

PLANNING & ZONING COMMISSION
Public Hearing and Regular Meeting
March 4, 2014

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, March 4, 2014. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

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

Alternates: Joe Coviello
Ryan Rogers

Ex-officio members present were as follows, viz?

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

Absent: Anthony Cervoni, alternate member
James E. Morelli, Jr., alternate member

A quorum was determined.

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

APPROVAL OF MINUTES

Regular Meeting of February 4, 2014

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

PUBLIC HEARING ITEMS

Mr. Phillips read the legal notice into the record.

A. AA Denorfia Building & Development, 3 (1 new) lot resubdivision application, 336 and 348 Savage Street S #1304.

Jim Jones of Jones Engineering, 962 Savage Street, represented the applicant. We are here tonight with a proposal for a resubdivision of two existing lots on Savage Street located at 336 and 348. The lots are shaped on the existing conditions plan. We have a smaller lot on the street and a larger lot that wraps around several parcels of property. There is an existing house at 336 and also an existing barn.

At 348 we have an existing house in disrepair. It's the conversion of a garage into living space over it.

What we are proposing is to keep the house at 336 and renovate it along with the existing barn to the rear. And, at 348 we are going to take down the garage/house and propose a new house on that lot.

Then propose a rear lot to the east of that that'll be just shy of 2 acres.

We've provided ZIRO with some infiltrators on lots 2 & 3. And, I believe we've satisfied all of the staff comments.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

(Staff comments)

Mr. Phillips asked for clarification of the status of the wells.

Anthony Denorfia, applicant. The existing house we are leaving is serviced by an existing well. The converted two car garage with an apartment built above that we are tearing down, that just had a pipe running from that well house into the other one.

There is one existing well. The other two properties will have new wells. So the property is serviced by municipal sewer and well water.

I think that was the only open item on the checklist. Other than that, we've met all the checklist items. We meet or exceed all of the requirements.

Mr. Phillips directed the commission to his memo comments regarding making sure they comply with the health department.

The Chair closed the public hearing.

B. Revision to Sections 2-01 A 1 and 2-07 G of the Zoning Regulations (ZA #577)

Mr. Phillips apologized for not having this before the commission for vetting or review ahead of time. It's a different procedure with a subcommittee. As we move forward we will have the proposed regulation before the commission before the public hearing stage.

The subcommittee worked on this regulation. The existing definition for accessory use or building with respect to private garages reads essentially that except in an R-80 residential zone, private garages shall not contain more than 3 parking spaces. And, in an R-80 residential zone, private garages shall not contain more than 5 spaces where at least 2 are attached to a dwelling unit.

The concern was what exactly is a parking space - how is it defined and with respect to all residential zones, is this something we want to continue doing or do we want to level the playing field and standardize the definition and the issuance of extra parking spaces permitting.

As far as size, the commission discussed and with staff input, they came up with a size that is actually a little bit bigger than the standard size than what was defined conventionally and that's 14 x 26 that is essentially intended to encompass the larger vehicles that are out there today.

The way we would define that would be that that actually physical 14 x 26 dimension would be placed on a plan and if you can fit 3 or 4 of those that becomes a 3 or 4 car garage.

Then we discussed it would be equitable if we had a special permit process for any garages over 3 spaces throughout the town, regardless of zone. Some lots are smaller and won't be conducive to 3 car garages to begin with. Anything over 3 would allow due process for the abutting property owners and also the ability of the commission to review the garages and be sure they're not for business use and they are not permitted to be such.

Mr. Kalkowski, chairman of the continuous improvement subcommittee, added the reason we looked at this as we were getting feedback from the interim planner that the sizes of the garages were insufficient. Also, we really didn't have garage sizes defined. The building inspector was using 12 x 24 as a guideline. We wanted to tighten that up.

I do like the movement into an SPU to make sure we have the right vetting processes and the right review processes and quite frankly it is our responsibility to govern our own regulation where appropriate. Again tightening that up.

This is not an exercise in trying to restrict the number of garage spaces. We want to be reasonable and use sound judgment and the SPU process to make that decision. We wanted to make it clear, define what the size of a garage space is and increase the size used presently.

We feel this is the right regulation for us to consider.

Mr. Sciota explained the biggest issue that comes to his office is people saying they don't know the definition of a garage. We need something. The ZBA gave us feedback, also. They've had real problems with this and they don't know how you define a garage size. This helps me out, helps Rob out and more importantly helps the citizens out to know exactly what they have to do.

(Those speaking in favor of the application)

Anthony Denorfia, 137 Williamsburg Drive. I'm kind of in favor but there is one section that I really am not too crazy about.

A 14 x 26 foot definition, I wholeheartedly agree with. I think that when you have a size of that nature that will take into consideration any vehicle and I can't see anybody complaining about that.

What I probably have a little bit of an objection to is the ability to get more than 3 cars in an R-12 and R-20/25 zone. Just thinking about the visual from the street, what you are doing is creating such a large garage that will overtake the house. I think in R-12 and R-20/25, the lots are way too tight, I think.

Discussion.

Arthur Cyr, 103 Berlin Avenue. I am in favor of most of it. I'd like clarification though. That means even on an R-80 parcel and most of those are on the outskirts of town, the most anybody could have would be a 3-car garage? Attorney Sciota said if they want more than 3, they have to come for an SPU.

Discussion.

Quite frankly, sometimes the ZBA is heartless. Somebody with a 2 or 3 acre lot and you can't see the neighbor's house, if they want to build a house with a 3-bay garage and have an accessory building with 2 more bays to store their vehicles and equipment, I've sat at ZBA and seen people who don't understand or don't care say: what is your hardship. Your hardship can't be I've got four kids and they've all got cars. That stinks.

Before you restrict people who want to give us more tax dollars for more taxable vehicles, motorcycles and boats, I think planning & zoning should make it easier for our larger lots, R-80, where people

don't have to shell \$200 for a permit and then go deal with people who are only interested in: what is your hardship?

The SPU will be heard by the planning & zoning commission.

Discussion.

Attorney Sciota explained they usually go the ZBA with a setback issue.

Discussion.

If someone has the land space to where they don't need to go to ZBA because they're not near the sidelines, they can't just build a house without coming and doing an SPU to this board? If we're going to get extra tax money for a detached 2-car garage that they can put their stuff in, do we really need to - if it fits all the other guidelines, why should a resident/taxpayer have to come here for an SPU?

Mr. Phillips said reading the existing regulation, except in an R-80 zone, private garages shall not be more than 3 parking spaces. In an R-80, they should not contain more than 5. There's an upper cap there. We're proposing an SPU process which is open-ended. You could have a 6-car garage in the R-80 zone wherever it happens to fit.

Discussion.

Attorney Sciota said the big change is the lower zones are now allowed to have more than 3 with SPU and your large zone, R-80, is still allowed to have more than 3, but it is now no longer as of right and they have to come back with an SPU.

Further discussion about having to come before a town board if the application meets all the building requirements and they don't need special exception in an R-80 zone, Mr. Cyr felt we should let them build and let us tax them.

Jim Jones, 962 Savage. I'm in favor of defining the size of a parking space (sic). That's all fine. I have a question: what if somebody wants to put a workshop within a garage? Is that going to limit them from doing that, also?

The chair indicated we would get that answer for him.

(Those speaking against the application)

Paul Hochstra, 65 Maxwell Drive, Plantsville. I have questions:

- This regulation is for a detached garage, attached garage or both? Answer: both.

Discussion about the setback requirements for different zones.

The size, 14 x 26 seems pretty good if you're just parking in there. But if you put a workbench in there or your tool box to work on your car, things start to get tight. I would suggest maybe 15 x 28. Where did the 14 x 26 come from?

Discussion.

Mr. Phillips explained he did a Google search to see if there was a standard size. There really isn't. But it is around that size. It's not a magic number to cure every situation. It is an attempt to try to standardize the majority of situations.

The speaker asked questions particular to his own situation. I am looking to have you increase this slightly.

Discussion.

Mr. Phillips stated that the 14 x 26 dimension is a space with the expectation that we're going to have to calculate more than that. If the garage size is substandard to that, it's not going to cause a situation where you have to get a variance. This is for planning purposes as far as how we're going to treat a future SPU in that how many spaces is it.

Discussion of the 14 x 26 dimension space. The garage would be determined by the number of 14 x 26 spaces you could fit in there stated Mr. Conroy.

Discussion.

Footprint definitions were discussed.

The speaker asked if the 14 x 26 could be changed to 14 x 28. The chair said his comments would be taken into consideration.

Hearing no further comments, the Chair closed this public hearing item.

REGULAR MEETING

BUSINESS MEETING

A. AA Denorfia Building & Development, 3 (1 new) lot resubdivision application, 336 and 348 Savage Street S #1304.

Staff had no further comments. Mr. Conroy asked to discuss the third lot. It's a little odd and the third house is in the front. Mr. Phillips said it is a rear lot because of the substandard frontage. It is a strange layout but from our determination of the regulations, it meets the rear lot requirements.

Mr. Chaplinsky made a motion to approve the rear lot determination. Mr. Kalkowski seconded. Motion passed 7 to 0 on a roll call vote.

Mr. Chaplinsky made a motion to approve the application with the town planner's stipulations on the memo dated March 4th, 2014 which refers to health department requirements.

Mr. Kalkowski seconded. Motion passed 7 to 0 on a roll call vote.

B. Revision to Sections 2-01 A 1 and 2-07 G of the Zoning Regulations (ZA #577)

Mr. Chaplinsky asked for clarification on certain sizes. Attorney Sciota explained if the two rectangles that meet and two plus but not a third rectangle, it's still a 2. The gentleman in the public hearing, his question, he could build a little bigger as long as he doesn't make it to the third rectangle.

Discussion.

Discussion of special use permit and a variance fee.

SPU requirements were discussed.

Hardship was discussed.

SPU process was discussed versus the ZBA process.

Special exception process was discussed. Do we want it before the PZC or the ZBA?

Discussion.

After further discussion on certain scenarios, the town planner indicated this was ready for action.

Mr. Chaplinsky made a motion to approve as presented. Mr. Macchio seconded. Motion passed 7 to 0 on a roll call vote.

C. Wonk Road Partnership, 19 lot subdivision (proposed R-12) Wonx Spring Road Map 062, Parcel 142) S #1303.

Mr. Phillips advised this application was still before the wetlands commission and they request a table.

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

D. B & R Corp. construction of volume reduction facility, 49 DePaolo Drive (SPR #1667) request for 65-day extension

Mr. Phillips advised they are working on the list of comments and one of the conditions of approval at the Special Permit meeting was that they have an odor control radiation system. That's what they're working on --- trying to figure out something that is going to be acceptable to engineering.

Mr. Chaplinsky made a motion to grant the 65-day extension which Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

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

E. Request for approval under Section 8-24, donation of small parcel of open space land on Belmont Avenue (Parcel ID: 006021), MR #482.

Attorney Sciota explained this is a very small parcel of land contiguous to a town owned parcel of land. Approximately 4300 sf. It was sent to you by the town council for an 8-24. The open space committee is asking for you to approve it so we can take the donation.

We are trying to package of small lots to get the nonconforming lots out of the way. Possibly in the future it might be a pocket park. No immediate plans for it.

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

F. Hillcrest Orchards, release of \$240,000 Earth Excavation bond, 508 & 544 M & W Road (EE #11)

This is ready for action. Mr. Kalkowski so moved the motion which Mr. Macchio seconded. Motion passed unanimously on a voice vote.

G. Landmark Properties, release of \$1,400 PI bond, 148 Center Street (SPR #1554).

This is ready for action. MR. Kalkowski so moved the motion and Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

7. PLAN OF CONSERVATION AND DEVELOPMENT

Mr. Phillips said he had received comments from a number of commissions. He will incorporate those comments in generally into a pretty simple RFQ to send out this week. When we get responses, we'll talk about it and see who we want to have come in for an interview. I'm expecting no more than 3 to 5, tops.

There is enough money to get started this fiscal year with a meeting to try to refine the scope. Assuming the budget is approved, we will have funding in place to take the Plan in its entirety, starting July 1st.

Discussion.

Do we want to schedule a date for a subcommittee meeting? In the next three or four weeks would be good. We'll discuss that offline.

The chair asked to be kept in the loop.

Mr. Chaplinsky raised some comments. He referred to the 2006 Plan of Development. It has a lot of elements we want to see in our plan going forward.

- Redevelopment is very important and tightening up some of the redevelopment regulations, specifically the areas of Queen Street and the M-W Turnpike. Traffic issues.

- Design standards, cross easements, access ways, closing of curb cuts. Everything to help promote a healthier drive down Queen Street.

- What is our revised strategy for residential development? Sizes of parcels and things of that nature.

Discussion.

- Design standards to achieve our vision. We should look at that and should we have stronger language about what we'd like to see in town.

Discussion.

- Expansion of open space for people in town of all ages. Rails to Trails, Crescent Lake, mountainsides and things people can utilize and we need to continue to follow up on that.

Discussion.

- Traffic and access management.

- Larger manufacturing has been lost. How're we mobilizing the efforts to insure we are getting state funding? Do we have a strategy for converting our Brownfields into useful spaces?

What is our vision for industrial parcels that are already not being used today? Ex-Pratt & Whitney buildings. What should go there? Is there a redevelopment plan for those?

Do we have backup plans for some of the larger manufacturing places that exist today should we lose them in the future? Forging companies?

- Are there recommendations to look for more industrial land in town?

Discussion.

The chair we have a wildcard with this new Plan in that we have Lou Perillo, our economic development coordinator. Lou's onboard and he'll be a big proponent. We'll be looking for his input on all of it.

8. ADMINISTRATIVE REPORTS

Mr. Phillips had no administrative approvals to announce.

For the continuous improvement subcommittee, we are still working on some other regulations. We are meeting again soon.

The sign subcommittee meeting is coming up.

West Street and Open Space are standing committees of this commission.

Mr. Kalkowski said on the continuous improvement subcommittee we are working on two things: poultry and livestock regulations and to take another look at the RV regulation.

Discussion.

He would take any input from the commission or town staff as to anything we should be looking at. Please pass it on.

Mr. Phillips asked the commission to add to the Agenda discussion of the CROG nomination/appointment to the regional planning commission.

Mr. Chaplinsky made a motion to add that to the agenda. Mr. Kalkowski seconded. Motion passed unanimously.

Discussion of the regional planning commission, its duties and functions as well as the time commitment involved.

After discussion, the Chair said he would be Southington's primary representative on that regional planning commission. Ryan Rogers will be the alternate.

Mr. Chaplinsky brought up the shared online permitting system this group uses. Mr. Phillips said it is already being implemented. Discussion.

9. RECEIPT OF NEW APPLICATIONS

Mr. Phillips distributed the list.

- 6-lot resubdivision, Magnoli Enterprises on Loper Street.
- Peter McDevitt and Michelle VanCort - grandparent apartment, 95 Rustic Oak Drive.
- Rave SL Tenant, LLC c/o Rave Holdings, 3 lot subdivision application on Meriden Waterbury Turnpike. The theater wants to split off two grassy areas in front, fee simple lots.

10. ADJOURNMENT

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 8:20 o'clock, p.m.)