

Planning and Zoning Commission

July 15, 2014

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

PUBLIC HEARINGS

Mr. Lavallee read the legal notice into the record.

A. Executive Two Hundred, LLC, special permit application for multiple buildings on one lot in an I-1 zone, property of Diversified Unlimited, LLC, 200 Executive boulevard (SPU #539)

Attorney Andrew Denorfia, 133 Main Street, Southington, CT represented the applicant.

We come before you tonight for a special permit application for multiple buildings on one lot at 200 Executive Boulevard under Section 1-09, 5-01 and 8-02 of the zoning regulations.

Steve Giudice is here with me tonight. Our traffic engineer Scott Hesketh and for the applicant, Joe Morruzzi.

The property contains approximately 12.4 acres in an I-1 zone. It is on the westerly side of the West Street and adjacent to two other executive office buildings and to the north of the Target/Lowes Shopping Plaza.

It has a large executive office building on it presently that consists of approximately 150,972 sf. (Former home of The Hartford.)

The applicant, working with town staff, has come up with a plan to add two additional buildings located in the front of the existing building. The proposed new buildings would be used for restaurants, retail or commercial use, i.e. bank.

Under Section 1-09 of the regulations, multiple buildings on one lot are permitted if the commission deems such buildings and uses as compatible. We believe this application is compatible with the surroundings as Section 8-02 sets standards that must be met for a special permit approval. I'll go through a few and then pass to Steve and Scott to go over the traffic and more particulars of the site.

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He reviewed the requirements in Section 8-02 and how this application meets the requirements. He noted the additional buildings will not have any detrimental effects on public health, safety and welfare. The site is more than large enough to safely accommodate the two additional buildings and the proposed use (restaurant, retail or commercial) and is in harmony with the surrounding area.

In addition to being in harmony, the proposed buildings also must fit into the existing zone and the use. Section 8-02.4 and 8-02.5 require adequate emergency access and adequate street use. We do meet that.

Section 8-02 further says the lot must be of sufficient size. The property is 12.14 acres and is more than large enough to fit the existing building as well as two additional buildings and has more than the required frontage in the I-1 zone. The frontage on West Street is approximately 431 feet.

Section 8-02 further requires the site be suitably landscaped. This will be done as shown on the plan. The buildings will be designed to fit in with the surrounding area. Explained.

There must be adequate public utilities. This site is served by public water and sewer.

And, there must be adequate parking and access. We do meet that, as well.

Stephen Giudice, Harry Cole & Son, 876 South Main Street, Plantsville. My office put this plan together to try to determine what we could do with the front of the property. Existing building is approximately 150 sf footprint and about 670 parking spaces.

Discussion.

We maintained the existing curb cuts on Executive Boulevard North and South. We do have two modifications to the existing parking to allow access into this area (indicated).

Then we laid out two buildings: one approximately 9,000 sf to the north and another 4300 sf to the south. It also proposes 133 parking spaces.

I want to make it clear this is being done on speculation. We are trying to look for users who would fit into these spaces. When we

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get to site plan we'll have a better idea of who the users actually are and we can give more detail on the plans.

Bringing this before you for two buildings on one site tells us if we can move in this direction, or not. We felt this was a first step before getting into our planning stages too far.

He explained the existing storm drainage system on site. ZIRO will be provided on site. Grade elevations were discussed. More will be discussed at site plan time.

Our goal is demonstrate the site can easily handle additional structures and the surrounding sites can adequately support the proposed buildings.

We would like to pursue the restaurant use but it could be retail, commercial or a combination. At site plan we'll give you a better idea.

Comments were received from the assistant town engineer dated July 2nd. We are aware we will have to deal with these. And, other than the traffic study, we feel a lot of these are site plan issues and will be addressed as necessary.

Scott Hesketh, licensed engineer in the State of Connecticut with the firm of FA Hesketh & Associates. I did prepare a traffic impact report for the proposed site plan. I have copies for submission to the commission and staff. (Handed in to staff.)

He went through the highlights of the prepared report. (On file.)

Mr. Giudice introduced the architect, John Whitco of 50 Broad Street in Milford. He explained he drew two of the restaurants, the most intense use, to demonstrate the quality, quality, probably heights of such establishments.

Discussion.

Both the larger and smaller buildings were explained with architectural features specifically pointed out.

Attorney Denorfia reiterated that we believe all the proposed uses which the applicant is very excited, looking to invigorate further the area meet the West Street Corridor and subcommittee

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requirements and the three proposals we talked about is the retail --- just to the south --- restaurant which this commission approved a few years back just to the south and unfortunately never built or obviously a commercial office or the like which all the other buildings are already there.

Attorney Sciota asked how the applicant was sectioning this into the regulations. This is not a hotel. We're not in that regulation. How are you asking the commission to put these uses in that lot?

Attorney Denorfia responded by referring to Section 1.09 deals with multiple buildings with a special permit. Section 5-01.1.f, in terms of permitted uses in an I-1 zone says other uses which in the opinion of the commission are of the same general character as those listed as permitted uses and which will not, in the opinion of the commission, be detrimental to the zone.

Joe Morruzzi spoke to the commission advised he purchased 200 about a month ago. I do want to talk about the building. When I saw it was available, after observation, I was amazed at the size of it. It's a monster. A beautiful building. It's a waste to see it there like that. And, 400 is another waste. Grass and garbage around 400. My building, 200, has already been transformed and looks much cleaner than it did.

Massive amount of landscaping. Design in the front. We're working on the concrete columns to try to make it more up to date. It's a 1980's history and we'll bring it up to a level of today. Even the inside will have a modern, today's look.

I'm here with the focus on 200. I'm here to ask for more buildings, but it's all about 200 and the success of 200. Restaurants--- everybody loves them. It is the big generator of the industry. I believe the success of 200 and 400 and the non-success of them is because of the lack of what is around them.

Employees don't even have anywhere to go to have anything to eat. People like to go out for lunch, breathing. Grabbing a bite. Going back to work.

Explained.

This will help 200 be successful again. Spoke about is building in Wethersfield and the success of it.

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Spoke of potential clients he is showing 200 to right now. They love it. Nationally recognized group. Coming from another town. I will fill the building and you will be proud. I need your help. I need those restaurants. Really important.

Discussion of the building in Wethersfield and its success.

(Those speaking in favor of the application)

Lou Perillo, Southington Economic Development. We support this application. We're excited for the opportunity to work with the applicant on 200. It's 153,000 sf of vacant building. It is a challenge. It is an opportunity.

The site can easily accommodate two additional buildings. You have approved something similar.

This is synergy. An opportunity for the area to become a campus style development. Explained.

We don't see this as competition for the area. It's complimentary. Explained.

The infrastructure is in place. Signalization is in place. Curb cuts are in place. It's amenable to having two more buildings up front. Additional tax revenue.

Our office is in support and we're here to answer any questions.

Mr. Chaplinsky brought up the West Street Study Commission and this being part of what is called the Interchange Commercial Zone. We're trying to develop a vision. The memo dated today from the planner has some suggestions in it. And, stipulations are being suggested if we go forward, and one of which is not to allow drive thrus. What do you think about that recommendation?

Mr. Perillo said he is not opposed to stipulating against drive thrus but I would caveat that as I don't see anything wrong with a drive thru bank. We would prefer it. Our goal is to make Southington a recreation/destination location. As far as restaurants, I don't see a need for the double lane drive thrus. But you do see on very nice restaurants a pick up lane.

Discussion.

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Arthur Cyr, 103 Berlin Avenue spoke in favor of the application. It has a concept that I believe the plan of conservation and development and the West Street Study is talking about. I do have a caveat and that is they appear to be having this building and the parking right up to West Street, so my first thing will be we should have sidewalks at least all of the way up to Churchill Street and that includes in front of here where there is currently none.

The possibility of adding another lane on West Street, if there is no cushion there and you run the buildings, parking and sidewalks right up to West Street, there is no room for any further expansion. Discussion.

You have to leave room for sidewalks and expansion.

You have 600-something parking spaces on the parcel, so you don't really need all that parking up front.

I'm in favor of it as long as we leave room for future expansion.

(Those speaking against the application)

Mr. Lavallee read a letter into the record from North Star Centers, LLC in opposition. It is dated July 14, 2014. (Letter is on file in the Planner's Office.)

(Rebuttal)

Attorney Andrew Denorfia stated as Lou said, we are looking to compliment the area. Smart planning does not just have one type of business. As Lou said, this site can support more than one restaurant. Our site alone is over 12 acres.

This is a conceptual plan as often is required. If you said only one building on the site, the work would stop. We believe this site supports the two additional buildings and all of the questions in terms of sidewalks, et cetera, will come through during site plan. You'll be able to be directly involved in the design and approval of the area. There are not any users right now. This is the first step in making the area marketable.

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Zoning wise, under 5-01.1F, we believe that if you believe that the use of a restaurant is compatible with the area, the commission in its purview can approve a restaurant for the site. But again, as of right now, this is simply a special permit for two additional buildings --- multiple buildings on the parcel.

Mr. Conroy discussed the West Street Commission report. He noted specifically language with respect to drive thrus and setbacks, etc. Has this proposal been reviewed against that document? Mr. Lavalley responded we have a memo that discusses that. It is from the director of planning and it says the use would assist in attracting the intended development pattern as identified in studies of the West Street Corridor and a comprehensive plan of this area identified on the zoning map. I would say it addresses access management which is a major component of that plan. Shared parking. Architecturally it fits from what we've seen on the renderings. In that area you create the business park with commercial, you make use of all options there. It's not a drive in and out with drive thrus. It's kind of a destination spot.

Mr. Conroy agreed this is a good strategy to enhance the viability of the property. He was concerned most about the things part of the West Street Development that we didn't want, i.e.: drive-thrus. Explanation.

The other concern has to do with the setback. If there is a plan on file to widen West Street, does this plan at the SPU phase provide for that?

Lastly, I don't think restaurants in this particular zone are detrimental. Explanation.

We need to be careful about what we pick and choose to enhance this campus and the best time to do that is during the SPU phase. Once the multiple buildings are approved without stipulations, then we don't have any more authority in site plan.

Discussion.

I'm reluctant to approve a special permit in an I-1 zone as it currently sits without looking ahead to the work we've done in the committee. Are we reviewing that?

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Attorney Sciota commented at SPU it is appropriate to put stipulations on. They are taking an appropriate avenue. But it gives you that second look. They're asking you to say if this particular use in front of you is appropriate for this and fits in with the character. You do have a second bite of the apple. Explained Section 5.

Mr. Giudice commented on the turn lane. We are in the process of finalizing an updated existing conditions survey. We will be modifying the layout slightly to accommodate that. Explanation.

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

B. Proposed Zoning Regulation amendment, proposed moratorium, Section 13-00.A, Internally Illuminated signs ZA #578.

This item before is a product of the sign subcommittee. It is intended to establish a moratorium on a new internally illuminated cabinet sign town wide for a period of six months in an effort to allow the subcommittee to evaluate and propose revised regulations pertaining to such signage.

The Chair commented the committee thought it would be a good idea to look at this regulation and in the interim, for a period of six months, ask that there be a moratorium on any internally illuminated signs. This is for new applications, only.

Anything in effect, could stay in effect. It's been grandfathered in.

This is for new applications coming in. We thought it would be a good idea to do this while we look at the technology, which is always changing, and we may come back and say forget it --- let's go back to internally illuminated signs. This is asking for a six month moratorium on this to look at the technology and see where we stand six months from now.

Mr. Chaplinsky gave a little presentation showing what internally illuminated signs are as opposed to externally illuminated signs.

(Those speaking in favor of the application)

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No response.

(Those speaking against the application)

Stephen Giudice said in the past we have had trouble with internally illuminated signs. The town in general and maybe this commission doesn't like internally illuminated signs. As you move forward in this review, you have to be careful as there are some tasteful internally illuminated signs. And, there are some that are not so tasteful.

It's very difficult to get what you want and I'm afraid the regulations may be making it difficult to get there.

Backlit signs are very tasteful. Proceed cautiously.

Anthony Denorfia, 137 Williamsburg Drive. This sign has been going on for 36 or 38 years that I've been before this commission. I've said before the commission, we were talking about Queen Street and compatibility up there and I said, there are so many different things up there, how do you make something compatible.

I can see on West Street, you can take something that's clean and deal with that issue.

My problem is the idea with the moratorium. Fundamentally, I think that moratoriums are not a good tool for a commission to use. It just says don't do it and if there is any type of discussion or controversy that you have, the next thing you know, you say okay, no internally illuminated signs. It's the easy way to get there.

We had that discussion when you entered the last moratorium on multifamily uses on business zones. Explanation.

Philosophically, I think that using moratoriums are very bad by ha commission. If you've got to step it up and maybe work two or three months --- if that's what you have to do, I think you should do it. Have a full discussion on what the proposal. A blanket, I think that is very fundamentally unfair.

Discussion.

It's not good planning and I strongly urge you not to do it. It's not fair. I think you should rethink it.

Discussion.

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Mr. Lavallee read a letter into the record from Joanne Summa dated July 11, 2014. (On file in the town planner's office.)

Discussion on how we currently deal with a sign that is inappropriate for the area in response to queries by Mr. Conroy. What is the reason for the moratorium?

The Chair closed this public hearing item.

C. Proposed Zoning Regulation amendment, Sections 2-19S and 13-14, Temporary A-Frame Signs (ZA #579)

This proposal is out of the sign subcommittee, also. It is to replace expired A-frame sign regulations. It is essentially the same language with some minor revisions and deletions.

Mr. Kalkowski said the A-frame signs are not expired. Only one sub item has expired for along public roadways in the B zone. I want that understood.

Section 13-14 was discussed as it currently reads.

Attorney Sciota clarified, based upon the vote, the only thing that was expired was along the roadway in a B zone. Internal B zones were still allowed and the CB zones were still allowed.

Mr. Chaplinsky offered the wording: Section G: Shall not obstruct greater than five feet of walkway at all times.

The intent was to say that it shall not leave less than five feet of unobstructed walkway at all times. Explanation.

Keep Letter F. Letter G should be rewritten to read: Shall not leave less than four feet of unobstructed walkway at all times.

(Those speaking in favor of the application)

(No response)

(Those speaking against the application)

(No response)

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The Chair at this time closed the public hearing on this item.

D. The Casle Corporation, request for proposed Zoning Regulation amendment, Section 12-01.1F and J (ZA #580)

This proposal is modify two sections of the parking regulations for business offices and financial institutions and medical/dental offices excluding home occupations. It is to reduce the number of required spaces per net floor area. The applicant has submitted a detailed report supporting the reduction for medical office parking and dental offices, too. The analysis recently was conducted at a similar facility on West Street.

The proposal essentially reduces parking from 5 per 1000 sf net floor to 3.3 for business offices and 6.7 per 1000 sf net floor area to 5 for medical offices.

Philip Doyle, an urban planner and landscape architect. My firm is LADA and we are in Simsbury. We have made this application on behalf of our client the Casle Corporation who is looking at developing a medical office building in town.

We have been finding that municipal parking regulations in most towns have been tending recently to overstate the amount of parking actually required. Given the changes in the way office buildings are used and medical office buildings, we felt it appropriate to make this application.

We have given you data from research we have done and our conclusion has been that if base parking on a net basis as this town does, to look at a parking count of 1 per 200 net. For medical office your current regulation is 1 per 150 net. We have asked for a change from 150 to 200.

For general office your parking is 1 for 200 and we would be asking for 1 for 300.

Gave the research in support of the recommendations.

We ask you to consider this potential text change.

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Mr. Chaplinsky asked Mr. Doyle for his professional opinion on the need for replacing the regulation with flexible parking spaces rather than hardscape. Make provisions for flexible expansion of parking (grass natural areas) in the event there is a need? Mr. Doyle said he didn't think and explained parking becomes fixed. We believe there is a whole sale miscalculation at the moment per the world changes. There is a need to reduce the amount of parking.

Discussion.

Mr. Chaplinsky explained with technology being what it is, this is the wave of the future.

Mr. Conroy reviewed the ITE numbers provided in the data report with Mr. Doyle. He noted making provisions for snow cover and discussion followed on that. Mr. Doyle concluded it would be better served to set aside some green space for snow removal.

(Those speaking in favor of the application)

Lou Perillo, Economic Development Coordinator. Very pleased to support this application. It is a positive. As to snow storage, with medical office use especially, you see snow being hauled off site.

Discussion.

Businesses are in transition. Anytime we learn our regulations are too aggressive in requiring parking, we have an opportunity to learn from that and alter our regulations. Overparking was discussed.

This is a positive step for us. As to impervious surface, it is much better for the environment not to be overparked. You can set your standard that matches this and should the applicant want additional parking, you can do the hardscape type parking for the overflow (West Farms Mall).

If we have an opportunity to match the parking requirement with the use, there is no reason why we should force an applicant to do more parking than what they deem appropriate.

Businesses will adjust to accommodate their clients' needs --- because they have to to survive.

Sev Bovino, Planner with Kratzert Jones. I support the application based on my 35 years experience in planning. During the

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deliberations of the West Street Committee, I provided a parking report.

As to restaurants, the same issue. The requirement of the town is excessive in terms of the ratio.

I support the application.

Anthony Denorfia said he echoed what Sev said. We've seen the natural progression on parking. We are way overparked. When we went to 200 sf for retail on the big boxes, we allowed 250. We saw the trend.

The restaurant formulae presently are a total shambles. That should be looked at.

We are overparked. Stop giving waivers downtown and give people outside of the downtown area less parking so they can build bigger buildings for more tax revenue and better tenants.

(Those speaking against the application)

No response.

The Chair closed the public hearing on this item.

BUSINESS MEETING

A. Executive Two Hundred, LLC, special permit application for multiple buildings on one lot in an I-1 zone, property of Diversified Unlimited, LLC, 200 Executive boulevard (SPU #539)

This item is ready for action. Mr. Conroy said he was supportive of the concept; however, he would like to see something a little more concrete with respect to the stipulations of approval. I like the idea of incorporating the language of the West Street Study with regard to the types of frontage and with the use of the drive thru which includes the bank exception. I wouldn't feel comfortable doing it otherwise. I feel strongly about this considering it is kind of a naked SPU in what is currently an I-1 zone.

Mr. Chaplinsky noted the no drive thru restaurants call out in the study and we only allow them for financial institutions. I don't

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have a concern with that and we could probably just state that as a stipulation here. I agree with the idea about the look and the feel of the building as well.

Discussion.

I would agree with wording for drive thrus for financial institutions only and the wording from the West Street Business Zone as to the look and the feel of the building. We made suggestions for the planner to work with the developer. I'll make a motion to approve the multiple buildings on a single lot with the stipulation of no drive thrus, except financial institution drive thrus. And, the building design should be consistent with the West Street Business Zone Vision. Traditional colonial style. Work with the town planner on an adequate building design when appropriate.

Ms. Locks seconded.

Mr. Conroy wanted the appropriate language referenced as it relates to drive thrus.

Mr. Lavallee read: drive thru operations are permitted for financial institutions. That's all it says.

Mr. Chaplinsky commented he felt strongly that sidewalks and additional buffers should be incorporated into that area in the event we do add lanes. I encourage as much as possible, going forward with site plans, to insure that sidewalks are on there.

Landscaping is important as we build the corporate environment.
Discussion.

Mr. Morelli added he agreed with the comments. Why not look at ways to minimize the impact on West Street proper and make it more of a campus than just everything up front. It's a great idea that I support.

Mr. Kalkowski said he was supportive of the proposal. He was struggling with the regulations in Section 5-1.1, permitted uses in the industrial zone. There's no direct permission of this type of use there, however the only clause is subsection F which is other uses which in our opinion are complimentary to the character. I like where we're going as a commission in creating these campus type atmospheres. I don't think we have formal regulations that support

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that right now and that's one thing that we may want to look at in the future.

The Chair applauded the applicant for taking the steps he did. It is a risk. This will compliment the area.

Maybe we should throw this to the subcommittee to look at and have more teeth in the regulations.

I also want to applaud Lou Perillo. This is his thing. Lou's bringing business to town and this is good. Win/win for Southington.

Motion passed 7 to 0 on a roll call vote.

B. Proposed Zoning Regulation amendment, proposed moratorium, Section 13-00.A, Internally Illuminated signs ZA #578.

This is ready for action.

Mr. Kalkowski said in listening to the comments of the engineering firms and the developers, I do agree that maybe six months is a long period of time. Would you consider three months?

The Chair said sure, absolutely.

Mr. Chaplinsky asked staff if that was a realistic timeframe. Mr. Lavallee responded the groundwork is in place for it.

Mr. Sciota explained in response to the question by Mr. Chaplinsky that once the 15 days goes by, assuming you approve it; you are locked in for the three month period.

Mr. Chaplinsky made a motion to approve it for three months. Mr. Kalkowski seconded.

Mr. Conroy discussed what are we trying to accomplish here? It doesn't sound like we have a pressing need to impose a moratorium. What will this gain us? We have sign regulations in place for unruly and tacky signs. We have regulations that allow these signs. I don't know if this is necessary. It seems extreme.

Mr. Morelli agreed. How many businesses will this affect in this period? If I am a business coming to town and I have to put up a

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temporary sign, put out extra money to come to town. Let's just do it in three months and get it done without the moratorium.

Discussion.

Motion passes 4 to 3 with Mr. Morelli, Mr. Conroy and Ms. Locks opposed.

Takes effect 15 days after publication.

C. Proposed Zoning Regulation amendment, Sections 2-19S and 13-14, Temporary A-Frame Signs (ZA #579)

This is ready for action. Mr. Chaplinsky made a motion to approve with stipulation that letter g read: shall not leave less than four feet of unobstructed walkway at all times.

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

Takes effect 15 days after publication.

D. The Casle Corporation, request for proposed Zoning Regulation amendment, Section 12-01.1F and J (ZA #580)

Mr. Chaplinsky commented this great idea. I will make a motion to approve. Ms. Locks seconded.

Mr. Conroy asked for staff's opinion. Mr. Lavallee said both the director of planning and myself agree that the changes are needed for these uses. I think we are overparked.

Mr. Conroy agreed.

Motion passed 7 to 0 on a roll call vote.

Take effect 15 days after publication.

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Mr. Chaplinsky asked to add to our list the review of restaurant and retail parking regulations. Mr. Sciota stated on behalf of himself the economic development; they do need to be looked at. The Chair directed the staff to look into and do some research on surrounding towns.

Discussion.

E. AA Denorfia Building and Development, proposed 31 unit multi-family residential housing development, 42-82 Liberty St. SPR #1674.

The Chair recused himself from this application turning the Chair over to Mr. Chaplinsky.

(Mr. DelSanto left the dais)

PAUL CHAPLINSKY, assuming the Chair:

Stephen Giudice represented the applicant in this matter. This is for Liberty Station development. This was before you for special permit about a year ago and then a modification of that special permit about six months ago.

Originally we proposed one building on the parcel and we came back with multiple buildings: one large building and two smaller buildings.

The parcel is lots 49, 50 & 51 on Map 100 of the Assessor's Office. It's a CB zone property currently vacant.

Historically we requested a floodplain filling application and compensation offsite. The offsite work has been completed and most of the onsite work has taken place with the exception of some grading areas.

It is served by public water and sewer. It is generally flat. There are no wetlands on site.

Flood elevations were discussed.

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This proposal is create one 12,456 sf multi story age restricted building in the middle with 6 non-age restricted units and one age restricted unit along the frontage. A total of 22 age restricted units and 7 non-age restricted units.

One directional parking was explained. Garage spaces were noted.

Sidewalks are proposed to the existing sidewalks. Sidewalks located at doorways for the large building at the main entry. Handicapped parking spaces were noted.

Two storm drainage systems on site were discussed. ZIRO was explained.

Mr. Giudice noted we will be asking for a table to address staff concerns.

A rotation of the building was suggested at the public hearing and discussion followed as to why that was not desirable. Mr. Giudice will submit the plan to staff.

The architectural renderings were discussed by Anthony Denorfia, applicant. Building materials were discussed.

Mr. Denorfia discussed the floor plans and amenities.

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

(Michael DelSanto re-entered the meeting)

MICHAEL DELSANTO, resumed the Chair:

F. Request for 2nd 90 day extension (1st extension expires July 6) to file mylar, East Gate Meadows S #1298.

Mr. Lavallee said this is ready for extension. We're waiting for bonding figures, noted Mr. Denorfia. He did note that the extension actually expires on July 25th and not a couple of days ago.

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

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G. Hunter's Landing, request for 90 day extension to file mylar, Wonx Spring Road S #1303.

Ready for extension. Mr. Chaplinsky made a motion to approve. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

H. Request for release of \$30,000 E & S bond, Recko Farms S #1277.

No issues noted staff. Mr. Chaplinsky made a motion to approve. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

I. Request for release of \$5,000 E & S bond, Fieldstone subdivision S #1281 and SPR #1456.

No issues outstanding noted staff. Mr. Chaplinsky made a motion to approve. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

J. Nick Robertson, reduction of E & S bond from \$3,600 to a new amount of \$1,000, 357 Captain Lewis Drive SPR #1626.

This is the full release of the bond. Mr. Chaplinsky made a motion to approve. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

K. Nick Robertson, release of \$20,000 bond n lieu of site plan compliance, 357 Captain Lewis Drive SPR #1626.

Ready for action noted staff. Mr. Chaplinsky made a motion to approve. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

L. John Susco, request for release of \$2,600 subdivision bond, 357 Captain Lewis Drive S #1293.

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Ready for action noted staff. Mr. Chaplinsky made a motion to approve. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

M. DBF, LLC/Bagno, LLC, release of \$60,000 maintenance bond, West Pines Drive and Brookfield Court S #1280.

Ready for action advised staff. Mr. Chaplinsky made a motion to approve. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

PLAN OF CONSERVATION AND DEVELOPMENT

The consultant did a drive around town with staff. There is not much else to report. Contract is signed and they're in town already.

AQUIFER PROTECTION REGISTRATIONS

Mr. Lavallee advised 12 registrants have filed. You can do it as a lump sum approval. When you get to the public hearing state, it would be if there is a new use at a registered site, we look at best management practices that type of thing to make sure there is no spill and if there is, it is contained. These all signed off they have best management plans and are conducting their activities in accordance with the regulations.

Attorney Sciota advised the state required us to pass these regulations, maybe five years ago, and we have it in place. These are the ones currently in the aquifer protection zone. Change of use and new ones will be more extensive. They have to file they have a best management practice in place.

The memo dated 7-19-2014 is accurate with the 12 references confirmed Mr. Lavallee.

Mr. Chaplinsky made a motion to approve the aquifer protection program implementation registrations noted in the 7-9-2014 Memo by Mr.

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July 15, 2014

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

ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

Nothing new at this time.

ADMINISTRATIVE REPORTS

Mr. Chaplinsky asked about the development on Loper Street. We talked about sidewalks and the town working with the developer. There was a discussion about working on a program we have. Attorney Sciota said staff met with the applicant and presented the entire program to him. We told him it is an optional program. As of yet, they have not called back. Mr. Chaplinsky asked to have staff follow up with the applicant and find out their intentions. I feel strongly there has to be sidewalks there. We couldn't make it a stipulation. I do feel it's our obligation to follow up with them, concluded Mr. Chaplinsky.

He told staff he would like a formal response back from the applicant as to his intentions. Mr. Lavallee said he would ask for one.

RECEIPT OF NEW APPLICATIONS

Mr. Lavallee noted one: Lovley Development, Site Plan Revision, 710 Main Street. Clocktower Square. SPR 1675.

No meeting the first meeting in August, so our next meeting is the 19th of August. See you all then!

ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 9:10 o'clock, p.m.)