

PLANNING & ZONING COMMISSION  
Public Hearing and Regular Meeting  
August 19, 2014

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, August 19, 2014. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

Jennifer Clock	James Macchio
Steve Kalkowski	Kevin Conroy
Susan Locks	Michael DelSanto, Chair

Alternates:     Anthony Cervoni  
                  Joe Coviello  
                  James Morelli, Jr.  
                  Ryan Rogers

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:           Paul Chaplinsky, Commissioner

The Chair seated Mr. Coviello for Mr. Chaplinsky. A quorum was determined.

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 July 15, 2014

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

Public Hearings

Mr. Phillips read the legal notice into the record for tonight's meeting.

A. James Voisine, Special Permit application to allow outside storage, 1126 Queen Street (SPU #540)

James Voisine spoke. I own Route 10 Trader in Southington on Queen Street. I am applying for outside storage. I own an antique and consignment shop. I need some outside storage.

I would be storing items that I get in and am in the middle of processing. Items of retail, things for the store. Sometimes shelving, cabinets. Whatever I need to do.

It would be stored behind the building.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

Mr. Phillips commented in his report that the area shown for outside storage on the site plan should be clarified. I can't verify that it conforms with the six stipulations listed in my report which are part of the zoning regulations having to do with area and setbacks, basically. A copy of the report did go out to the applicant.

This has been the subject of an ongoing enforcement action. We've provided you with photos previously showing some of the materials stored pretty much all over the property at this point. It doesn't conform to our regulations now in that respect.

The second part of the application has to do with proper permitting for the type of use underway there.

Attorney Sciota said you can close the public hearing. This is not a staff issue. If he doesn't meet that, then you would table it and have him meet with the Planner and figure out how he's going to meet the regulations. You couldn't possibly approve of it when it doesn't meet your stipulations.

The Chair closed the public hearing for this item.

B. Petition to Change zoning District boundary, West Street, Assessor's Map 179, Parcel 8 and portion of 29 DePaolo Drive, Assessor's Map 178, Parcel 020 from I-1 to B (ZC #546)

Sev Bovino, Planner with Kratzert, Jones representing the applicant along with Attorney Bryan Meccariello.

Attorney Bryan Meccariello, 242 North Main Street, Southington, CT, tonight representing the same principle applicant in these two businesses with the consecutive zone change application.

This one has to do with property on West Street, on the westerly side, just north of West Queen Street. It's on the same side as the transmission station if you're heading north to Bristol.

It has 2.3 acres. Served by public water and sewer.

It abuts a 4 acre piece of property to the north in a B zone. It abuts the property to the rear, which is the I-1, and all the other parcels located in the I-1 zone.

The property is along West Street, heading north, and on the west side of the street there is a lot of vacant land. There is another business application behind us on this but most likely it would be developed business rather than industrial.

My client owns also industrial properties which are at 786 West Queen Street, 865 West Queen Street, 880 West Queen Street and 888 West Queen Street.

He still retains the I-1 zone. This use is a proposed use. We've provided a map which shows the intended use. It's just to be designated as a convenience store. Half of the parcel would be developed as proposed so we are just showing the proposal with the other half to be developed in the future.

I looked at the Conservation Plan of Development and part of the plan is to start developing thoughtfully up heading north on West Street. This is a piece in an I-1 zone but all reality is it is not going to have an I-1 use. The property to the rear is 29 DePaul Drive and has access on DePaul Drive which is off of West Queen Street.

It's a logical change in the use. The business zone is all the way to the north on the same side of the street to the Bristol town line. There is I-1 zone on the right side of the street heading in the same direction. There is primarily residential homes in that I-1 zone.

This makes sense. I'll answer any questions.

Mr. Bovino added the reason for the extension is we feel it's a logical extension of the zone that is to the north. The reason we're proposing to rezone this 50' strip of land is because that will make the properties connect. There is nothing you could build on the 50' strip. We propose to rezone that to become an extension of the B zone from the north.

We have a potential layout which we can show you. Something that could fit on this property.

Attorney Sciota noted the 50' strip which would be part of the B zone; he asked if the property owner had a problem with that. Mr. Bovino said he did not contact them. Attorney Meccariello said he has been negotiating a contract with 29 Holdings, LLC. They're aware of this application.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

No response.

The access point for the rear parcel was discussed. You can have access from a B zone into industrial noted Attorney Sciota.

The Chair closed this public hearing item.

C. Petition to Change Zoning District boundary: site 1: portion of West Street (Map 155/Parcel 018) from r-40 to WSB and site 2: portion of West Street (Map 155, Parcel 018) from WSB to R-40) ZC #547.

Sev Bovino, Planner with Kratzert, Jones and Attorney Bryan Meccariello representing the applicant.

Mr. Bovino stated this property is west of West Street and north of West Pines Drive. The colored area on the map is proposed to be zoned to WSB (West Street Business) and the little triangle area to the north is to be residential. The reason for the rezoning is to square off the property. Based on the WSB you are looking for a 400' deep lot to do the property development on this property.

Attorney Bryan Meccariello said he was representing 888 West Queen Street, same principal owner as the previous application. This is a proposed zone change from R-40 to WSB.

The other triangle is from WSB to R-40.

The purpose is to square off the back to comply with the WSB zone requirements having a 400' depth to the lot itself. He referred to Section 4.05. The purpose of this application is to avoid a variance. I don't believe --- we don't qualify for the 10% coverage bonus by merging two plots that would be nonconforming to the WSB. That is the primary purpose, plus it makes sense.

What we're doing is we're taking more of the R-40 away, making it WSB than we are doing the opposite. The intent is to comply with the WSB zone.

It is a swap. The top piece of the triangle is swap so we're making it WSB. We're squaring off the back.

Discussion.

My client actually owns the piece in the back which is 8.44 acres. That has access directly on West Pines. But he also owns the three front pieces on West Street: 1516, 1532 and 1552. The intention is to have these parcels conform to the WSB district so we can start marketing and developing in accordance with what you laid out.

He referred to the Plan of Conservation and Development from 2006 which planned for a logical development in this area.

There is a conceptual layout as part of the package. I'll answer any questions.

Mr. Bovino pointed out the appropriate setbacks and buffers will be provided in this R-40 which will go to the WSB. A 40' landscaped buffer provided as required in the regulations.

(Those speaking in favor of the application)

No response.

(Those speaking against the application)

(1) Diane Burrell, 38 West Pines Drive. I am here to object strongly to the zone change from R-40 to WSB. Several reasons:

- My backyard is rather beaucolic (sp) right now. That's going to change with a proposed plan of six new homes behind my house.

It came as a surprise to us that they wanted to change a lot line. It is going to be right in my backyard. I don't think that's very fair.

- If this whole area is designated as a business zone, has anyone been on West Street? The traffic is incredibly bad. West Pines Drive is still a dead-end but another 90+ homes are being built there. There is no other access. That means at least 200 more cars going up/down our street with no light, no traffic control.

A study should be done even before this designated WSB.

Thank you.

(2) Joe Palfini, 95 West Pines Drive. I actually served on the West Street subcommittee. He spoke about his role on the committee which was to represent the residents and the background information he obtained in order to do that.

The committee's intent was to recognize the fact that the nature of West Street was changing and to act proactively to attempt to develop a street that would be a gateway to some of the area attractions (ESPN and Lake Compounce).

The difficulty was people had many different interests depending on where their property was located.

Explained.

As a subcommittee, our intent was to create design criteria for development on the street and to carefully layout or recommend zone changes that would facilitate that. A primary factor to consider was to attempt to not do harm to current residents.

When I look at this particular project, this is not a matter of somebody with one property on West Street looking to sell it and having difficulty doing it. It is a matter of developer who has accumulated a number of properties and in order to maximize the value and to facilitate future development, the little triangle that the house sits immediately below, and the back of that development will be right in her backyard. That's exactly what we attempted to avoid and why we chose to go with the existing property lines.

As I see this, it is doing a great deal of harm to her property and it would be unfortunate if those two or three lots could not be configured to conform to the West Street guidelines. But my suspicion is they could with the land to the north side.

Discussion of the area in question when it was before the subcommittee.

Discussion of the church and school across the street wanting emphatically to retain the buffer across the street. Explained it is what it is.

(Rebuttal)

Mr. Bovino responded with a point that multiple curb cuts will be eliminated with this proposal. One of the things in the WSB is that you have to accumulate enough property to have a decent layout and meet the regulations, setbacks from the street, large green areas in the front and the 40' buffer in the back and the side buffers.

This property is R-40 and it is separated from the property owner that just spoke. A subdivision proposal here, this becomes part of a building lot. There'll be an R-40 zone next to the first speaker and it will not be a WSB. Separation distances were discussed.

Buffers were discussed. Grading was discussed.

The proposed zone change is only about 17,000 sf.

Attorney Meccariello reiterated it is what it is. My client's property is subject to the WSB zone. This is not an overlay. We have the option of coming in and requesting a host of variance from the ZBA to conform.

As to acquiring the properties to the north, it is not happening. They are residential properties.

Discussion.

All three of my client's properties have to be combined so we have the lot coverage, the depth, the width and we can put a building consistent with the charge of the WSB district.

Helen Henkle, 1480 West Street. My question is if that parcel of land, because of the grade is unusable, why do they need to purchase it?

Mr. Bovino said it is the square off the property so the parking lot works well. The parking rows are straight. Also for the grading. The property is not worthless. You can do your grading inside the area and plant it to create the buffer. Explained the left over area can be better developed. It's not useless.

By changing it to business, we can do that in that area. Otherwise, we cannot even touch it. We would have to show an additional 40' buffer. So the property would be further diminished in the terms of the potential for development.

Attorney Meccariello pointed out the same client owns the parcel to the rear. He is not acquiring it, he is just swapping land with himself.

Mr. Phillips advised it might be beneficial to look at the conceptual plan.

The Chair closed the public hearing on this item.

**Business Meeting**

A. James Voisine, Special Permit application to allow outside storage, 1126 Queen Street (SPU #540)

Mr. Phillips advised the plan submitted doesn't appear to be completely compliant with stipulations that the outside storage be limited to the first floor area of the building, not greater than 20' from the principle building, not less than 40' from the road, not less than 10' from the side yards and not less than 20' from the rear yard. And, not to exceed 8' in height and effectively screen all sides at the commission's discretion. I would a stockade type fence in that area.

Health, building and fire responded they don't have any issues. The water department and engineering department still have to comment.

It's not in an identified aquifer protection area.

They do have some outside display in the front, as well.

The last photos we had showed materials scattered around the yard and it has not been cleaned up.

Mr. Kalkowski made a motion to table so the applicant has time to work with town staff and clean up the property. Ms. Locks seconded.

Motion passed unanimously on a voice vote.

B. James Voisine, site plan application to operate a consignment/convenience store, 1126 Queen Street (SPR #1676)

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

C. Petition to Change zoning District boundary, West Street, Assessor's Map 179, Parcel 8 and portion of 29 DePaolo Drive, Assessor's Map 178, Parcel 020 from I-1 to B (ZC #546)

Mr. Phillips noted in his letter to the commission, subject property is located in a business growth area as depicted on the plan of conservation and development future land use plan. The area is intended for light industrial office and other uses that provide economic benefit to the area as outlined in the plan.

The zone change appears to be consistent with the POCD and is a direct extension of the B zone in the adjacent area.

This is ready for action.

Ms. Clock made a motion to approve. Mr. Conroy seconded.

Mr. Kalkowski offered his concern is the erosion of our industrial space. We gave up 39 acres in the Wonx Spring area and there is another erosion of the industrial zone. I'm not in favor of this and will be voting against this.

Motion passed 5 to 2 with Mr. Kalkowski and Mr. Macchio opposed.

D. Petition to Change Zoning District Boundary: site 1: portion of West Street (Map 155/Parcel 018) from r-40 to WSB and site 2: portion of West Street (Map 155, Parcel 018) from WSB to R-40) ZC #547.

Mr. Phillips said this is a suburban residential area as depicted on the POCD's future land use plan. The area is intended for single family and detached, semi detached and townhouse configurations. However it was also subject to a recent corridor study and the WSB zone was created to encompass these properties in the layout.

It would appear to be consistent with the POCD as an extension of the existing properties.

I want to make known there was one abutter who was unable to attend tonight and requested his comments be acknowledged. I sent it to the commission previously.

Mr. Kalkowski made a motion to approve. But before doing that, I want to thank the applicant for not only presenting the plan but also showing us what the future plan is. I believe your future plan does protect our abutting homeowners. We'll see an application shortly around additional residential there. I do think that the buffering and the screening that will be put in place will conform to our regulations. I make a motion to approve.

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

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

The Chair recused himself and passed the Chair to Mr. Kalkowski.

Steve Kalkowski, assuming the Chair:

Acting Chair Kalkowski seated Mr. Rogers for Mr. DelSanto.

Mr. Phillips advised the applicant submitted a request for a table to address remaining staff comments.

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

Michael DelSanto, resuming the Chair:

F. First Hartford Realty Corporation, site plan application for retail store as part of a gasoline and convenience store business, 1978 West Street 9SPR #1677)

Patrick O'Leary, VHB, the firm here on behalf of Cumberland Farms and First Hartford Development Corporation. I will turn it over to Attorney Proto to commence the introduction.

Attorney Benjamin Proto from Stratford, CT., represented Cumberland Farms. With me is Patrick O'Leary who is the engineer. Mark Fertucci from Fuss & O'Neil is our traffic engineer. Chuck Meads from First Hartford Realty is here on behalf of the developer and Jeff Hampton who is with Cumberland Farms to answer operational questions for the commission.

As a brief overview, we're here asking for a site plan approval for a Cumberland Farms gas station and convenience store on West Street. This proposed location has received special exception and location approval from the ZBA. They are proposing to build and operate a 4513 sf convenience store, four gas pumps with eight dispensing stations. The property is accessible through two locations. The first by way of an easement from the abutting property on the north side which utilizes the traffic signal at West Street. The second access is on the southeasterly side of the property which is a curb cut which accesses the property both in and out.

The proposal this evening is fully zoning compliant. No variances were required or needed. It meets all the regulations.

The proposal as I read your site plan approval, meets or exceeds all the requirements for site plan approval.

I'll have Patrick come up and speak about the engineering aspects and the site and how the plan came together. Mr. Fertucci will talk about traffic and traffic flow on the site.

Mr. O'Leary passed around reduced sets of the graphics used this evening.

He explained the existing site conditions. It is comprised in part of two parcels. One is a .91 acre parcel of land on which the Cumberland Farms will be constructed.

To the right of that is a portion of the original lot which will be deeded to the lot in the rear of the property. The lot in the rear does not have frontage on West Street. By virtue of this development, we will be carving out a 100' strip of the existing lot and combining that with the rear lot so now the rear lot will be approximately 2.9 acres and that will leave the subject lot approximately .91 acres in total.

An easement will be provided from the rear lot over the parcel of land that is being deeded to it to provide access to the subject lot and the area outlined has an existing easement (100 x 100 foot) over it. That'll provide access to the adjacent neighbor on the right so they'll have access through the signalized intersection.

The development plan is proposing to go in and construct a 4500 sf Cumberland Farms Store with four fueling stations. It is located on a .91 acre parcel which meets and exceeds the zoning requirement of 20,000 sf.

On the right side you can see an access drive that is proposed entering in from the signalized intersection. It is going to be constructed as part of the Cumberland Farms project and will provide future access to the rear lot at the time it is developed.

To the right there is also the opportunity to provide access to the adjacent neighbor's parcel. It is within the 100 x 100 sf easement to provide access to the adjacent area.

We are proposing a three lane access/egress point. Two lanes exiting and one lane entering in.

We have four fueling stations. He noted the tank area for two 20,000 gallon tanks for regular, premium and diesel fuels.

To the left of the store, on the rear side, is an operational area. It contains two dumpsters and is where the loading takes place. Explained.

It will be a 24-hour store.

Sight lighting is full cut off fixtures. Less and 1 foot candle spillage on to adjacent properties. Explained.

The property to the left, a residential use, we're retaining as much of the buffer along that side and we are supplementing the existing buffer with a 6' tall vinyl clad fence to provide security and screening.

With respect to the building location it is fully compliant with respect to side yard, front yard and rear yard setbacks.

We meet the landscaping coverage for the interior parking lot. Explained.

Our maximum coverage for the site, we did incorporate the canopy and pump area; we're at 21.5% versus the 25% that is allowed.

He explained the environmental concerns and safeguards with the tanks as being conservative.

All lines going to the fueling facilities are double-walled. Explained.

Operationally, you'll be seeing two or three tank trucks, tractor trailers coming in through the course of the week depending upon demand. Explained the traffic pattern.

Traditional delivery vehicles are parked in the operational area via the dumpsters and unloading occurs directly into the store.

We have met the landscaping criteria with respect to the interior parking spaces and we recognize in the future the development that may occur in the back is not going to look at dumpsters. We've provided additional screening to the dumpsters. They're enclosed with a vinyl clad fence for screening and enhanced by the landscaping itself.

He explained the storm water plan for the site which meets ZIRO. Discussion.

We will meet and comply with the zoning regulations.

The 20' sewer easement that runs along the front of the site was noted in relation to where to locate the pylon sign.

Elevations and materials for the site were shown and discussed.

We have received comments from planning and engineering departments. We have submitted responses to all of those comments. Discussed.

We will comply with all comments provided by staff. We don't find them to be extraordinary and find them to be somewhat matter of fact in nature.

Mark Fertucci, senior transportation engineer, with Fuss & O'Neil discussed the traffic issues. He passed in two copies of the traffic impact study prepared for the proposed Cumberland Farms.

He discussed the study in detail.

In conclusion, the findings of the traffic study, the proposed Cumberland Farms Store will not have a significant impact to traffic operations on West Street upon implementation of the proposed recommendations described. And, West Street is a state road which will require a DOT encroachment permit. They'll be reviewing the applications, the traffic study and the proposed offsite improvements in detail as part of that process.

Attorney Proto concluded we believe that we have a fully compliant --- we know we have a fully zoning compliant plan that meets all the zoning requirements. We also believe that we meet or exceed all the requirements in Section 9 for site plan approval. Section 9.02 puts forth considerations that we believe have all been met or exceeded.

In addition, we believe that based on the presentation, we more than meet the requirements of Section 9.03 and have provided a traffic study as required. We have adequately explained the traffic and how we will improve the traffic situation there and the signalization at that location.

The provisions of 9.09 are applicable and the plan meets those provisions.

The site is fully compliant with all zoning regulations. We received our location approval and our special exception approval and we meet or exceed all requirements in Section 9 and we respectfully ask the commission to approve our site plan and allow us to bring the Cumberland Farms to this location in Southington.

I thank you for your time and am happy to answer questions.

Mr. Phillips noted in his memo this was not ready for action tonight due to the fact we received comments in response to planning and engineering plan review comments today. Doesn't leave us with a lot of time to review it.

He noted he was not a big fan of stipulating something like this subject to staff approval.

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

G. GHIO Family Partnership, site plan modification for commercial use with drive-thru and gas station, 2004 West Street (SPR #1673)

Attorney Timothy Furey, Bristol, CT present with Mr. Ghio who is one of the owners of the company, Sev Bovino, our design engineer, and Scott Hesketh, traffic engineer.

We'll be asking you to table to the next meeting so we can work on some design details.

He discussed items he would be addressing for the next meeting. Scott looked at the traffic design with the thought the drive up window would be for a Dunkin Donuts. It is not our intent to have a Dunkin Donuts in this site at this time. So we would like to have our traffic study amended.

Discussion.

Based on the presentation tonight by the previous applicant, their site versus ours, when we bought the main portion of our lot, we bought it with a 100 by 100 sf easement for our benefit and the benefit of the adjacent property owners. That gives us a full right of access easement over that entire area from our site to the light. The goal is to have us utilize the light as our primary source of access.

Explained.

Our site and the previous site plan may conflict in their design. They may be interfering with our ability to access our site the way it is designed and needs to be designed. The exit of traffic is a concern.

Explained.

We do want to investigate sign locations.

In looking at what we're designing, it is important for you to see that it done with some intelligence based on what we own and control and the design next door is done with intelligence based on what the abutting owner owns and controls which is everything completely down the side of us and around the back of us.

Discussion.

I encourage you to look at these applications together on some level as they share the common access way.

Attorney Sciota advised the Town of Southington and our staff is not a mediator. I suggest that you both have very competent professional engineers to design these projects. Please have them get together before you guys come back here in two weeks. My staff has

been spending a lot of time going back and forth on this. I'm asking the professionals to get together, come up with a plan. We are not the mediators here. We want you both to succeed. Please do it offline and have our staff look at it after you decide what is in your both best interests and meet our criteria and bring it to us.

We just want a comprehensive plan before us that you'll submit and the previous applicant as well. We are not interested in the back and forth, added the Chair.

Discussion.

Mr. Phillips added a 65-day extension is necessary. Attorney Furey requested a 65-day extension. Mr. Kalkowski made a motion to grant the 65 day extension. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

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

H. Bagno, LLC, subdivision application, West Pines Drive, Assessor's Map 155, Parcel 018 (S#1307)

Sev Bovino represented the applicant. This property is located in an R-40 zone about 500' west of West Street. The property is served by an existing 50' access strip and then opens up to a residential area zoned R-40.

It is 7.37 acres. The land pitches east to west and contains about 7,000 sf of wetlands in the southwest corner of the property and we are in front of the IW Commission for action.

This proposal is to subdivide the property into six building lots which will comply with the R-40 zoning regulations. We are proposing to convey to the town 1.27 acres of open space to prevent any infringement by future property owners into the wetlands and the buffer area.

We are proposing sidewalk along one side of the road as required in the R-40 zone.

The drainage plan was explained.

We have received staff comments and feel we can address most of them.

Item 11 talks about planting street trees all the way to West Pines Drive. Normally street trees are planted on the private

property and we do not own these properties so we could not plant trees there unless the property owner allowed us to.

There was a comment in regard to the pipe for a building lot being under the driveway and we feel it is not a problem. It is a concrete pipe and pipes are all over the roadway and we don't think it's a problem. We would like to keep the pipe under the driveway to prevent having this driveway on the north side which is the low side of the property. It works better when the driveway is placed on the high side and enters the house in a more appropriate way and reduces grading.

I'll answer any questions.

Mr. Bovino further pointed out the building lot referred to during the zone change application. He explained the green space and the house location.

Mr. Phillips said it is not ready for action as we have yet to receive responses to comments and revised plans. The applicant appears to have agreed to have a conservation easement placed along the width of the side yard setback along the southern edge of the subdivision. You might want to confirm that. Mr. Bovino agreed with placing the conservation easement to protect the 20' of space in that area.

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

I. Lake Compounce, application for 2 year extension of Earth Excavation approval, Mt. Vernon Road (EE #119.2)

Andrew Quirk, Kratzert, Jones & Associates. He showed the plans and explained the original earth excavation permit for the relocation of Mt. Vernon Road and the creation of the water park. They are about half way through on the water park and they've excavated 200,000 of the 286,000 cy permitted. The renewal is to continue on the southerly end.

We did receive some very minor engineering comments. The plan is to complete is in one last extension. About 3 acres left to the permit.

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

J. Callahan Enterprises, LLC, release of \$2,900 E & S Bond, 107 Norton Street SPR #1469.

Ready for action. Mr. Kalkowski so moved the motion. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

K. Masotti Realty, release of \$3,000 E & S bond, 120 Industrial Drive SPR #1552.2.

Ready for action. Mr. Kalkowski so moved the motion. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

L. ESPN, request for release of \$32,600 E & S bond (SPR #1435.4)

Ready for action. Mr. Kalkowski so moved the motion. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

#### **Plan of Conservation and Development**

Formal kick off meeting with the PZC and the POCD is scheduled for the first regular September meeting at 5:30 pm. The first public informational meeting will be Wednesday, September 24<sup>th</sup> at 7:00 pm here in this room. Attendance is not a requirement, but encouraged.

Discussion.

The meeting will be recorded and televised.

#### **Items to be Scheduled for Public Hearing**

None.

#### **Administrative Reports**

Administrative Approvals:

(1) Application 1675, 710 Main Street, Clocktower Square. Site plan modification to an addition on to Building 4. Back side of the building, about 36, 32 square feet. We're waiting for planning comments responses. Everything else took no exception. We'll handle that administratively.

(2) Application 1679, 2060 West Street, Hidden Valley Mini-Golf. Site plan modification to expand some of their decking in two

areas to the rear and the side of a building. Seems fairly minor. We're waiting for water to comment. We'll handle it administratively.

(3) 321 Main Street, Application 1350.3. Apple Gate Estates. This is site plan modification to split up two of the five duplexes previously approved into four single family structures. Brewster Road. The other three duplexes would remain.

The Chair asked for a formal application on this one.

Mr. Phillips noted under miscellaneous information he included the three cell tower applications that work continues on with. The Siting Council holds jurisdiction but we're trying to offer alternatives that might be beneficial to the town.

Lastly we have draft RV regulations the subcommittee worked on. It's for review and comment before we make a formal application.

Mr. Kalkowski noted these are back in front of you with a slight revision to our RV text amendment. I want to highlight a couple of things. We did take into account the feedback we got when you denied the original proposal. A lot of contention was around the side yards and buffering, et cetera.

I want to specifically note the third bullet point where we are proposing it be permitted in the side yard and the rear yard, however it's got to be completely outside of the setback. The positioning of the RV has to honor all setbacks (side, front and rear yards). Also, as far as the screening, looking at the fourth bullet item, again we want to make sure that the RV is screened and buffered in such a way to minimize any visual impact and certainly away from any public right of way.

We want to make sure the screening is structural and vegetative form. Again, provides the proper screening so abutting property owners will not see the RV.

We feel this is ready to be referred out.

The Chair agreed it could be referred out. Mr. Phillips will start the process.

**Receipt of New Applications**

Mr. Phillips noted ten applications received and every single one had been discussed this evening.

**REMINDER: NEXT MEETING IS AT 5:30 RIGHT HERE IN THIS ROOM. IT IS A KICK OFF FOR THE PLAN OF CONSERVATION AND DEVELOPMENT WITH OUR REGULAR MEETING TO FOLLOW AT 7:00 PM.**

**Adjournment**

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

(Whereupon, the meeting was adjourned at 8:52 o'clock, p.m.)