

PLANNING & ZONING COMMISSION
Public Hearing and Regular Meeting
April 15, 2014

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, April 15, 2014. Chairman Michael DeSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

Paul Chaplinsky	Jennifer Clock
James Macchio	Steve Kalkowski *
Kevin Conroy	Susan Locks
Michael DeSanto, Chair	

Alternates: Anthony Cervoni
 Joe Coviello
 James Morelli, Jr.

Ex-officio members present were as follows, viz:

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

Absent: Ryan Rogers, Alternate Member

The Chair seated Mr. Morelli for Mr. Kalkowski until his arrival. A quorum was determined.

(*Arrived at 7:06 o'clock, p.m.)

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

MICHAEL DELSANTO, Chair, presiding:

Approval of Minutes

A. Regular Meeting of April 1, 2014

Mr. Chaplinsky made a motion to approve the Minutes as presented. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

Public Hearings

Mr. Phillips read the legal notice into the record for the public hearings.

A. AA Denorfia Building and Development, modification of Special Permit Use approval, 54 and 82 Liberty Street (Assessor’s Map 100, Parcels 49 & 51) (SPU #523.1.)

The Chair indicated he needed to recuse himself on this application due to a potential conflict of interest. He then seated Mr. Coviello in his stead for this application.

(Left the Dias.)

PAUL CHAPLINSKY, assuming the Chair:

Stephen Giudice with the office of Harry Cole & Son representing the applicant. The proposal is to modify an existing special permit for property on Liberty Street. Originally this permit consisted of two parcels t the corner of Liberty Street. The applicant has purchased an additional piece of property to the north and wants to incorporate that into the special permit.

We have made some modifications from the previous application. The total parcel size is 1.28 acres. Known as Map 100, Parcels 14 & 51. This is in the CB zone. Currently the property is vacant. Will be serviced by public water and public sewer.

We also request a floodplain filling application on this site which was granted. We were granted to fill the site and to excavate over on a separate parcel to compensate. Most of that work has been completed. The next step is to move forward with this application.

If we get a favorable recommendation on this special permit, we would move forward to site plan and get into the nitty-gritty of the site.

Our proposal to change the project to a total of 31 units, residential. We have 25 age restricted units and 6 non-age restricted units. The age restricted units would be in this one large building and the remaining units along here (indicated) would be non-age restricted.

Originally this application did have a small component of commercial at the corner, on the first floor, approximately 2,000 sf and that has been removed from the application.

Showed renderings of the buildings proposed. The larger building is angled. The other buildings along the street line are very pretty in architectural nature and they’ll have sidewalks

out to Liberty Street with a grassed area. We have a two unit and a five unit building and they are shown along the frontage of Liberty Street.

(Mr. Kalkowski entered the meeting.)

Parking was discussed. Curb cuts were pointed out. There is connection to the Factory Square Parking Lot to the west. There are adequate parking spaces to support the SPU.

We have met with town staff to review this application moving forward.

This is a modification of the previous application. We added more square footage to the site, added units, eliminated the commercial component and added some non-age restricted units.

Anthony Denorfia, 137 Williamsburg Drive, Southington, CT. I'd like to discuss about what we are constructing for the residential component. There are 25 active adult units basically in the main building. That building is larger than originally designed for the reason as part of a major change; we put parking within the rear of the building. Seventeen parking spaces for the building residents.

Building is proposed to be three stories with all the modern amenities. Two bedrooms. Outside space of patios or decks on all units. There will be within the building common areas. Explained it is a modification of the building they have on the corner of Pratt Street which is very much in demand. Average age is 75+.

Explained the parking that was added within the building as we are trying to bring active, younger demographics to the downtown area. That's very important for downtown revitalization.

Discussion.

Explained why the four story building was not chosen.

By putting the duplex style units in the front, we think it would add a nice bit of streetscape to the downtown area. Explained it will act as a buffer with regard to scale to the buildings. Visually and aesthetically it will add quite a bit.

Duplex style will be two bedrooms, two and half bath unites, approximately 1200 sf. The main building units will be approximately 900+ sf.

Explained the vehicular pattern for the parking. It doesn't look like a parking lot and will help enhance the appearance of the area.

More than happy to answer any questions.

Ms. Clock asked the reason for eliminating the commercial. Mr. Denorfia explained he noted the downtown area and so much of the commercial space that is vacant. He felt it would be better served if rather than having commercial in his building he brought more customers to the downtown area.

Discussion.

Mr. Macchio asked about the parking requirements. Mr. Denorfia said they have 63 and are required to have 63. In his opinion it is more than adequate.

Discussion.

Mr. Conroy felt this at the edge of the CB zone is a good use for downtown. He is concerned about the pedestrian scale; the setback of the main building seems to be off for downtown residential. I like the parking in the back.

Discussion.

(Those speaking in favor of the application)

Arthur Cyr, 103 Berlin Avenue. I actually like this. I am thrilled that the retail part was removed. We have storefronts not built and we continue to revitalize downtown Southington. It's a good move not to jump into too much retail and have empty retail.

I agree that putting residential diagonally across from Renaissance Commons seems to make sense.

My question is: the upper left corner of the parking lot, the north side, will now abut what should be very soon a municipal parking lot and are they at the same grade? I think we should avoid what we've got behind 98 Main Street and the American Legion with multiple parking lots not at the same height.

I ask you to look closely at the northern border and how it abuts other properties. I heard there is an exit out into the Factory Square parking lot and I'm curious if there is an exit into the municipal parking lot in the upper left.

(Those speaking against the application)

No response.

(Applicant comments)

Mr. Denorfia addressed the questions. We had a meeting with the owner of the property for the municipal parking lot. I suggested he raise the elevation as right now they're in a hole. I offered --- I had a lot excess fill and said we'd give him the fill free to raise it.

Discussion.

Attorney Sciota commented we would not connect a municipal parking lot to a residential parking lot without a commercial component.

Hearing no further comments, the Acting Chair closed the public hearing.)

MR. DELSANTO resumed the Chair.

He reseated himself and seated Mr. Kalkowski. He thanked Mr. Coviello and Mr. Morelli.

B. Proposed zoning district boundary change from "R-12" to "B", 33 Buckland Street (ZC #545)

Stephen Giudice, Harry Cole & Son, 876 South Main Street, represented the applicant. We are requesting a zone change for one parcel located at 897 Buckland Street. It's a .25 acre parcel, 980 sf. We are proposing to change from R-12 residential to a B zone.

HQ Landscaping is in this property here (indicating). And, that property is zoned business. The owner would like to purchase this property and would like to expand his operation into this parcel (indicating).

We feel it is a logical extension to the B zone. The zone line would be squared off better at the corner. We think the residential area would still be protected by buffer requirements. We think this is a good extension. It is not spot zoning and would allow this client to expand a little bit further.

Any questions, I'd be more than happy to answer them.

(Those speaking in favor of this application)

(No response)

(Those speaking against the application.)

Arthur Cyr, 103 Berlin Avenue. Spoke against the application having done his homework on this property. He had been asked by a couple of people in the Buckland Street area what I thought about this. They are very concerned, especially the people who live in the condominium complex. Their driveway faces this property. Several taxpayers who live in the complex are very concerned that if you approve this change that house comes down, they come out their driveway and instead of looking at a residential house, they'll be looking at dumpsters, trash trucks or piles of topsoil and stone. Now what they've been looking at now or have been looking at.

I don't think it is a good idea to change the zone. With areas between business and residential there is no buffer. This zone change would adversely affect the property values and peace of mind. We ask you to deny the zone change from residential to business.

Thank you.

Attorney Sciota asked, for the record, could you name the people and addresses you represent so we have the record clear.

Mr. Cyr said he would not. He would say he was contacted by phone by people who live in this area and asked if I thought this was a good idea and would I go look at it. And, would I say that I was contacted by people in that condo complex and that is what I stated. They requested their names not be put on record.

Scott (Inaudible): 44 Buckland Street. I am concerned about my property value. My experience from the business so far, the noise with the dump trucks, the dumpsters are in sight of my house. If we could see a plan of what they're going to do with that area.

That's it.

Joan Fitzgerald: 34 Buckland Street, right directly across from the business. I have a driveway from their business to my driveway. Even with a fence I can see the top of the dumpsters. I oppose this.

Thank you.

Don Ingriselli: 36 Buckland. Unit 6. My concern is relative to activities on site. We understood that that was going to retail landscaping, plantings, et cetera, originally. And, there would be mulch and stone storage on site.

My concern here is if that house is knocked down, not knowing what would end up going there with the level of activity and traffic, there is a road cut coming out of Buckland which would be in front of the entrance.

I think he needs to be aware of the neighborhood and the folks who live there.

The level of noise and movement of material out of this site would be significant, I think. Plenty of good sized piles now. I understand they have purchased a building to the south on Route 10. Another commercial property.

We don't want to stop somebody from developing their business, but this is a residential area.

Thank you.

Theresa Zolnik: 30 Buckland Street. I oppose this zoning change.

Laurie Ingriselli: I live off of 36 Buckland Street. I oppose this completely. I agree with the first gentleman who spoke. It's going to be a terrible site.

In the development where I live, it's age 55 and over. Those people coming out of the driveway, it might be very dangerous for them with the traffic and all the noise.

I am opposed to it.

Mr. Phillips acknowledged on the record he did receive a letter in opposition from Scott (Inaudible) and it's on file.

Highland Hill Condominium Association Directors Madeline Brunalli, Carol Newton and Marsha Fritsch. Although not for or against it, I think if given a choice, they would be against it. (On file in the town planner's office.)

(Applicant comments)

Mr. Giudice requested the matter be continued. He would like to have the owner here to answer some of the questions. I don't think the site you see is that complete. Have him come in and talk about the final disposition of the property.

The Chair suggested the people who came up tonight and spoke could reach out to the applicant with their requests/questions.

Mr. Conroy asked if the intent was to fold this property into the adjacent one. Mr. Giudice said it was.

The Chair kept the meeting open until the next meeting on May 6, 2014.

Business Meeting

A. AA Denorfia Building and Development, modification of Special Permit Use approval, 54 and 82 Liberty Street (Assessor's Map 100, Parcels 49 & 51) (SPU #523.1.)

The Chair recused himself from this application and handed the gavel over to Mr. Chaplinsky and seated Mr. Coviello in his stead and Mr. Morelli for Mr. Kalkowski.

MR. CHAPLINSKY assumed the chair:

Mr. Phillips advised this application is ready for action.

Ms. Locks made a motion to approve. Mr. Macchio seconded.

Mr. Conroy commented he was not opposed to the multiple use buildings or the residential on site. I am concerned about the actual layout of the development.

Motion passed 7 to 0 on a roll call vote.

MR.DELSANTO, resumed the Chair:

The Chair reseated all regular members.

B. Proposed zoning district boundary change from "R-12" to "B", 33 Buckland Street (ZC #545)

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

C. High Ridge Industries, LLC, flood plain application seeking to fill 1,400 (+/-) cu.yds. of floodplain for the expansion of a parking lot, 125 West Queen Street (FF #243)

Mr. Giudice stated we have yet to submit our site plan application to go along with application. I request you table this. We got the wetland approvals in place.

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

D. B & R Corp., seeking construction of volume reduction facility, 49 DePaul Drive (SPR #1667)

Attorney William Tracy, 43 Belleview Avenue, Bristol presented the application. In January you approved the special permit for this facility. We are here tonight for the site plan application presentation. I have with me George Andrews from Lourierro Engineering who will present the site plan. There was some discussion about odor control when the special permit was granted, we brought Charles Alex from Stantec who is a consultant engineer to touch on that topic and the solution we are proposing as discussed with the town staff. I would note for your information that the owner has an application pending with the DEEP for the construction of the operation of this solid waste facility. That application was submitted last June. It was then revised as to comments and resubmitted in December. We are waiting a determination on that.

George Andrews presented the site plan. Not wanting to duplicate the previous lengthy presentation, he recapped the site plan proposal and then talked about any enhancements that have been incorporated into the design.

He spoke about the disposition of the water and sewer. He talked more about the anaerobic digesting facility, the status of buildings and structures, and the site plan overall.

He noted town staff had provided comments to which the applicant has responded. Submitted revised plans were submitted on April 8th. A follow up package came today from Jim Grappone, who is working on his vacation, and I prepared a response to that about 1:00 pm. We did get a response from Jim that he was satisfied with what we have provided as a response to this point.

We are expecting comments from the DEEP on our submission around the 15th of April. We will respond to those and hopefully receive the final permit shortly.

He spoke in detail about the disposition of the water and sewer on site. The final plan set we've presented to the town includes two alternatives for sanitary sewer extension and water extension. He explained the alternatives.

At this point, the applicant is negotiating with the owners of the properties in the easement area and are simultaneously looking at the benefits of extending the sewers within the town's rights of way. We have no decision. However, both alternatives, at the recommendation of the engineering staff have been included in the package to give you a basis upon which to make a decision. The alternative chosen would be reviewed and approved by the WPCA, town engineering department and the water department. He noted buildings which would be serviced by the sanitary sewer system and which would be serviced by a subsurface disposal system.

Discussion.

As to the anaerobic digesting system changes were discussed. He noted no changes to the buildings were planned.

Modifications to buildings and structures were touched upon to bring the commission up to date. He explained the operations facility, the pulping and packing facility and wastewater pretreatment facility have all remained unchanged.

Charles Alex, Senior Associate with Stantech Consulting Engineering, with experience in working on biosolids, odor control and solid waste projects. Extensive experience in design and regulatory compliance. Further went over his impressive credentials.

Mr. Alex discussed odor control recommendations. The original design called for a small biofilter and dissipater adjusted to a chemical scrubber. Neither is the best for this application. What I have recommended be a larger biofilter or a carbon filter. The carbon filter makes the most sense for this application. Explained the air from the buildings where waste is brought in and processed before it goes into digestion and the dewatering is the solids come out before the final product is shipped out. The activated carbon as opposed to the chemical wet scrubber takes a broader swath, as we have here. Wet scrubbers target very specific compounds when they are in large quantities. Explained.

Questions were asked by the commission and Mr. Alex responded specifically.

Attorney Tracy offered comments regarding the past suggestion of using a biofilter. The engineering staff had concerns and mentioned the chemical scrubber idea. You approved the special permit requiring the odor control ultimately be approved by the town engineering staff. Now we have this technology and believe it is a better technology for the spectrum of odors we may be dealing with, we're very happy to discuss this to work through the details with the town engineering department. If you were to attach a condition this particular solution meet with the approval of the town engineer, we'd be happy to do that.

Mr. Kalkowski stated this is the third potential technology discussed. But is this the final recommendation? Is there going to be future discussions on future technologies that may come in front of us or is this it?

Attorney Tracy said in the process of examination for the best solution for this application, we believe this is a good solution and better than what was originally proposed.
Discussion.

Mr. Chaplinsky asked the town engineer for the minimum requirement? I'd like to see a chart. I'd like to have someone say to me that the minimum requirements from the state are X and certain processes what they give either X, or X+10, et cetera. We need verification from staff as to the expert's suggestion.

Discussion.

Mr. Hayden said the staff is in a good position to evaluate the proposal, research it, and look at what technology is out there. We did that with the original biofilter. We found issues with them and didn't want to go in that direction. I think we will be in a good position to research what they're proposing and if you trust us to be the final say, I think we're in a good position to approve what they're going to propose or not depending on the research. It would be very difficult to come up with a chart of what chemicals are filtered out of what system.

Mr. Chaplinsky said it would be good then if staff came back with literature on what is being proposed with some reference material. Mr. Hayden said staff would do that.

DEEP air permitting was discussed.

Mr. Conroy said he has never been a big fan of this from the beginning, it seems like we're hearing a different story than what we heard during the special permit use hearing. I recall there not being a lot of talk about odor. Now I hear we're monitoring and trying to deal with odors. I understand how it all works. I understand DEEP regulates these things. A condition of approval was the odor removal system generically is approved by the engineering department. I would hope to table this tonight to get a better handle on what is being proposed, have people review it, and report back to the commission. We're concerned about these odors affecting adjacent parcels, bottom line.

Mr. Phillips clarified if you do intend to table it; you only have one regular meeting remaining before the deadline of the application. It's already under extension. Otherwise, you have to hold a special meeting. May 17th it expires.

Mr. Conroy made a motion to table. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

E. Hillcrest Orchards, LLC, request for 5 year extension of site plan, 508 & 544 Meriden Waterbury Road (SPR #1485).

Mr. Phillips said it came to staff's attention that it was approved in January, 2009 after being remanded by the court. That date lies within the statutory relief provision that allows for a 9 year expiration from the date of approval. Then you can get a 5 year approval from that, not to exceed 14 years in total.

This is moot.

F. Request for a 90-day extension to file subdivision mylar, East Gate Meadows Steeple Chase Drive (S#1298)

Mr. Phillips advised this is ready for action. Mr. Chaplinsky made a motion to grant the 90-day extension. Ms. Clock seconded. Motion passed unanimously on a voice vote.

7. Plan of Conservation and Development

Ms. Clock reported the committee did meet. There are three submittals and the committee will review the submittals and submit a priority list to me and Rob in about a week. Then we'll move forward from there.

8. Items to be scheduled for Public Hearing

A. Michael LeClair, modification of previous parent/grandparent apartment approval to allow for an additional 140 sf of living space, 30 Curtiss farm Court (SPU #525.1) May 6

B. Stephen Ciaffaglione, special permit use application to allow more than 3 garage spaces, 477 Hobart Street (SPU #533) May 6

The Chair advised these could be scheduled.

9. Administrative Reports

Mr. Phillips advised we have a site plan review of 99 Bristol Street, St. Thomas Church. It is 1306 sf addition comprised of a handicapped type access. They're putting in an elevator with some additional space when they construct the addition for office, storage, et cetera. I have the plans. This was staff level review, minimum in size with no impact to parking for the most part.

The second one is another site plan review, 120 West Main Street, Plantsville. Dean's Stove & Spa. They are requesting a 20 by 30 pavilion over an existing concrete pad out in front of the building. It is to cover equipment that they have out there. Attorney Sciota added they were given permission to do outside displays. This is to cover the outside display.

The last one is another site plan for 264-266 Meriden Waterbury Road. It's Dunkin Donuts to add 3 parking spaces on the outside of their parking area which is fairly minimal.

We had staff review on all of these and they are to staff's satisfaction.

Mr. Phillips said a draft of A-frame sign regulations was provided tonight. It is a product of our discussion late last week. The Chair said the sign committee's last meeting was developed to temporary A-frame signs. This is what we came up with for your review. This is just a draft. Review it and if you have any concerns about these points let us know.

The definition for signs, in this case portable sign, is something I put in there. It is consistent with a future scheme here where we'll have more than one definition for a sign. The definition right now is wide open and nebulous. There's room for a set of definitions for different types to create a matrix incorporating the different zones in town and sign types and how they are applied for.

Mr.Kalkowski suggested including A-frame design standards.

10. Receipt of New Applications

Nothing further.

11. Adjournment

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

(Whereupon, the meeting was adjourned at 8:40 o'clock, p.m.)