

PLANNING & ZONING COMMISSION
Public Hearing and Regular Meeting
December 3, 2013

The Planning & Zoning Commission held a regular meeting on Tuesday, December 3, 2013. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The Chair stated that it was his pleasure to announce our new Director of Planning & Community Development: Robert Phillips. He comes to us from recently Farmington and before that he was in Ellington, CT. Rob, we are happy to have you.

Congratulations!

(Applause)

The following Commissioners were present, viz:

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

Alternates: Anthony Cervoni

Ex-officio members present were as follows, viz?

Robert Phillips, Director of Planning & Community Development
James Grappone, Assistant Town Engineer
Mark J. Sciota, Deputy Town Manager/Town Attorney

Absent: Ryan Rogers, alternate member

A quorum was determined.

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

APPOINTMENT OF ALTERNATES

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

APPROVAL OF MINUTES

A. Regular Meeting of November 19, 2013

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

PUBLIC HEARINGS

Mr. Phillips read the legal notice into the record.

A. Christopher Tasker, special permit use application for parent/grandparent apartment, 14 Curtiss Farms Court, property owned by Southington Farms, LLC SPU #530.

Tom Cocomo for Southington Farms, LLC represented the applicant. 1897 Berlin Turnpike, Berlin, CT. I am the builder. We applied for the parent/grandparent apartment and I went over it with Dave and I believe in your packet Dave said everything conforms.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

The Chair closed this public hearing item.

B. Magnoli Enterprises, Inc., 1 lot resubdivision application, property of Ann Griffin Egan, Trustee, et al, Loper Street, Map 158, Parcel 051 S #1300.

Stephen Giudice, with Harry Cole & Son, 897 South Main Street, Plantsville, CT, represented the applicant. This property is owned by Ann Egan, Trustee. It is property located on Loper Street. This is part of a 48 acre parcel. We are going to cut out this frontage portion right now into one building lot. The property is serviced by sewer and water and we are not proposing any other improvements at this time.

We will be coming back in the future with another resubdivision of this parcel. We want to get this piece off of the larger parcel now so we can move forward with this property.

We did have a few comments from town staff and we did revise the plans with those recommendations. I believe we have addressed all of their comments satisfactorily.

The parcel we are cutting off is 3.48 acres. We will be back with another resubdivision of this in the future.

Mr. Chaplinsky asked Mr. Giudice to describe the area. Mr. Giudice said there are homes existing across the street and off another subdivision street. It is surrounded by existing homes with the exception of the rear of the parcel which is the remaining land of Egan.

Mr. Giudice explained per regulations this is a conceptual plan with one house, sewer/water connection and proposed driveway and infiltration units for storm water.

Discussion about the intent being to come back and subdivide this into six building lots with a 50' ROW for future access to the rear parcel.

The total linear frontage of the property is about 700'.

Mr. Conroy asked several questions regarding access to the rear parcel. Sight distances were discussed.

Discussion.

Mr. Conroy said he would like for the next meeting the sight distance coming out of this proposed lot's driveway. Obviously, it is a fairly steep section and the area is heavily wooded now. I would ask that sight distance in/out of these driveways as it is a very busy street be to the longest extent maximum per zoning standards. Particularly for any future access to the larger developed parcel.

Discussion.

Mr. Giudice said going forward that is a valid concern but he didn't think that sight distance was a concern for this parcel. We have 700' of frontage and can move things around. Staff had no concerns with sight distance issues and I don't think we need to hold this up for that.

Discussion.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

The Chair closed this public hearing item.

C. B & R Corporation, Special Permit Use Application for the construction of multiple buildings on one lot to facilitate the development of a volume reduction plant including anaerobic digestion and clean wood processing, 49 DePaolo Drive SPU #531.

Attorney William Tracy, 43 Belleview Avenue, Bristol represented the applicant. This applicant has been before you on prior occasions for development of the DePaolo Drive parcel beginning with the mulch processing operation that was permitted.

We presented a concept plan when we started of where we thought the various stages for development of this parcel would lead including the mulch processing facility which is now up and running and also the volume reduction facility and eventually a waste to energy facility would be proposed.

Technology has been chosen for the waste to energy process and we're here before you with that portion of the special permit use. The use involves things that will require special permits under your regulations. It's going to involve the generation of electric power and under Section 5-02.E.1 a special permit is required.

Secondly, it will involve multiple buildings on this industrial parcel to accommodate the layout and we're looking at Section 1-09 of your regulations which requires a special permit.

The location is at the north end of DePaolo Drive and it's in total 35-26 acres of land. Some of which is currently being utilized for the mulch processing facility. The southerly portion of the project is proposed to be used for the volume reduction and the waste to energy. The preliminary site plan shows the layout.

This is in response to two public acts recently passed by the general assembly: 11-217 and 13-285 which starting in January will require certain food wholesalers, distributors, certain size supermarkets to recycle their source separated organic material. There is a considerable volume of food that comes off the grocery store shelves and is not sold and has to be disposed of almost on a daily basis.

The DEEP is looking at this (1) as volume reduction to cut back on landfill usage and (2) as an alternative source for energy production to try to wean the state from its dependence on coal-fired generation plants.

The applicant is proposing to construct such a source separated organic composting facility. It will take in that waste stream and generate usable products.

The EPA estimated that if even 50% of the waste food generated in this country on an annual basis can be anaerobically digested, we could produce enough electricity to power 2.5 million homes on an annual basis. Technology is available and being used in other states. Very widely used in Europe.

The anaerobic digestion process is a biological process that uses micro-organisms to breakdown biodegradable organic material in the absence of oxygen and what you get are two useful products: a compost product which can be --- the applicant would propose to add that to the leaf composting going on at the facility as a soil additive and you get a biogas product which can be used to fire turbines to produce electricity.

With me tonight is Allan Johnson who is a representative of Quasar Energy and one of the partners who can describe how this process actually works.

We have analyzed the traffic aspect as there will be daily trips into this facility bringing in the source material. Mr. Hesketh is here. He has presented a traffic study in one of our earlier applications and he has analyzed this portion of the project in terms of that earlier study.

Then we'll answer any questions you might have.

Allan Johnson with Quasar Energy Group out of Cleveland, Ohio. He explained the anaerobic digestion and clean wood processing process in detail to the commission.

Mr. Kalkowski asked Mr. Johnson to describe how they get the product and bring it into the site and ultimately into the machine. Mr. Kalkowski then asked several specific questions about the process, i.e.: collection and how often it is picked up. Mr. Johnson noted there is not storage of the material on site. It all goes through the process the day it is brought in.

Discussion.

Mr. Chaplinsky asked about how much exposure there was to odor, out gassing, etc cetera. Mr. Johnson explained it would come in a closed tanker and how it gets into the system. The air displaced goes into a biofilter and any odors associated with that are processed so there are no odors emitted into the air. The process for food waste was similarly described.

Discussion.

The first hazard is the methane gas. Mr. Johnson explained there is no opportunity to have combustion as there is no air. Methane is lighter than air and if there were to be a leak, it leaks up instead of down as opposed to propane or natural gas.

Discussion.

Literature is available on our website: www.quasareg.com noted Mr. Johnson. He will submit profiles of different projects.

Mr. Cervoni asked about the non-digestible waste. Mr. Johnson said it is all beneficially reused so the idea is to use the phosphorous and nitrogen in a beneficial way and the goal would be to incorporate it into the composting operation to gain the carbon/nitrogen balance preferred to have composting.

Mr. Conroy had a lengthy conversation with Mr. Johnson about details of the process, capacity and machinery. Regulation of this process was described as being with the DEEP.

Discussion.

Anticipated flow from this facility is south of 30,000 gallons a day.

Mr. Johnson explained in response to a query by Mr. Chaplinsky that the energy will go offsite and used in a distribution grid. There will be enough power to light about 600 houses or some other aspect of the town from a nonprofit fuel source.

Discussion.

Mr. Conroy requested the public hearing be kept open until the next meeting, if possible.

The price range for this type of clean energy was discussed.

Different types of clean energy was described and discussed. (Biodiesel, solar and wind, et cetera)

The Chair asked if Mr. Phillips had concerns about the height of some of the tanks they're using. Mr. Phillips said without having an opportunity to really look in detail at a site plan, I wouldn't

comment at this time. We did have some interest in doing this in Ellington utilizing dairy farm waste. It never actually came to fruition mostly because of the economics of it. These things are starting to grow in interest along with other food waste stream recycling type operations.

Odors and vectors are a concern with this. When you get to the point when you decide to make a decision, you could even consider and I yield to the town attorney, a limited special permit where you could revisit this to see if there are any issues and if there are you could revisit them at that time. Something to think about.

Attorney Tracy added there is an application pending before DEEP for this as it requires a state permit and they regulate all of these things. We anticipate the permit will be issued in due course.

I'll leave with you Mr. Hesketh's analysis on the traffic counts. Essentially what he found was that we had initially anticipated a much higher traffic load than we are experiencing on this site and so the additional traffic associated with this part of the project would still keep the numbers below the figures initially presented for the mulch operation.

He submitted a copy of Mr. Hesketh's updated report.

We are thinking five or six trucks a day commented Mr. Chaplinsky which seems reasonable.

Scott Hesketh, traffic engineer, offered for the record: We are projecting a total of 8 trucks per day or 16 trips per day which is less than 2 trips during the typical peak hour. The numbers leave us with the existing operation on site well below the numbers presented during the zone change application for the mulching operations. We are slightly above 50% of the numbers previously projected. You should be comfortable with those volumes/numbers.

Access, remains unchanged, is through the West Queen/DePaolo Drive area.

(Those speaking in favor of the application)

Arthur Cyr, 103 Berlin Avenue. I speak in favor of this. It is a homerun for the town. However, a big concern for me is they are talking about thousands or a thousand and I'd like some specifics from the applicant on how much high nitrogen stuff they're going to let into our septic system. We have massive problems with our digesters which are currently offline, we need to have our town engineer and or sewer superintendent and or sewer committee deal with this and report

back it is not going to adversely affect the operations of the plant.
Discussion.

(Those speaking against the application)

No response.

(Rebuttal)

George Andrews with Lourierro Engineering, Plainville, CT. The digestate, we are estimating a total of about 30,000 gallons generated on a daily basis plus approximately 3,000 gallons of wash water generated on a daily basis. Based on the solids removal that will take place, we are estimating a generation rate of about 24,000 gallons per day for volume into the town's wastewater treatment facility. We are proposing an onsite pretreatment facility which will be designed in accordance with DEEP permit requirements. That process will remove nitrogen, phosphorous and other issues that are above and beyond down to a level well below a typical wastewater load would impose on the town's treatment facility.

Mr. Grappone explained nitrogen and phosphorus levels were a concern to the town at the start. We're waiting for updated readings. Pretreatment is going forward with DEEP. They'll be looking at the levels coming into our system.

From the onsite station that will discharge to the gravity system in West Street which will flow north to a large pump station by the former McDonald's close to the Bristol town line, the force main drains south to West Queen Street where the flows travel down based on the pumps in the station.

In our SPU comments to the applicant we are still waiting for updated information.

Several very good productive meetings with the applicant have taken place and they have had meetings with DEEP, also.

Mr. Sciota noted Mr. DeGioia has been part of our conference calls, also. It is my understanding from our environmental people and DEEP the discharge from this facility must meet or exceed what we discharge out of our wastewater treatment plant. Staff feels comfortable with that concluded Mr. Sciota.

Typical number of gallons the wastewater treatment plant deals with is an average of about 4 million gallons per day.

The Chair left the public hearing open.

BUSINESS MEETING

Mr. Chaplinsky made a motion to add the following item to the agenda:

7-G: Old Orchard Estates request for 65 day extension to file the mylar, 229 Wonx Spring Road, LS #1296.

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

A. Christopher Tasker, special permit use application for parent/grandparent apartment, 14 Curtiss Farms Court, property owned by Southington Farms, LLC SPU #530.

Mr. Kalkowski made a motion to approve. Mr. Chaplinsky seconded. There is a signed affidavit executed on file.

Mr. Phillip said in discussing this with staff, this item is ready for action.

Motion passed 7 to 0 on a roll call vote.

B. Magnoli Enterprises, Inc., 1 lot resubdivision application, property of Ann Griffin Egan, Trustee, et al, Loper Street, Map 158, Parcel 051 S #1300.

Mr. Conroy made a motion to table which Mr. Chaplinsky seconded. Motion passed 6 to 1 on a roll call vote with Chairman DelSanto opposed.

C. B & R Corporation, Special Permit Use Application for the construction of multiple buildings on one lot to facilitate the development of a volume reduction plant including anaerobic digestion and clean wood processing, 49 DePaolo Drive SPU #531.

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

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

Mr. Giudice requested a table as they are still before wetlands.

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

E. AA Denorfia Building and Development, 9 lot subdivision application 230 and 250 West Center Street property of Dominic and Livia Nuzolilo and Karen M. Angelo and Anita L. Pesce S #1299.

Stephen Giudice with Harry Cole & Son represented the application. This was presented at the last meeting. It is a 3.25 acre parcel, 230& 250 West Center Street in an R-12 zone. Serviced by public water and sewers. It is a new road for a 9 lot subdivision.

This property abuts Walker's Crossing another subdivision to our south which is being developed by the same developer.

The storm water on site is going to be handled by modification to the Walker's Crossing detention basin and we have infiltration units for the proposed houses.

We have worked with town staff on this application and we have verified sight distances at the intersection across from the new road and Raynor Avenue.

I received town staff comments. We had a few meetings and we have submitted revised plans to address their concerns.

I'll answer any questions.

Mr. Chaplinsky asked about proposed sidewalks. Mr. Giudice said there are proposed sidewalks along both sides of the cul de sac as required by the regulations.

Mr. Grappone said there are no open engineering comments. Everything has been addressed.

Ms. Locks made a motion to approve which Mr. Chaplinsky seconded. Motion passed 7 to 0 on a roll call 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. Giudice advised after discussions with the town attorney about withdrawing this application and resubmitting it, we are requesting you waive the application fee for the resubmittal. The board and the committee are working on a new location. We think we have something but we don't want to close the door on this.

Attorney Sciota said he was on the committee and he totally supported the fact that they are out of time and they withdraw and be allowed to refile with no application fee.

Mr. Kalkowski made a motion to waive the fee. Mr. Macchio seconded.

Mr. Chaplinsky asked for an update. Attorney Sciota said there is a very good working committee and members of Bread for Life are working very closely together and it is very productive.

Mr. Chaplinsky said he was in general supportive of this but he wanted to hear positive things reported.

Anthony Denorfia said there are alternate sites being looked at that can be negotiated. If there weren't we wouldn't be doing this and we'd be asking for approval. I can't at this point say what the alternate sites are as we are in negotiations.

Mr. Chaplinsky said it is important that what we are doing here today is a good faith thing, positive.

Motion passed 7 to 0 on a roll call vote to waive the fee on resubmission of this application.

Anthony Denorfia, on behalf of the applicant, formally withdrew the application without prejudice.

G. Old Orchard Estates request for 65 day extension to file the mylar, 229 Wonx Spring Road, LS #1296.

Clarification it is for a 90-day extension. Mr. Chaplinsky made a motion to approve a 90-day extension. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

The next meeting is not until January 7th, 2014. First Tuesday of January, 2014.

1. B & R Corporation SPU for multiple buildings on one parcel, 49 DePaolo Drive.
2. Request for change of zoning district boundary, Wonx Spring Road, Map 62, Parcel 142, from I-1 to R-12.

ADMINISTRATIVE REPORTS

Mr. Phillips advised:

- (1) B & R Corporation, 49 De Paolo Drive, relocate a maintenance building.
- (2) 910 Meriden Waterbury Road, 20 x 30 garage addition.
- (3) Connecticut Insurance Exchange, 1133 Meriden Waterbury Road, 1160 sf addition and construction of one parking space.
- (4) Mazzotti Realty, LLC, 120 Captain Lewis Drive, reduce the size of a previously approved industrial building by less than 1,000 sf.
- (5) 850 West Queen Street, LLC 805 West Queen Street, add 6 parking spaces.

RECEIPT OF NEW APPLICATIONS

Nothing to report other than the public hearings.

COMMISSIONER COMMENTS

Mr. Chaplinsky had two items:

I'd like to ask for staff's help to look into a couple of issues brought to my attention. The first is and Commissioner Conroy brought this up in the initial meeting at the corner of Loper & Queen Street where the new multi building facility with Panera Bread and SPRINT.

We talked about the closing of a couple of the curb cuts on Queen Street. One thing is we really wanted to make sure that the right turn only coming on to Queen Street was really designed that it forced people to turn right out of that plaza. I looked at the curb cut and it is almost straight. There is no turn to it. We would be relying on signage only and that is a concern.

Attorney Sciota advised having the engineer look at the design that was approved, the site plan, itself and see what is being built out there and if it is incorrect we have to notify them immediately.

Mr. Grappone said he would do that. He had received a complaint that the town and state did look into the signage and it was not out there until two days ago. As of yesterday the Do Not Enter sign was not installed on Queen Street. I brought that to their attention along with the DOT.

The second item Mr. Chaplinsky brought up was on Queen Street, up near the Plainville town line. South of the camper store. Heading northward there is a camper sale place. To the south side of that property there is a place called Route 10 Traders or something like that. I received a complaint on that. I looked and I'll ask staff to follow up. It looks like that every day they're taking a lot of items out into the driveway for resale. Outdoor items for sale. There are used cars for sale. There are two oil trucks parked on the lot each night. It looks like it might be loaned out or leased out on a regular basis to an oil company. Maybe the regulations need to be looked at as I am not sure that's an appropriate storage spot for oil delivery trucks. And, there is some sort of van they park on the road and it doesn't move. Flat tires. It looks like it is being used for signage to promote the business.

Staff will look into it.

The Chair noted this is the last time we're meeting this year. I want to wish everyone a Happy Holiday and a Healthy New Year!

When we come back in January, it's time to get to work. We have some subcommittee work. I'll be in touch with all of you. Steve's

continuous improvement subcommittee, West Street subcommittee. Signs are the big thing. We've got to get to work.

See you all in January!

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

(Whereupon, the meeting was adjourned at 8:10 o'clock, p.m.)