

PLANNING & ZONING COMMISSION
Regular Meeting
January 6, 2015

The Planning & Zoning Commission held a regular meeting on Tuesday, January 6, 2015. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

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

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

Ex-officio members present were as follows, viz:

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

Absent: Paul Chaplinsky, Commissioner
Keith Hayden, Town Engineer

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 December 2, 2014

Mr. Conroy noted a revision. We discussed Site Plan Review #1683 - Medical Office Facility on Queen Street. That was approved with a stipulation that the building would not be providing emergency services or an emergency room. At the November 19th meeting, the applicant stated that they accepted such a stipulation as part of the approval for December 2nd.

An article in the Record Journal quoted a spokesperson for the applicant saying they have not yet determined if this facility will offer walk in or emergency care as the services offered now are at the Bradley Campus where the emergency services will remain. They do cover the differences between urgent care and emergency services.

I don't see much of a difference between emergency services and urgent care. I want to be clear as to my interpretation of the stipulation was. My understanding was that the new facility would not house any services that would be competing with the emergency services at the Bradley Memorial Hospital. I would like the record to reflect that. And, I would like to enter a part of the record the article from the Record Journal dated December 13th. That's my motion.

Ms. Locks seconded.

Mr. Macchio advised he read the Minutes and reviewed the video as he was not present at the last meeting.

Discussion on the amendment suggested and the ramifications.

Motion passed 6 to 1 with Mr. Macchio opposed.

The Minutes are now approved as amended.

PUBLIC HEARINGS:

Mr. Phillips read the legal notice into the record.

1. Gugliotti Associates, Inc., resubdivision application (4 lots plus existing house), Glenwood Park Road (Assessor's Map 64, Parcel 106) #1301.1.

Sev Bovino, Planner with Kratzert, Jones, represented the applicant. He advised that on February 4, 2014, this commission approved this same application for a 4 lot subdivision plus existing house. The applicant missed the deadline for filing the mylar. Therefore, we had to resubmit the application.

It's in an R-20/25 zone, served by public water/sewer. Basically, the comments are the same as for the previous application. In the record you have responses to the comments from planning & engineering last time. The plans are exactly the same. We're asking for your vote tonight.

The Town Attorney asked if the applicant was going to be deeding land to the north of the cul de sac to the town as it shows on the map. We don't really want it if it is a permanent cul de sac. Mr. Bovino said they are not deeding it. He will double check the map.

(Those speaking in favor of the application)

None.

(Those speaking against the application)

Arthur Cyr, 103 Berlin Avenue. I realize you approved this almost a year ago, but things change. In the last year you are undertaking a POCD. One thing regarding the long range plan for the town is that I think you need to stop doing cul de sacs. This is a prime example of a situation where if the developer would do it right, instead of extending this cul de sac, he would loop it over to the west and connect it to Crescent Street. I firmly believe 20 years ago we should've stopped doing cul de sacs.

It's more advantageous for utilities to hook up and it's more advantageous for our highway department and our fire and police departments.

I would request you look at having the developer redoing it and take this cul de sac and bring it over to Crescent Street where it belongs. It is the proper way to do long term planning.

Thank you.

(Rebuttal)

Mr. Bovino said as to the cul de sac, they looked at Crescent Avenue and it has a ROW which is less than the 50 feet required. And, the properties are developed already so nobody will be extending this cul de sac. And, it is an improper ROW to put a public road in there.

Engineering and planning looked at it and it cannot be done.

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

2. Proposed Zoning Regulation amendment, Sections 2-01 A and 2-18 R (recreational vehicles) ZA #582.

Mr. Kalkowski introduced the item. He thanked all who came out and gave us invaluable feedback at the last hearing. Hopefully, the proposed changes we'll discuss will be acceptable.

The reason why we even addressed this was we were approached because the current regulation is not clear. We wanted to clean it up and make it very black/white to our citizen, town staff and enforcement folks.

We also really wanted to address what storage is. Our definition of storage is where you have your RV or boat located in the same location for more than 30 days. If you are actively using your RV we would not consider it storage.

The other thing is we do acknowledge that the drivable RVs are legitimately registered vehicles. So we're not looking to create any regulations around a legitimately registered vehicle that you are using on an active basis. We are not looking to regulate where you are going to park your RV, but we are looking to regulate where you are going to store your RV and/or boat for a long period of time.

And, we heard you loud and clear regarding the screening requirement originally proposed. We took that under advisement. We do understand that would create a potential hardship for some folks, so we did eliminate the requirement around screening. It is up to your discretion on whether you want to screen that with your neighbors, or not. It is not a requirement in our new proposed regulation.

Next, we understand that you may have more than one RV or an RV and a boat. We do not want to restrict the number of those. Just use common sense there.

Also, we understand that you may have it registered in a different state. We don't want to require it be registered in the State of Connecticut.

We did want to retain the five foot offset from the property line. Originally our proposal was to honor the offsets of the size of your lot however the current regulation is a five foot offset in the rear yard. We do want to be more lenient and allow not only in the rear yard for it to be stored but also in the side yard. Stored five feet from the abutting property line.

We do feel that the current regulation we are proposing is more liberal than the current regulation we have today where it is in the rear yard, five feet from the property line. That's an important distinction between what is on the books today and what we are proposing. I want that clear to everyone.

If you are not able to comply with these regulations when you are storing your RV or boat, you have the ability to go to the ZBA and apply for a variance of the location of where you would store your RV or boat. That's your vehicle to get a variance.

I'm looking forward to your comments tonight and bringing this to closure shortly.

(Those speaking in favor of this application)

None.

The Chair asked the speakers to refrain from any of the mudslinging and just talk about the application in front of us tonight.

(Those speaking against the application)

1. Mark Colk, 115 Welch Road. The properties down there are too small for the side yard. We can't get around the house. On my property you'd have to move the electricity pool on the edge of my land. Then if it get it on the side of my house, five feet away from the edge of the property, I ain't got five feet. I'm next to my fence.

Why do you make us do all this stuff? Leave us alone. I pay taxes to keep it on my property. Leave me alone.

Discussion.

2. Anne Marie Connaty, Mount Vernon Road. They're registered motor vehicles. You can have as many cars as you want parked anywhere you want in your yard. You have a small group of individuals that own these registered motor vehicles. I feel like it is unconstitutional what you're trying to do. Why are you picking on this small group of individuals?

Discussion.

People have been doing this all this time and not causing anybody any trouble and paying their taxes and now you want them to go to the ZBA for permission?

I think this can be challenged in court. It is a registered motor vehicle. You have nothing for commercial or construction trailers. Why for RVs?

Take it off the books if it is not enforceable.

You are picking on a small group of individuals.

It is a registered motor vehicle and we can park it anywhere we want in our yard.

Storage? Move it after 30 days. We just met your regulation.

3. William Spring, 29 Lowrey Drive. I thought you were clear at the last meeting but now when you spoke, to me, you really muddied the issues.

Prior to purchasing my RV, I came to the town and took out a permit. I knew I had to excavate my property. Explained.

When excavating, I was only able to go back so many feet. If my rig is parked in the yard it will exceed the front property line by 7 feet. I don't know whether you mean during my use time that I can park it there and during my storage time I can't park it there.

I store indoors during the winter. During time of use, it is parked alongside the house and permission was given to me to do this

prior to purchasing the vehicle. If you change it, it will add expense to me.

4. Robert Speakman, 24 Lawncrest Drive. My problem is my RV is stored right now at Southington Super Storage. I've done that every year for the last 18 years. (October to April)

In the summertime when I pull it out of storage, I don't consider that being in storage anymore and consider it being in my driveway as a parked vehicle like my car and truck and my wife's car. I'm getting ready to do my season of camping.

I don't understand the definition of storage. And, what the rules and regulations exactly on storage is. That's my big concern.

I have no option. I can't put my trailer in the side lot or in the backyard. The lots are small. It has to go into the front for the summer. I'm in and out all summer.

I'm really tired of RVs being grouped into the blight family. They are not. Explained.

Those are my points.

Mr. Kalkowski reentered the storage definition.

5. Ed Sauer, 104 Debbie Drive. Storage. Where am I supposed to put a trailer that won't fit in my backyard? Other houses in my neighborhood have 7 or 8 vehicles in the driveway which don't get moved for an entire year and yet I can't leave my trailer in the winter in my driveway because I can't put it in the back or on the side of the garage.

It fits in the driveway and it will not protrude past the front of the house.

Apply for an extension? That's not right.

The Chair explained to the resident that under this regulation you are safe.

Mr. Kalkowski pointed out if you are not able to comply with the location of the storage in the side yard or rear yard, then you can go to the ZBA and describe your hardship with the regulation.

But that's not something this resident would have to do added the Chair and Mr. Kalkowski.

6. Paul Morin, 15 Taunton Street. My foundation to my house is 14 feet from the property line. The average Class A motor home I

couldn't get it there now because my neighbor put up a fence which would restrict the distance for me to get it back there.

I have a limitation. He discussed the dimensions of a trailer. A total width of 10 feet, backing this in, to park it in the front, by your rules, and move it every 30 day a motor home 14 feet wide, to try to park it next to the house, you need clearance. That puts you in violation of your 5 foot rule for the property line. This is an existing home built in 1944.

Most of the people here tonight are people with very small lots. They're restrictive in space. The 5 foot border is ridiculous. You are restricting the poorer people in town who live on small lots.

Please consider this fact that the 5 foot boundary alone causes problems. Consider what these people are working with here.

These rigs are not eyesores. They're expensive.

7. Dora Mayette, 21 Whitney Avenue. I want difficult it is to get a variance from the town. We only have about 2 feet from our neighbor's property line.

The Chair explained the ZBA procedure.

The Town Attorney added it really hinges upon your neighbor and if they are adamantly against you parking your trailer, its neighbor based, when there is no objection, that's it. But if your neighbor objects to the ZBA, that's when it is more difficult.

Discussion.

8. John Lavianno, 38 Parkview Drive, Plantsville. Lifelong resident. Volunteer fireman for many years. It is amazing how we're becoming a state where we are being told what we are going to do with our property. I've had RVs for over 30 years. They're not blight. Beautiful rigs inside and out.

It gets moved. During the winter it stays in my driveway. I cannot get it in the backyard. I have a garage attached to the house. The trailer is 3 feet away from the garage door. It still does not block the view of somebody coming up the hill, et cetera.

On the side of my house it slopes down. I can't even think about getting it into the backyard.

This is really pushing the limit. It's ridiculous. I bought the property for myself to do with as I please within the law. Now you're going to change the laws and rules? Make us move every 30 days during the winter months?

Having to fight for a variance? I don't believe in that.

Mr. Kalkowski reiterated there is no requirement that you need to move it every 30 days. If you have a situation where you have a neighbor which is not comfortable with it there and you have a legitimate hardship then your recourse is to get a variance from the ZBA. A variance is a permanent solution, not a 30-day solution or a 1-year solution. If you are granted the variance, it is forever. You don't need to come back every 30 days or every year. When they grant your variance, you can park it where they granted the variance for.

Mr. Conroy pointed out the existing regulation limits the storage of RVs solely in the rear yard five feet away from the line. Many people are in violation of the existing regulation. The town is inundated with complaints they have to address because there is a regulation on the books. The purpose of this exercise is to try to change the regulation so that that is not the case. We are trying to figure out what is reasonable for all parties concerned. The RV owners, abutters and the general public at large.

If a registered operating RV is parked in a driveway would that be in violation of the existing regulation? The Town Attorney stated the question is, is that storage? If someone is using it on a daily, weekly, or monthly basis, the town has never had an issue with this. This is a complaint based regulation. It is not a new regulation. It's been in existence for 20+ years.

The town only takes action when there is a complaint. The town has tried to be lenient. We have situations and we are getting more and more where these things are not moved for months and the neighbors complain. When a written complaint is filed with the town, the town is obligated to take action.

We are trying to make it fair across the board and everyone understands what the regulation means. The subcommittee has tried to make it more lenient and clearer for everyone to understand.

Discussion of the difference between parking and storage.

Discussion of complaints being the result of a domino effect.

9. Arthur Cyr, 103 Berlin Avenue. I have a serious problem with the 30-day storage in the regulation as explained. I have a serious problem with anybody having to go before the ZBA to show a hardship.

Discussion.

We are in New England. A 30-day for someone who is not going to move their RV is absolutely ludicrous. It needs to be 60 or 90 days.

Discussion.

If it's an operable, registered motor vehicle, this whole thing about storage that is not reasonable. I ask that before you consider

passing this regulation, you change that to at a minimum 90 days, if not longer.

10. Mark Colk. As to the 30 days, all I have to do is move it? Just roll it 10 feet forward, park it for a week and then move it back 10 feet and I'm okay?

Mr. Kalkowski said it is important that we create a black and white definition of storage. That's the intent of this exercise. Storage has to be duration based. Something has to define storage.

We looked at other towns' definitions. The spirit of this regulation is not for you to game the system as you described. The spirit of this is to determine where you as an RV owner want to store your RV. You have a choice. If you cannot meet our regulations, and a complaint is lodged as explained, then your recourse is to go to the ZBA for a variance because you do have a hardship and you can't put it in the side yard or rear yard 5 feet from the property line or another recourse is to locate it offsite.

I would not try to game the system, but I would look to try to comply with the regulations and if I couldn't I would go to the ZBA and ask for help and assistance.

We want black and white regulations so it is very clear and it is understood with no gray area on interpretation of the regulation. This defines storage and where we expect you to store your vehicle or boat if it is in the same location for 30 days or more which is what we feel is the right definition for storage.

Mr. Colk said it is not a storage area it is his driveway.
Discussion.

Mr. Colk asked standardizing what is required for the zoning for vehicles. What do you consider needed to get past the zoning board of appeals.

Discussion.

Mr. Kalkowski offered examples of what he would consider a hardship to go to the ZBA.

Mr. Conroy asked for the general reason given for complaints that are lodged? Is it sight line? Encroachment on the complainant's property? Is it denying them access to some part of their property? Or is it just because it's an RV that is a blight. Mr. Phillips responded like many complaints the town receives, a large majority of them are the result of a neighbor on neighbor issue.

Discussion.

Mr. Conroy said we need to find a balance with this regulation or are there other ordinances that would cover it, i.e.: blight

ordinance or unregistered vehicles. It sounds like we're having a hard time agreeing on the definition of storage and we're having a hard time projecting the enforcement. We want whatever regulation we pass to be enforceable and reasonable. I am not sure what we gain by passing this as written. I don't know if I have an issue with people parking their registered, operable RV in their driveway. If that's the solution, then maybe that needs to be clarified in the regulation. As to storage if you want to store it for 6 months on the side yard or rear yard, then maybe that's where this regulation becomes easier.

Discussion.

(Applause)

11. Paul Morin, 15 Taunton Street. Again, I want to thank you for listening to this and I believe you are trying to do the right thing.

It is a snowball effect that starts with neighbor disputes.
Discussion.

I would like you to consider the fact that in this New England area, campgrounds typically open up Memorial Day and they close no later than the end of October. That leaves the other months wide open. If you are talking a storage limit, please consider that.

And, if this is a neighbor dispute, and they go to the ZBA and they say no to the variance, is that possible or will they correct it?

The Town Attorney explained the procedure when going to the ZBA, ie: posting the notice and if the neighbor wants to come to the meeting or write a letter, they have the right to do that. The ZBA gives weight to all sides and an objection by a neighbor makes it harder.

12. Janet Haverkamp, 18 Luty Drive. Twenty one years prior it was Janet Clark, 75 Brightwood Lane. A neighbor of Mr. Kalkowski's. I've listened to everything and I appreciate everything you are trying to do. You have worked to make the rule clear, but if you listen to the people, I did get some statistics on the concept of going to the ZBA, and from experience, it will not work if there is any dispute or aggravation from any of the neighbors.

If you do not consider driveway storage, you are going to be in the same situation.

Right now the R-12 and R-20/25 zones represent 77 percent of the lots in town and most of the people and I am one of those are not going to have 5 feet of clearance on their side. They can get the 5 feet if they put it in their driveway.

All those people going to the ZBA will create a problem. And, if there is a challenge, they are not going to get it. More importantly, there are only two storage spaces right now currently available.

Hundreds of people are not even able to comply with what you propose.
Discussion.

Where do they go? There are no storage spots available. They can't keep it 5 feet from the side yard and they can't get it in their back yard. They can put it in the driveway. And, the only people that complain are angry neighbors or it is a blight issue. We have a blight rule.

If you put restrictions, they would need to be for a widespread problem and for a legitimate health or safety reason. I don't see that here.

An RV in a driveway, whether parked or stored, is a reasonable expectation with a town with this many small lots.

This is a growing industry. Explained her research.

We need to have a solution that works.

The towable trailers --- what do they do? Where do they go? Why is a driveway, parking or storage, such a horrible situation? Why not just deal with it under the blight rule.

Thank you.

13. Kathy LaForest, 160 Wonx Spring Road. I have owned an RV for the last 22 years and never had a problem where we park it or store it. Why are we here? Is there a safety issue or harm to someone? What gives you the right to tell us what we can do on our property with our private property?

Discussion.

Leave it alone. Leave us alone.

Our backyard is now the side of a road and someone's front yard. I don't know where we are going to put our RV in accordance to your regulations and we have to get variances for what we want to do on our own private property?

This is a hardship to some people. More issues will come of this.

And, I want to ask, does the regulation say that my family cannot come up from Florida and park their RV in my driveway and stay there for a month anytime of the year? Do I have to get a variance or permission for them to do that? Examples given.

Maybe you should rethink the whole thing.

14. Ilio Fusciello, 82 Autran Avenue. Spoke about cars in his yard and an enforcement letter he got years ago.

Discussion.

We pay taxes. When there is a problem you walk away.

Freedom for whom? Spoke about politics in town.

Consider the people who make a living.

15. Speaker: Is this complaint based? The Chair confirmed it was. The speaker advised it is discriminating against a small bunch of people.

16. Anne Marie Connaty, 1237 Mount Vernon Road. You are picking on a small group of people. We have blight and an unregistered motor vehicle regulation. It's unconstitutional to pick on this small group of individuals. We have driveways.

My motor home is a registered motor vehicle. Why can't I put that in my driveway? We can cover it under blight or unregistered motor vehicle if there is a complaint.

People love to complain. When you try to take away people's rights by trying to control their rights with rules like this, this is what you are going to get. Deal with them with rules like blight and unregistered motor vehicles.

We're just like cars. No different storing a car for the winter versus a motor home.

Discussion.

16. Raymond LaForest, 160 Wonx Spring Road. I wanted to address Mr. Chaplinsky's comment about how he is not one of those people. And, I wanted to make a statement --- someone said, who the hell do you think you are? We know who we are. We're citizens of this town. We're voters who elected most of you.

This is an issue that is a quality of life issue as well as a constitutional issue.

Take care of the people who are complaining. The people, who are not bothering anyone, leave them alone.

We have no problems with my neighbor who has a boat and I have a motor home along the line.

The Chair interjected that this is nothing new. There is already a regulation on the books. We have a regulation currently.

Discussion.

17. Ed Senershal, 125 Welch Road. Mark's neighbor. I have a problem with what you're saying. They are all small lots. Some people's driveways are not even 5 feet off the line.

You're saying storage, if they meet the requirements, it should be for six months on your property. Not 30 days.

Discussion.

Spoke about the difficulty with covering and uncovering the RV.

Mr. Kalkowski again stated the definition of storage: You are leaving it in the same place for 30 days or longer. It doesn't mean you can only store it for 30 days. You can store it for 10 years, if you'd like in the same location. It is complaint based. If there are no complaints, then you won't have to worry about it.

18. Denise Chamberlain, 66 Sun Valley Drive. The people are not listening! If you don't have a crappy neighbor, they don't complain about it, you're all set. Who cares?

This is a complaint made by one person. We have to make regulations for this one neighbor who did complain so they can take care of it.

You don't have a bad neighbor, who cares, everything is good!

19. Janet Haverkamp, 18 Luty Drive. I want to comment on if your neighbors don't complain. It's a domino effect. Once there is one angry person, you won't sit by and watch.

Why would you enact a rule that you know there are already hundreds of violations for and hope that nobody complains? It would seem to me that we should enact rules that are going to be enforceable and there are not already hundreds of violations for. That's my concern.

Thank you.

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

3. Proposed Zoning Regulation amendment, Section 2-19-S and 13 (Signs) ZA #583.

Mr. Phillips clarified we are changing the definition of signage to be more clear as to what we're trying to regulate. We've add some language to the purpose of signage and the purpose of the regulation. We've had a general clean up of the entire signage regulations. Some of the bigger aspects are to allow signage for a grand opening. Explained that is to be a bit more business friendly.

We've added language to require street numbers on the signs to help motorists find the location they're seeking.

We have proposed some regulation language that would encourage embellishment of existing signs that may not be aesthetically pleasing.

One of the bigger changes would be illumination. We wanted to clarify the type of illumination you would be responsive to. Explained.

And, to clarify in cabinet signage we are not going to be allowing where the entire face is illuminated including letters and background.

Between the actual proposed signage modifications that we put out for referral we did more of an internal audit check and you'll see on the copies in front of you there are about eight comments called out in the margin. I'll go through that to see if you agree. (Reviewed)

(Those speaking in favor of the application)

Arthur Cyr, 103 Berlin Avenue. I've read the drafts of the proposals and the last thing the Planner talked about under his notes would be what I would have a problem with. We've a lot of enter/exit signs to designate driveways. For Dunkin Donuts or McDonald's to have their logo on an enter/exit, to ban that seems silly to me.

There are more important things to worry about rather than if somebody has a corporate logo on an enter/exit sign.

If we want to be business friendly, that's something we should not nit-pick to death.

Thank you.

(Those speaking against the application)

None.

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

(Closed the public hearing portion of the meeting.)

6. BUSINESS MEETING

1. Gugliotti Associates, Inc., resubdivision application (4 lots plus existing house), Glenwood Park Road (Assessor's Map 64, Parcel 106) #1301.1.

This is essentially a reapprove of the existing application. There are no changes.

As to the connection to Crescent Street. It is a 30 foot ROW and not conducive to a town road. Attorney Sciota added that to do that, the town would have to condemn property on that road. A lot of that road is private. It was looked at but it can't be done.

Dead ends versus thru streets, when you look at a plan you look at the circumstances around it. You can have a general policy but you have to look at the immediate circumstances in the area.

This is ready for action.

Mr. Kalkowski made a motion to approve and Mr. Macchio seconded. Motion passed 7 to 0 on a roll call vote.

2. Proposed Zoning Regulation amendment, Sections 2-01 A and 2-18 R (recreational vehicles) ZA #582.

This is ready for action. You have a few directions to go in. You could approve as drafted, you could remove the existing regulation which is already a problem and treat them as any other motor vehicle or you could approve just the definition, or not.

Some of the language in this regulation came from other towns. Is it a problem for those towns? Not really. It is a situation where it is neighbor versus neighbor.

I would suggest you think about it from a public policy standpoint where you're thinking about how often is it a problem, does it need to be addressed and then if it is addressed what are the impacts and is it benefitting more than it is hurting?

It's a commission decision.

After a lengthy discussion and comments amongst the commissioners, Ms. Locks made a motion to get rid of the whole regulation. I think it is very unrealistic to ask these people to comply with a lot of them that don't have the space they shouldn't have to go through the expense when they already went through a major expense and I'd like to consider it as a registered motor vehicle. Ms. Clock seconded.

Discussion of the motion proposed by Mr. Conroy. He is not in favor of getting rid of the whole regulation. There is a benefit to the definition of an RV and what it is supposed to be. I think that's important to maintain that.

I think the section where it says it needs to be parked or stored on a lot that has a primary dwelling needs to stay.

Two things that cause issues: stored in the side or rear yard only, a minimum of 5 feet from any property line with no projection forward of the principal line and storage is defined as 30 days. I don't have an issue with a registered RV being parked in the driveway. Provided it meets all the other requirements. I also don't have an issue with an offset with abutters and visual utility. I'll allow that to follow the civil path the Town Attorney described.

As far as 30 days, if it is registered and being used, I don't have an issue with it being stored over six months. No issue with removing the storage component all together. As long as it is not blight or used as a residence.

The Town Attorney confirmed it would be keeping Section 5 and 5-A, not 5-B and keeping the definition of 2.18. Striking Section B basically.

Ms. Locks amended her motion to have 5, 5-A and the definition under 2.18 be approved and Section B not be approved. That removes all the language in the current regulation. Ms. Clocks amended her second to that affect.

Motion passed 7 to 0 on a roll call vote.

3. Proposed Zoning Regulation amendment, Section 219-S and 13 (Signs) ZA #583.

This is ready for action. Mr.Kalkowski made a motion to approve with removal of the language discussed during the public hearing based upon the Planner's presentation. Mr. Coviello seconded. Motion passed 7 to 0 on a roll call vote.

4. Execwest, LLC, site plan modification for the construction for a shopping plaza consisting of retail and restaurant uses, 99 Executive Boulevard South (SPR #1686)

Kenneth Knowles, Eaglebrook Engineering & Survey at 491 Maple Street, Danvers, Ma. I'm here on behalf of Execwest.

The application is a site plan modification. He gave a brief overview of the approval. It was approved and developed in 2007 as part of the Target/Lowes Development.

The subject property for site plan modification this evening is Lot 1. (Indicated) It was developed and approved in 2007 and Target and Lowes were constructed along with offsite improvements which included the off ramp, on ramp, Hart Street, widening of West Street and widening of Executive Boulevard South along with the signals that go along with that.

We did have a site plan modification again in 2009. We had some tenants back out and we did not develop Lot 1 at that time.

Currently we are negotiating with two anchor tenants that would modify the site plan for their requirements. The modification before you tonight is a slight decrease in total square footage for the lot,

slight decrease in number of trips for the traffic generation relative to the offsite improvements and it reorganizes the site plan from the previous approval.

The main focus is construction in the spring of Building A. This is Building A-1, A-2 and A-3. We have two anchor tenants in negotiation to fill the two primary spaces. A small tenant space in between will be constructed as all one building and we'll work to fill the spaces.

Buildings B, C & D will not be constructed initially. Once we secure tenants we'll be back before you for specific site plan modifications for those three buildings.

The site is partially constructed. Utility stubs were brought up. Storm water stubs were brought in. The site was roughly graded. That topography will hold but we are cutting and filling a little bit for storm water controls.

The storm water detention system was described.

The utility stubs were described.

We did submit a rather extensive landscaping plan. Curbing and landscaping were discussed.

Site access remains as permitted. Described.

Lighting was discussed.

Staff comments were received and responded to. We will work with staff to follow up, as well.

We did submit colored elevations for the proposed building. He showed Building A and discussed.

The overall site plan is 62,000 square feet. A slight decrease from the existing. It is 51,250 square feet of retail use on site and an allotment of 10,000 square feet of restaurant use. Explained.

The 412 space parking on site can meet the zoning ordinance for the retail and restaurant use.

That completes my presentation and I'll answer questions.

The landscaping plan was described in detail in response to a query by Mr. D'Angelo.

Sight lines at the access drives were discussed.

It was noted that as part of this approval, the applicant will go back to the permitted striping on Executive Boulevard South so this awkward merge will have a lane that will turn into a left turn, only. The outer lane will continue straight thru and there is a left turn

here (indicating). A thru lane on Executive Boulevard South, a turn lane and then a turn lane (indicating).

Mr. Conroy discussed the traffic pattern. A discussed a crosswalk going from the southwest corner of the property straight down to the extension. I'd like to see some sort of pedestrian access with a crosswalk accessing that part of the building sidewalk so people coming along wouldn't have to go all the way around the entrance on the left side.

Discussion.

The other issue is the issue with the access point at the northwest corner. I do not see that functioning as shown. I see people trying to come out and turn left. That'll function as a full service entrance regardless of how it is striped. I think it needs to meet the sight distance requirements in both directions for both the right turn out and left hand movement. The alternative would be to make that an "in" only and provide a different egress on the southern side of the property.

Also, this cul de sac does need to be reconfigured if that is now going to be the primary access point between the two developments. That needs to be a full service site driveway. You should look at that entire corner again. I envision a full right and left out or have it be an "in" only with the appropriate sight lines.

Discussion.

Extensive discussion about the traffic pattern in that area.

The project engineer noted this is part of the overall offsite improvements, so we can't relocate the driveway without modifying the STC permit.

Discussion.

And, this is site plan modification and we do have the permitted right to construct this currently today, added the project engineer. This site plan modification is to address the tenant requirements.

Mr. Conroy noted he is fully familiar with the requirements and he'll leave it at that.

The Chair asked to go back to the renderings. We have a subcommittee revamping the entire West Street Corridor. Those buildings are bare bones. Is that the final rendering? We're looking for some peak roofs or porches or something prettier. The project engineer said the architect after viewing the area strongly recommended not doing a colonial site as it wouldn't fit in. He did say he would work with staff on that and ask the architect to take a second look at it.

Discussion.

The Town Attorney advised there was a staff meeting about a month ago on this and this is not new. They're familiar with what we thought you would be looking for.

The Town Planner said the applicant responded to engineering and planning comments. The applicant has been accommodating in wanting to meet again, if necessary. I do think we do need to meet again. Engineering hasn't given us the all-clear, yet. I have a number of comments based upon the response to comments. A meeting will be required.

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

5. Referral under Section 8-24 for the bond ordinance regarding the ordinance appropriating \$5,160,000 for the design and construction of the East Side Pressure Zone Project; and authorizing the issuance of \$5,160,000 bond, notes and temporary notes to finance said appropriation, for an aggregate appropriation and borrowing authorization of \$5,775,000 (MR #495).

The Town Attorney advised the Assistant Water Superintendent is here. This is something you've acted on before. This is not a taxpayer pay back. This is a use pay back. Some is grant money and some from the water users.

This is upgrading their system. The town supports it 100% and the Council supports it 100%. It is coming to you because as an entity the town has to do the bonding and requesting for the water department.

Bill Casarella is here. He stated the schedule is for completion by the end of next year. We're required to do this because the State Department of Public Health is requiring this. It is part of our infrastructure capital improvement plan and it is a storage tank with a pump station.

The pump station is going to be at the high school and for the tower they worked with my office closely. It will improve the pressure in that section in town added Mr. Sciota.

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

6. AA Denorfia Building and Development, request for reduction of E & S bond from \$10,000 to a new amount of \$3,000, Bradley Mountain Estates (#1193).

Ready for action. Mr. Kalkowski made a motion to approve. Ms. Clock seconded. Motion passed unanimously on a voice vote.

7. AA Denorfia Building and Development, request for reduction of E & S bond from \$25,400 to a new amount of \$5,400, Walker's Crossing S#1292.

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

8. Baldwin Estates, LLC, request for release of \$6,000 Public Improvement bond, Baldwin Estates S #1224.1.

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

9. Request for 90 day extension to file mylar, 156 School Street S #1308.

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

10. Request for 90 day extension to file mylar, Bagno Estates, West Pines Drive S #1307.

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

PLAN OF CONSERVATION AND DEVELOPMENT

Ms. Clock reported we had our last workshop on December 15, 2014. We reviewed Book 4 basically going over conservation strategies and we focused largely on open space and revamping an open space initiative. We are working currently on what is the vision of open space. And, how to define open space. Basically advertise open space. What we are trying to do and how we do it. How to procure more open space.

I have to add that encourage everyone to view the information that is on line because it is really useful date and very interesting. Discussion.

The next meeting is on Thursday, January 15th, 2015.

ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

- Philip Wilson special use application for grandparent/parent apartment, 252 Rolling Hill Lane.

ADMINISTRATIVE REPORTS

The Town Planner gave the cell phone facility update for 1011 West Center Street. I did finally receive photo simulations of the new proposed location on town property a little bit further away from Royal Oak Drive. I looked at it and I have to compare the original proposal versus this new one. The interesting thing is they didn't pick a location on Royal Oak Drive to view the tower. They just skipped it or you can't see the tower. It is visible from other areas.

The new location is going to be visible from some different areas. It's a 150-something foot pole. Outside of these two options it is going to be difficult to tell the Siting Council what we want. It is their jurisdiction. Hope for the best here.

Mr. Conroy had an item to discuss. After the last meeting there was a complaint issued by a resident and there was some response amongst the commission. There were a couple of issues that related to the business of the commission that I thought needed to be addressed.

One was the issuance of an email to the Chairman with the request to pass it along to the rest of the commission. I don't think the Chair is obligated to do that but as it was a public hearing, I felt that the vote that we had would've been helped by that information being disseminated. I felt I would have been better educated if I had that information passed to me and it would have facilitated some of the questions that were going to be asked at that meeting. If anybody gets a communication with the request it be passed on to the commission, I would appreciate it if folks would do that.

The other issue was another response to that application and there was a comment made that this person's communication would damage the relationship with the PZC. I don't pretend to speak for the PZC. I am speaking for myself as I always do. I don't believe the PZC has relationships with people outside of what is presented before us. If that is a practice or there are pre-existing relationships, I think those should be disclosed. If there is a good list and a bad list, I'd like to know, quite frankly. I don't think that is appropriate.

The statement reflected upon the PZC and I felt I needed to address that as a member.

The Town Planner reminded everyone that anything that is on an application should be coming to the planning office to be part of the file. You really shouldn't take on any conversations outside of the

forum. That's what we're here for. Send everything to us.

Discussion.

If a member of the public chooses to send a message to an individual, added Mr. Conroy, that's fine. I think if they ask to have it forwarded along, it probably should be practice to do that. Or at least them to direct it to the Town Planner if they want the commission to see it.

Discussion.

In response to a query by both Mr. D'Angelo and Mr. Leggett, the Town Attorney clarified how responses are made. Normally what happens on a question on a pending application, the Chairman speaks for the Board. The Board itself doesn't exist unless you have a quorum. No one speaks for the board on their own as it doesn't exist unless you have a quorum.

When reporters call or there is a question about something, it's always good to have one person speak for the board. You can't say you don't agree with the Chair said and you can make your own comment, but normally the board has a spokesman. You elected the Chair.

Can you speak on behalf of the PZC on an application? Unless you are sitting here, you don't speak as the PZC unless you have a quorum and you're in session and you're responding. Everything else is just you are an elected official and you have the right to say what you please.

The board speaks when it is in session.

If there is a public hearing and it is continued, under no circumstances to you make any comments outside of that added Mr. Sciota. If an application is pending, you can comment, but on a public hearing you don't make comments to anybody because the decision can only be made based upon what you hear during the public hearing session. When you do make comments to a reporter, et cetera, that poisons the system.

Discussion of different scenarios.

RECEIPT OF NEW APPLICATIONS

Not reviewed.

ADJOURNMENT

Ms. Clock made a motion to adjourn. Mr. Coviello seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 9:44 o'clock, p.m.)

Urgent care being considered for new Southington medical building

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By Jesse Buchanan Record-Journal staff

SOUTHINGTON — Urgent or walk-in care is under consideration by Hartford HealthCare officials for a medical building on Queen Street approved earlier this month.

A group of residents is concerned that move could draw patients away from the emergency room at Bradley hospital, further reducing patients at an institution that's already faced losses.

Bradley, located on Meriden Avenue, is a campus of the Hospital of Central Connecticut, owned by Hartford HealthCare. The hospital network proposed the medical office building at 462 Queen St., right off exit 32 of Interstate 84. The motel on the property will be torn down as early as March. The Planning and Zoning Commission approved the medical building earlier this month.

Hartford HealthCare officials describe the new medical building as a family health center. Primary care services are planned, according to Hartford HealthCare spokeswoman Rebecca Stewart. Other services will be considered based on community needs.

"We have not yet determined if the Queen Street site will offer urgent or walk-in care," Stewart said. "The services offered will be based on community need and complement the services at Bradley campus, where the emergency department will remain.

"All of our Family Health Centers offer primary care services. Some of our Family Health Care Centers offer urgent and walk-in care, as well as lab services, diagnostic imaging, rehab or other specialties," Stewart said.

Urgent care covers sports injuries, rashes, flu-like symptoms, minor burns or cuts and some infections. Ailments that require emergency room care include chest pains, broken bones, or loss of consciousness, according to information provided by Hartford HealthCare.

William Gerrish, a spokesman for the state Department of Health, said while there's a license procedure for emergency rooms, urgent care centers do not have their own licenses.

Resident Bonnie Sica said she and others are considering legal action over the Planning and Zoning Commission approval, which was given without a public hearing.

Sica helped found the Community Committee to Save Bradley and is advocating 30 inpatient beds at Bradley and written assurance that the emergency room won't leave the Bradley campus.

She's worried that walk-in or urgent care would siphon patients from Bradley.

“Any walk-in or urgent care facility is in competition with Bradley,” Sica said. “The Community Committee to Save Bradley is firmly against any urgent care owned by the hospital competing with the ER.”

Setting up urgent care might be a race against other hospital networks, though. Harry Evert, Middlesex Hospital senior vice president of strategy and operations, said urgent care centers are designed to take patients with less critical ailments who might have a long emergency room wait.

Middlesex Hospital has an urgent care center in Madison which Evert said diverts patients from the hospital’s emergency room. But urgent care centers are much easier to set up and operate than emergency rooms, allowing another hospital network to establish itself in Middlesex Hospital’s region.

“We recognize we’re going to be cannibalizing the business from the ER, but we’d rather cannibalize it ourselves than have someone else do it,” he said.

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