

PLANNING & ZONING COMMISSION
Regular Meeting
November 5, 2014

The Planning & Zoning Commission held a regular meeting on Wednesday, November 5, 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	Paul Chaplinsky
Susan Locks	

Michael DelSanto, Chair

Alternates: Anthony D'Angelo
James Morelli, Jr.
Joe Coviello

Ex-officio members present were as follows, viz:

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

Absent: Kevin Conroy, Commissioner
Keith Hayden, Town Engineer

A quorum was determined. I'll seat Mr. D'Angelo for Mr. Conroy for this evening's meeting.

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

The Chair advised that this is the first meeting that's going to be streaming live.

MICHAEL DELSANTO, Chair, presiding:

Approval of Minutes

A. Regular Meeting of October 21, 2014

Mr. Kalkowski so moved a motion to approve the Minutes as submitted. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

5. BUSINESS MEETING

A. George Loukopoulos, reapproval of 12,600 square foot building, 122 Spring Street (SPR #1682)

Joseph Eddy, AE Design Group, on behalf of George Loukopoulos. George asked me to respond to questions he received from the Town Planner which I will do now.

(Read each comment and the response provided.)

There is no other presentation this evening.

(Ms. Clock left the meeting room.)

Mr. Phillips added that he received a memo tonight at about 6:10. We sent the memo out on October 9th and it didn't reach Mr. Eddy until this afternoon. He just read it on his I phone.

Mr. Eddy noted this was applied for in 2001 and it was approved. When the permit was ready to expire it was reapplied for and we were assured it was handled several times when in fact it was not completed.

Mr. Phillip said looking at the comments; it is possible we could handle it on a zoning permit level. It was preapproved at one point in time.

Mr. Sciota said on the record they've agreed with Mr. Phillips' stipulations. Make those the stipulations and under no circumstances is a zoning permit issued until the stipulations are complied with.

Mr. Eddy agreed with that.

Mr. Chaplinsky made a motion to approve with the aforementioned stipulations referenced in the Memorandum to the Planning & Zoning Commission dated November 3rd, 2014 and revised to 11-5-14.

Mr. D'Angelo seconded.

Attorney Sciota further suggested you add that no zoning permit is issued until those are complied with to the motion made.

Mr. Chaplinsky added that to his motion and Mr. D'Angelo seconded.

The Chair seated Mr. Morelli for Ms. Clock.

Motion passed 7 to 0 on a roll call vote.

(Ms. Clock re-entered the meeting room.)

The Chair reseated Ms. Clock for the rest of the meeting.

B. Frank and Kimberly Bumbera, request for Rear Lot Determination, 183 Marion Avenue (RL #2014-02)

Sev Bovino, Planner with Kratzert, Jones & Associates represented the applicant. The applicants are also present tonight in case you have questions for them.

The property is located at 183 Marion Avenue. (Showned on the map.)

It's R-20/25 zone, served by public water and sewer. The land area is 16.45 acres. The frontage on Marion Avenue is 182 feet. The frontage at Prospect Street is to north, 72.4 feet. This property has been in the same family and in the same configuration since 1948.

The proposal is to create a first cut, Parcel A, which is indicated on the map in front of you. It contains 79, 522 sf and 67,500 sf is required. We have excess property there.

The access and utility easements are proposed on a 20 foot wide easement (indicated).

This proposal is under Section 11-14 of the Zoning Regulations that deals with rear lots. The access strip is less than 300 feet from here (indicating) to the lot and it is more than 200 feet from any other rear lot. Explained.

Under Section 11-14.6, you must find that the proposal is the best use of the land. We submit that given the unusual shape, the lack of appropriate frontage to build a road for a typical subdivision, the fact that the land has a gentle topography and all the utilities and meets Section 11-14.6 criteria, we ask you find the rear lot is an appropriate use of the land.

I'll answer questions.

The overall boundary map was shown and explained. There is no ability to put a road here with multiple lots. This could be the last lot, we don't know.

Access in the future could be obtained through Prospect Street stated Mr. Bovino in response to a query by Mr. D'Angelo.

Mr. Phillips indicated this item is ready for action.

Mr. Chaplinsky made a motion to approve which Ms. Locks seconded. Motion passed 7 to 0 on a roll call vote.

C. Charlotte Corris, site plan application to convert 240 square feet of existing house into proposed dog grooming space, 1255 Meriden Waterbury Turnpike (SPR #1684)

Charlotte Corris, 1255 Meriden Waterbury Turnpike, presented the application. She said she would like to convert part of the home into a dog grooming space. That is what I do, that is my business.

Mr. Phillips noted as stated in his report, the applicant is asking for a sidewalk waiver. Existing sidewalks appear to be about 475 feet to the west of the property and 200 feet to the east of the property. The property itself is only 67.5 feet wide. If you grant the waiver, you have to motion that separately.

There are no other concerns from any other department. I let the applicant know that building, zoning and health permits potentially would still be necessary after an approval by this board. And, also, with any nonconforming use in a zone --- in this case it is a residential use in a business zone --- that once a portion is converted to business use, it becomes more conforming and they can't go backwards.

And, the commission should make sure this is not something that would turn into a commercial kennel with overnight boarding or daily boarding.

Discussion of this being more conforming as it is a business in a business zone and what that means to the applicant in the future.

Attorney Sciota said the building department will require certain building restrictions between where the residence is and where the business is. I want to make sure the applicant understands that

if for some reason the business does not work out or it works out so well you move to another site, that area always stays business.

The residential is the nonconforming use and the business is the conforming use. As long as you fully understand what you're doing, we're okay.

The applicant said she understood and wanted to move forward.

Discussion about selling the property in the future with that portion of the home being changed to business which has to remain business.

The applicant said she was fine with that.

The Chair noted the stipulation would be added you can't run a kennel and keep dogs overnight. The applicant agreed with that stipulation.

Ms. Clock asked if there was projected activity as far as customers per day coming in and out. The applicant said the customers are by appointment, only. And, 8:00 to 5:00. I usually schedule one an hour. Six to eight a day.

The applicant pointed out there are no sidewalks in either direction and all properties within 2000 feet are already developed.

Mr. Phillips said the aerial shows sidewalks on that side but they are not abutting.

After discussion amongst the commissioners, Mr. Kalkowski made a motion to waive the sidewalks as requested. Ms. Locks seconded. Motion passed 7 to 0 on a roll call vote.

Ms. Locks made a motion to approve the application with stipulations that there be no kennel and no overnight boarding of dogs. Referenced on a Memo dated and revised today from the Town Planner. Motion passed 7 to 0 on a roll call vote.

D. 8-24 Referral for the bond ordinance regarding the ordinance authorizing the issue of bonds and notes not to exceed \$585,000 to finance the costs related to the acquisition of a Class A Pumper Fire Truck and related equipment for use by the Southington Fire Department and authorizing the issue of bonds, notes and

obligations not to exceed \$585,000 to finance the appropriation (MR #490)

Attorney Sciota explained about five years ago we started an every other year capital plan for the fire department. This is that year and we wish to purchase a pumper for not to exceed that figure.

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

E. 8-24 Referral for the bond ordinance regarding the ordinance authorizing the issue of bonds and notes not to exceed \$407,000 to finance the costs related to Southington High School Atrium Roof Replacement and authorizing the issue of bonds, notes and obligations not to exceed \$407,000 to finance the appropriation (MR#491)

Attorney Sciota explained this is on behalf of the BOE and the Town and the atrium at the high school does need some work. The ceiling needs to be replaced and this is the number for that.

Mr. Kalkowski made a motion to return a favorable 8-24. Ms. Clock seconded. Motion passed 7 to 0 on a roll call vote.

F. 8-24 Referral for South Center Street Municipal Parking Lot (MR#492)

Attorney Sciota advised that on behalf of the parking authority and your development staff, this is a plan we tried to work on back in 2007. And, it kind of fell apart.

This is South Center Street. It's where the Rails to Trails is across the street from Testa's. The area has not looked the best in many years and the property owner has been trying to work with the town for years. The council and the parking authority now wish to move forward with the municipal parking lot there to straighten the area out. It's going to be looking quite attractive.

The plan was developed by our engineering and planning staff which includes the islands and the landscaping.

We're looking for an 8-24 back to the council. The council has sent it to you with an estimated cost of \$30,000 plus \$6,000 contingency for a total of \$36,000.

This would be under a municipal lease - 25 years.

Overnight parking in the future was discussed as not being allowed in a municipal lot. There are six spaces available in the Bank of America lot for overnight parking.

Mr. Kalkowski made a motion to return a favorable 8-24. Mr. D'Angelo seconded. Motion passed 7 to 0 on a roll call vote.

Attorney Sciota thanked Rob, Annette and the new draftsman, Dave.

G. Baldwin Estates, release of \$14,000 E & S bond, Cortland Way (S #1224.1)

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

H. Cocomo Brothers, LLC, release of \$18,200 E & S bond, Curtiss Farms (S #1290)

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

I. Adoption of 2015 Meeting Schedule

After discussion, it was decided to eliminate the first meeting in November as it is so close to Election Day and we get new members. Just the second meeting in November will be scheduled with the understanding a Special Meeting can be called within 24 hours. Therefore, the November 4, 2015 meeting will be eliminated.

The July 7th meeting will be eliminated.

The August 4th meeting will be eliminated.

The December 15th meeting will be eliminated, as well.

Mr. Kalkowski made a motion to approve the calendar with the changes. Mr. D'Angelo seconded. Motion passed unanimously on a voice vote.

6. PLAN OF CONSERVATION AND DEVELOPMENT

Ms. Clock reported another meeting is Thursday, the 20th of November at 7:00 pm here. I did reach out to as suggested both political parties, Southington Talks. If you have any other avenues they want to advertise just let me know. Good press back from Southington Talks.

7. ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

A. Estate of Merwin S. Vile (Severino Bovino, Agent), request to change zoning district boundary, 217, 233, 255 & 271 Dunham Street (Assessor's Map 194, Parcels 40, 41, 42 and 43) from R-20/25 to R-12 (ZC #548) November 18

B. Rebecca Downie, Special Permit use application for the construction of a 24 x 26 two car garage with attached 16 x 20 pool building, which will bring the total number of garage spaces to more than three, 532 Winding Ridge (SPU #542), November 18

Both items will be scheduled for the 18th of November.

8. ADMINISTRATIVE REPORTS

Mr. Phillips advised there were no administrative approvals to date.

Signs:

Sign changes previously suggested and discussed were reviewed by the commission as pointed out by the Town Planner page by page. Mr. Phillips informed the commission that he would be attending an all day signage conference late next week and he would like to go to that to be sure we're covered and we don't need any more tweaks. Then I'd like to send it out for regional planning agency review.

The commission offered more suggestions for changes that were discussed a length by the commissioners.

Recreational Vehicles:

The public hearing was continued. Looking at the new draft, advised Mr. Phillips, it has enough changes to it to require us to go back out to another public hearing and relegal it if we're going to go in this direction. I would consider the following discussion to be a workshop type.

Attorney Sciota advised adding to the Agenda, under J: Withdrawal of the planning & zoning commission application for the text change.

Mr. Chaplinsky made a motion to add Item J to the agenda, to withdraw the current RV text change. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

J. Withdrawal of our current RV text change proposal

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

Mr. Phillips reviewed his thought process and the suggested changes to be made to the RV proposal. A lengthy discussion followed regarding definitions, storage, setbacks, and a special exception process added.

(Please refer to the video tape on line for the exact workshop discussion.)

9. RECEIPT OF NEW APPLICATIONS

Mr. Phillips noted:

- Dog grooming application.
- Rebecca Downie will be on for a public hearing on November 18, 2014.
- Special permit and site plan for a daycare facility at 447 North Main Street.

Mr. Kalkowski commented that out of common courtesy, most of us when we won't attend a meeting, we notify you. I would ask all going forward to notify the Chairman as that is the proper protocol and we should follow that.

10. ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 8:45 o'clock, p.m.)