 6, 2013. Acting Clerk Mark Sciota, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

Paul Chaplinsky	Kevin Conroy
Stephen Kalkowski	James Macchio
Susan Locks	Michael DelSanto, Chair

Alternates: Ryan Rogers
Jennifer Clock

Ex-officio members present were as follows, viz?

Keith Hayden, Town Engineer
Mark J. Sciota, Deputy Town Manager/Town Attorney

Ms. Clock was seated for Mr. Champagne. A quorum was determined.

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

Stephen Kalkowski, Susan Locks, Paul Chaplinsky and Michael DelSanto were sworn in by the Town Attorney.

(Sworn, sworn)

CONGRATULATIONS!

(Applause)

ACTING CLERK, Mark J. Sciota:

ELECTION OF OFFICERS

CHAIR

Mr. Chaplinsky nominated Mike DelSanto to be re-elected as Chairman of the Planning & Zoning Commission. Mr. Kalkowski seconded.

Nominations for the Chair were closed hearing no other nominations.

Nomination passed 7 to 0 on a roll call vote.

Congratulations!

MICHAEL DELSANTO, Assuming the Chair:

Vice Chair

Mr. Kalkowski nominated Mr. Chaplinsky for Vice Chairman. Mr. Macchio seconded.

Hearing no further nominations, motion passed 7 to 0 on a roll call vote.

Secretary

Mr. Chaplinsky nominated Stephen Kalkowski for Secretary of the Planning & Zoning Commission. Mr. Macchio seconded.

Hearing no further nominations, motion passed 6 to 0 on a roll call vote.

Appointments of Alternates was tabled to the next meeting. Mr. Kalkowski so moved the motion to table the selection of alternates and Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

Approval of Minutes

A. Regular Meeting of October 15, 2013

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

Mr. Hayden read the legal notice into the record.

Public Hearings

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

Sev Bovino, Planner with Kratzert, Jones presented the application on behalf of the applicant. This is the Pine Valley Golf Course. I'd like to introduce into the record a few items:

- Copy of the area map that was submitted with the application.
- Copy of the list of names and addresses for properties within 500' also submitted with the application.
- Reductions of the submitted maps which consist of the open space layout, the conventional subdivision layout and a map showing

the active open space area that would be dedicated and the passive open space area.

- Statement of purpose.
- Computations for the open space subdivision. The calculations show how we arrived at the number of lots after taking into consideration all of the features of the property, floodplains, wetlands, et cetera.
- Copy of the special permit application itself.
- Examples of homes intended to be built on the property (four or five different examples). Some have master bedroom suites downstairs.

The property in question covers two parcels of land. One is 31 acres along the southerly border. (Indicated on the map) The other area is 107 acres, the course itself, which is just north of that parcel. The entire parcel is 138 acres and it is zoned R-40. Served by public water and septic systems. It is currently occupied the golf course with a club house.

Bounded:

Northerly by Welch Road and a residential neighborhood.
East and south additional residential development.
West Forestville Fishing Club.

This is a proposal for a 94 lot open space subdivision to be built in phases starting on the south side of the property and heading north to Welch Road. Allowed number of lots based on the calculation is 98 lot and we propose 94.

This application is in accordance with Section 3-07.3 A & B and in compliance with the special permit requirements which means we submitted the notification for a special permit to the neighbors within 500'.

Initially, we submitted to the town an A-2 survey and conventional layout, open space layout, radius map showing properties within the radius and the notifications were sent via registered mail per the regulations.

The statement of purpose was submitted to the town stating the goals to be accomplished as part of your package.

It is the applicant's opinion that an open space subdivision accomplishes the intent of the regulations, particularly; Section 3-07.4 s follows:

- A substantial amount of land is preserved as open space - about 70 +/- acres.

If this is approved, a subdivision will be submitted for review and approval and the open space could vary either way depending on the lot line calculations.

The land would include wetlands but also a substantial amount of uplands, 42.3 acres of the open space would be upland area.

The location of the open space is such that it will allow for substantial buffers between the developments to the north, south and west. Explained.

The design provides for the most appropriate use of the land considering all the site conditions (wetlands, grades, drainage).

A more efficient and shorter road network is proposed. Explained these results in less maintenance and a small carbon footprint in terms of energy consumptions and impact to properties.

The applicant is able to preserve most of the golf course as a recreational asset for the community at large. It is proposed to change it from an 18 hole to a 9 hole golf course.

In designing the project, we preserved as much open space as possible (about 70 acres) versus 4 acres in a regular subdivision. Explained the requirements.

Ten acres of the open space are for passive recreation (walking trails) and the other 60 acres would be for active recreation (9 hole, par 3 golf course).

The appropriate legal agreements will be made to make this a reality. The open space has to be an arrangement between the developer and the town to allow the golf course to continue on the open space and the applicant will work with the town on that.

All proposed lots meet or exceed the requirement of 110' of frontage and 22,500 sf of land.

The open space road network is designed to slow down the traffic and let the driver appreciate the landscape and the architecture of the residences. Lovely homes are not all the same and offer a multitude of choice for discriminating buyers. The network has a curved linear design throughout the subdivision that will force the drivers to slow down and make it safer.

The subdivision is designed to take into account features of this property per Section 3-07.3. We met the staff, outlined our position

and we are aware of their requirements and are prepared to work with them.

In accordance with your regulations, the commission shall find that the proposal accomplishes two or more of the purposes set forth in Section 3-07.2. We believe we have met the purpose in the regulations and for example, we maintain the character of the neighborhood, the golf course itself will be preserved, we preserved as much wooded area as possible and we preserved water bodies like wetlands and watercourses. We are not proposing any wetlands filling or disturbance. We provide a more efficient use of the land by designing a layout which results in a smaller and more interesting road network lowering energy consumption now and in the future.

The proposed homes are about 2500 sf. The developer has received already 20 to 30 applicants for the subdivision and 60 percent are looking for smaller homes with master bedrooms on the first floor. These lots are capable of supporting such a home. The price range is between \$470,000 to \$600,000. Examples are provided previously.

Once you determine an open space subdivision is appropriate, a more detailed subdivision plan will be submitted for approval to the wetlands commission and this commission.

Andrew Quirk and Mr. Lovely are here tonight if you have any questions. Andrew worked hard on this with the engineering. He had a vision for the property and he will now explain his vision.

Andrew Quirk, professional engineer and principal with Kratzert, Jones & Associates.

He reiterated some of the points made by Mr. Bovino and went over some of the design and then I'll answer questions at that point.

He explained the R-40 conventional subdivision which was submitted proposing 95 homes.

He went over the open space computations which were submitted.

He then went over the proposal for the open space preservation subdivision.

The road network was discussed.

Storm water management was discussed briefly.

No wetland impact to development of the lots and minimal impact to the buffers.

He explained the three open space areas.

Phasing was discussed.

We feel this really meets the open space preservation goals and how that regulation was adopted. It was intended for properties like this that have a lot of these assets and flexible design is more appropriate than the conventional design.

We meet the five criteria of the regulations. Explained.

I'm happy to take any questions.

The Chair asked Mr. Quirk to talk more about the buffers on the easterly side coming up to the edge of the properties along Welch Road.

Discussion.

Mr. Chaplinsky asked Mr. Quirk to talk more about the buffers on the southerly side.

Discussion.

The Chair asked Mr. Quick to talk also about the north side of the development as far as buffering.

Discussion.

Ms. Clock asked about the new golf course and whether it was going to be private or public. Mr. Quick said it would be a public course.

Discussion.

Mr. Bovino said in regard to the pro shop, it is envisioned to have that rebuilt on Welch Road and to have a family style restaurant. The plan is to keep the 18 hole golf course operating as long as possible.

Discussion.

(Those speaking in favor of the application)

None.

(Those speaking against the application)

Arthur Cyr, 103 Berlin Avenue. I have some objections to this plan. These are public roads, there is no show shelf and no wiggle room anywhere in this for putting plowed snow.

Discussion.

My other objection is about the buffer in the upper part going to those homes. The lots on Welch Road may be 300 to 400 feet deep, but it is not those homeowners' responsibility to have a back buffer. It is this developer, this planner and this engineer's responsibility to

put a buffer in there. If you have to move the whole thing down and lose half a dozen lots, that's their problem, not yours and not ours. We need to have protected buffers all the way around.

Wherever the open space is, in the bottom or the middle, he's also using it as a water detention area. In my opinion, a water detention area should not be classified as open space. It cannot be used for passive recreation if it is to be used for water detention.

Discussion.

I request you take a good hard look at this and eliminate some of these cul de sacs. There are going to be 80 or 90 some odd people looking at you in about five years and asking what were you thinking?

Monica Cusano, 90 Welch Road. I'm not for or against just some questions.

Where is the water retention ponds?

The buffer along our property, the trees are staying and they are not taking them down?

If I understand this correctly, R-40 is 1 acre lot and they're going to open space and reducing the size of the lots? These are all septic lots. The town is trying to get the sewer line through in this area. Why would you not discuss trying to put the sewer line through here? It's a great avenue to get it through from the Hartford? Why not discuss that before putting in 94 septic systems?

Marcel Lessard, 75 West Pines Drive. Just some concerns.

He gave a background on development of West Pines Drive and the issues.

The plan for this shows the only access off of West Pines Drive. I feel the plan should incorporate another access way into that area and this is a development really off of Welch Road and there really ought to be some access off of Welch Road and not have a sole access for two or three years solely off of West Pines Drive. That's primary.

My property is not abutting on the northern side of West Pines. The open space area along that area, my neighbors are concerned about a buffer. I was glad to see a buffer contemplated for that.

I have some problems with the reduced lot sizes. West Pines neighborhood is all R-40. These neighborhoods are going to be connected in the longer term, I really think that R-40, 1 acre lot should be preserved in this combined neighborhood. I'd like to see R-40 maintained.

I like the open space concept. It's bittersweet to see the golf course go away. I'd like to see R-40 maintained. If it means 70 home sites versus 94, so be it. I'd like to see some open space preserved with an R-40. It would preserve the character and the continuity of the neighborhoods with continuous 1 acre zoning throughout. Let's see if the 9-hole golf course can survive.

My main concern is really the traffic issue. I have a big problem with the access being totally through West Pines for quite a while.

Thank you.

Thomas Crowe, 110 West Pines Drive. I'd like to add to the last presenter a concern I have --- the intersection of West Pines Drive to West Street is dangerous and difficult to get in and out of. We're looking to add 90-some odd more homes with two vehicles. We're looking at trouble. Have studies been done about the traffic to that intersection?

Discussion.

Joyce (Inaudible), 47 West Pines Drive. I want to say the same when the last person spoke about the traffic.

My question is about the trees on West Pines Drive, are they going to be kept? I want to be sure the trees remain there.

(Rebuttal)

Andrew Quirk stated all the roads will be town standard roads. The cul de sacs are 24' wide roads and through streets will be 26' wide. They'll have the 13' standard snow shelf. Explained the layouts and the road layout.

Discussion.

The detention areas were described and discussed as being natural low lying areas that exist today. Explained it will be the same and that is an area where the town has not wanted those areas on private property but will have an easement with ownership by the town. If we discredit that, we still far exceed the amount of open space required. But they can still be used for recreation in the open space areas.

Discussion.

The trees along the perimeter are to be preserved. That's the purpose of putting them in town owned open space. Easterly and southerly sides. That's a key difference between the conventional layout and this type of layout.

Discussion.

We feel that looking at the reduction in roadway length and impervious area and the preservation of open space, the golf course,

all of those are reasons why it is much better to have this type of development to preserve the assets of the property.

Regarding the septic and sewer extension in the area. We met with the town very early on and we've been working closely with the town as far as extension of the sewer to this area. Very involved process to extend the sewers to this area. The best alternative would be some sort of pump station in this area rather than a direct connection along the Eight Mile River due to environmental impacts, et cetera.

Discussion.

We'll provide easements for the extension of sewers to connect if that does go through. We have gone through the public health department and tested and the soils are terrific to support a septic system.

Public water will be provided per the regulation.

Regarding traffic and West Pines Drive, we are well aware of that situation. Exiting left to West Street is really bad. We've looked at this, in terms of this road network and it will provide a roadway for these homes to come out to Welch Road and out but it also provides an alternate for the West Pines Drive road area. This might be a better and safer way to come out to the light if you are heading north. Long term, connecting these roadway systems, may provide a benefit.

Discussion.

As soon as we can get an access to Welch Road for construction, we will do that.

Discussion.

On the southerly boundary, in addition to the trees being preserved, there is a fence all along the southerly line which will remain, as well. It's a 7' tall chain link fence. It will remain in the town open space.

Mr. Bovino added a couple more things. The existing water bodies (ponds) on the property will not be used for detention areas.

Our subdivision will have sidewalks.

As far as the R-40 subdivision, it would have 95 lots and not 70. It's not that we're losing lots with a conventional layout.

As far as the time, this project will be completed probably prior to West Pines Drive lots on the south side that were approved a few years ago. And, at that point, there will be a connection to Welch Road and it will benefit all neighborhoods to get to the light.

Mr. Conroy discussed the phasing of the project. If this a Welch Road development, the access should come off of Welch Road. If you can discuss the phasing as a whole and not just the southern phase, what is the projected duration of the entire development? Mr. Bovino said it is economy based, but we expect the total project will be probably four years. We should have access to Welch Road after two years.

Hearing no further questions or comments, the Chair closed the public hearing.

Business Meeting

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

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

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

Mr. Bovino, representing the applicant, indicated a table would be in order as this is pending wetlands approval. Mr. Kalkowski made a motion to table. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

C. 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.

This item is pending wetlands approval. Mr. Kalkowski made a motion to table. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

D. 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 A#1648.

A table was requested by the applicant on this item. Mr. Kalkowski made a motion to table. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

E. Chanya Siblriboun, floodplain filling application and site plan modification for a 600 sq.ft. addition to existing restaurant (somewhere in Bangkok), property of 1103 Queen Street, LLC, 1103 Queen Street FF #240/ SPR #1660.

William Katt, Professional Engineer, Terryville, CT. represented the applicant. This is a restaurant located at 1103 Queen Street next to Computer Lube. They're looking to expand the restaurant 600 sf. Increasing the size of the building, we have to shift the parking lot to the north and we're also using an additional parking area.

As far as the floodplain, in view of the fact the property is entirely within the 100 year floodplain, we have to mitigate any loss of floodplain usage. We are doing that by basically digging a hole in back of the property near the river area.

You have copies of the plans.

Attorney Sciota noted that based upon our staff meeting, the planner was okay with this but I'll pass it to the town engineer.

Mr. Hayden stated they have worked out all the issues we had. It's ready for action.

Mr. Conroy discussed the flood elevation and the mitigation.

Mr. Chaplinsky abstained from the vote on this application.

Mr. Kalkowski made a motion to approve FF#240. Ms. Locks seconded. Motion passed 6 to 0 to 1 abstention with Mr. Chaplinsky abstaining on a roll call vote.

Mr. Kalkowski made a motion to approve SPR 1660. Mr. Macchio seconded. Motion passed 6 to 0 to 1 with Mr. Chaplinsky abstaining.

The Town Attorney advised he was notified by staff that all bonds are ready for action. The Town Engineer concurred.

F. Magnoli Enterprises, request for release of \$ 8,000 maintenance bond, 2211 Burritt Street, April Estates Subdivision S #1246.

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

G. City of New Britain, Board of Water Commissioners, release of \$3,100 E & S bond SPR A#1347 / EE #112.

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

H. Stephen Parson, request for release of \$3,700 E & S bond, 1335 and 1393 Andrews Street S #1226.

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

I. Sav-Mor Cooling & Heating, Inc., request for release of \$2,700 E & S bond, 231 Captain Lewis Drive SPR #1375.1.

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

J. Acceptance of Laurelwood Drive, from Winding Ridge to its terminus, a total distance of 1775 LF (.33 mi) and Clearwood Place, from Winding Ridge to Laurelwood Drive, a total distance of 1275 LF (.24 mi) subject to the acceptance of a \$30,000 maintenance bond, Laurelwood Estates Subdivision- Phase 2 (S#1221).

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

K. A. Milo Builders, release of \$23,000 E & S bond, Sorbello Estates Subdivision, Farmstead Road and Hart Street S #1269.

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

L. Acceptance of the extension of Farmstead Road, from its present terminus to its new terminus, a total distance of 590 LF (.11 mi) subject to the acceptance of a maintenance bond in the amount of \$24,000, Sorbello Estates Subdivision S #1269.

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

M. Reduction of \$27,500 subdivision bond figure of \$24,000 Sorbello Estates Subdivision S #1269.

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

N. Adoption of 2014 Meeting Schedule.

After discussion, with the elimination of the first meeting in July and the first meeting in August, the meeting schedule was agreed upon. Mr. Kalkowski made a motion to approve which Mr. Macchio seconded. Motion passed unanimously on a voice vote.

ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

None

ADMINISTRATIVE REPORTS

None

RECEIPT OF NEW APPLICATIONS

Denorfia Building & Development subdivision application for 230-250 West Center Street.

ADJOURNMENT TO EXECUTIVE SESSION to discuss pending litigation

Mr. Chaplinsky made a motion to adjourn to executive session including the entire commission, town attorney and town engineer to discuss pending litigation. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned to executive session at 8:20 o'clock, p.m.)

EXECUTIVE SESSION

The Planning & Zoning Commission entered executive session immediately following their meeting with the following in attendance in order to discuss pending litigation.

The following Councilpersons were present, viz:

Paul Chaplinsky	Kevin Conroy
Stephen Kalkowski	James Macchio
Susan Locks	Michael DelSanto, Chair

Alternates: Ryan Rogers
 Jennifer Clock

Ex-officio members present were as follows, viz?

Keith Hayden, Town Engineer
Mark J. Sciota, Deputy Town Manager/Town Attorney

No motions were made or votes taken during executive session.

Mr. Kalkowski made a motion to adjourn from executive session.
Mr. Chaplinsky seconded. Motion passed unanimously.

(Executive session was adjourned at 8:50 o'clock, p.m.)

REGULAR SESSION

Mr. Kalkowski made a motion to adjourn the meeting which was seconded by Mr. Macchio. Motion passed unanimously.

(Meeting was adjourned at 8:51 o'clock, p.m.)

Mark J. Sciota
Acting Secretary