

PLANNING & ZONING COMMISSION
Public Hearing & Regular Meeting
August 18, 2015

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, August 18, 2015. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

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

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

Ex-officio members present were as follows, viz:

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

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 21, 2015

Mr. Chaplinsky so moved the motion for approval. Mr. Macchio seconded. Motion passed on a majority voice vote with one abstention by Mr. Kalkowski.

Public Hearings

A. Beecher Street Associates, LLC, Special Permit application to construct a 22 unit multi-family development, 49 Beecher Street, in an R-12 zone (SPU #553), extended from July 21st

Brian (Inaudible) from Harry Cole & Son. Went through the site plan briefly again. The subject property is on Beecher Street & Water Street in an R-12 zone. Its 1.37 acres. Not wetlands on site.

There is a change in elevation from Water Street to Beecher Street.

The proposed application for this project is to construct 12 single family units: 7 on Beecher Street and 5 on Water Street. And, then construct another 10 units in the existing building on Beecher Street.

The existing impervious area on the site is about 60,000 sf. We're proposing an overall reduction in impervious area to about 35,000 or about 42% on the site.

The only changes to the plan from the last time you've seen it are just some minor utility changes we've been working on with Southington Water as they're planning to do a water main project on Beecher Street & Water Street. We're coordinating with them.

I have some handouts for the commission. We have our architect here to answer questions about what was going on as to what the units would look like and there were some questions on that. (See packet) We are still in the design phase.

Mat Florian, 506 Mount Vernon Road spoke. He confirmed the architect just passed out some preliminary sketches. We're still working on the overall look for Water Street & Beecher Street. Water Street units are a little taller so we're going with pitched roofs or flat roofs. Just a slightly different look to take your eye away from the elevation change and the steep concrete wall.

Floor plans are done for Water & Beecher Streets. Explained.

Mr. D'Angelo confirmed with Mr. Florian the building is going to be refurbished and not taken down.

Discussion of the units and how they'll look. Beecher Street will have a colonial look and on Beecher Street we're going to try to go a little bit modern. We're looking to find something we feel will really fit with the downtown and the neighborhood.

(Those speaking in favor of the application)

None.

(Those speaking against this application)

None.

The Chair closed the public hearing on this item.

Business Meeting

A. Beecher Street Associates, LLC, Special Permit application to construct a 22 unit multi-family development, 49 Beecher Street, in an r-12 zone (SPU #553) extended from July 21st

Mr. Phillips noted it is ready for action with one potential condition: Installation of safety fence as building code requires for the retaining walls.

Mr. Chaplinsky made a motion to approve with the stipulation. Mr. Kalkowski seconded.

Mr. Conroy brought up fitting into the neighborhood and fitting in with the historical building and referred to a development in Norwalk.

Discussion of renderings in the handout.

Mr. Macchio brought up the applicant's request for a sidewalk waiver and would that vote be separate and why would we want to approve the waiver? Discussion of wanting a sidewalk as it is close to downtown and rails to trails. Attorney Sciota explained that waiver would be requested at site plan and this is SPU.

Further discussion of renderings.

Attorney Sciota added you could put in a condition that the applicant work closely with staff and the commission during site plan to do renderings acceptable to the board and the staff.

Mr. Chaplinsky amended his motion to include the Town Planner's stipulation and the Town Attorney's recommendation to have the applicant work with the Town Planner and staff to get a rendering consistent with the rendering that we just talked about.

Mr. Kalkowski seconded.

Motion passed 7 to 0 on a roll call vote.

B. Beecher Street Associates, LLC, Site Plan application for a 22 unit multi-family development, 49 Beecher Street, in an R-12 zone (SPR #1698) tabled from July 21st

Mat Florian requested a table to go further with the renderings for the next meeting.

As to the sidewalk waiver, there is an existing sidewalk on Beecher Street. The waiver is for Water Street.

The project engineer explained on Beecher Street, we are proposing to not necessarily replace the entire sidewalk but go through and really fix the sidewalk to bring it up to quality standards.

As to Water Street, there really isn't any room for a sidewalk. The road goes right into the existing retaining wall which is partially on the property and by adding in a sidewalk it would have to terminate at that wall without the sidewalk being in the main road and that is relatively unsafe and we don't believe it would provide any quality to add sidewalk through that small portion of the site.

The elevations and the wall were discussed.

The project engineer explained just to the south of the buildings the wall will continue and it'll be stepped or on an angle until it goes back up to the existing grade. At the driveway level, it is at street level.

The Chair suggested that aspect should be tabled and have the commission look at it.

Mr. D'Angelo said in riding by, he noted the sidewalks were sporadic in the area. Explained on one side they would be sidewalks to nowhere. It is mishmash in that area.

Mr. Grappone said out there there is a fire hydrant and some poles and they are giving the impression they are in the roadway, but I believe there might be enough distance from the face of the wall to the poles to put a sidewalk in there if the applicant could look into that.

Discussion of the width of the road in the area.

Mr. Conroy said because of the proximity of the area to downtown it has to be as walk able in nature as possible. It has to be.

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

C. Proposed Zoning Text Amendment for revisions to Sections 4 and 5 of the Town of Southington Zoning Regulations ZA #586, tabled from July 21

Mr. Phillips said this was received by the commission fairly late today and you may need time to digest the information. That's fine. No timeframe on this. It is the town's application.

I researched the origin of the regulation. Explained his findings. See information provided to the commission.

The question is: do we leave it alone and keep it in there and start applying it or do we remove it or change it in some manner? I am not a fan of regulations that are broken or are not always followed.

Mr. Chaplinsky said he noted that he wished at least half on the list had come through as SPUs. We are not talking large numbers. If we could have applied the SPU process we could have had an opportunity to have some say in the application and we didn't. Talking about uses, having the language there as an umbrella policy provides us with an opportunity to have more of a say on some of these parcels and we want to have a say. I think we should keep the regulation and apply it like it should be applied.

Discussion.

Mr. Conroy felt the larger question is that our regulations are set predictions. We try to anticipate what is coming down the road, what has happened before, what we think we want to have the development in town look like. For me, it's always good to be able to sum it up in one sentence. The SPU regulation was always about trying to insure that whatever came in on these developments that match the criteria, they be a quality development. That's where the SPU regulations come in. I think the regulation as outlined in Rob's memo, there were ten applications that should have an SPU and I feel

that's a significant number. I don't see this as an impediment to development or marketing.

Discussion.

I do think there is a need for some sort of catch all SPU regulation for major developments. I think it is worthwhile and worth keeping.

Discussion.

Discussion of the numbers. Mr. Conroy said the STC used 100,000 sf for the building and 200 parking spaces. I don't think that should be replicated here. Staff can mull the numbers over. Mr. Conroy said you could use amount of coverage of lot. Or traffic could be considered.

Mr. Phillips said the main issue he has is that it is a blanket statement that doesn't apply the SPU to individual uses. Some uses are not going to be as intrusive as other uses. Everybody under that same blanket, I think, is a little unusual.

Discussion.

Discussion of uses categorized.

The bottom line is it hasn't been applied and it will be moving forward added Mr. Phillips. The commission is aware of this. We could apply language that would apply to new developments as opposed to additions or modifications to existing projects.

Discussion.

Attorney Sciota reminded the commission they have to treat all the applicants fairly, whether it is residential, industrial or business.

Discussion.

Discussion of the size of the building be criteria rather than acreage size.

Mr. Chaplinsky agreed with comments indicating the right thing to do is to revise the regulation. My recommendation is we keep it as is and have staff work on it.

Chair said staff brought this up noting an inconsistency and I trust staff. I don't want to rush this through. Let staff go back and cross their T's and dot their I's. When ready, we will review it again.

Discussion.

Attorney Sciota suggested the application be withdrawn and submit a new application.

Application is withdrawn with commission's consent.

D. Fragola, site plan review for a bank with a drive-thru, 1829 West Street, in a WSB zone (SPR #1650.1) tabled from July 21st

Mr. Phillips advised the applicant has requested an extension to incorporate some changes to the plan. They are intending to remove the right

turn exit that is shown on the plan on West Street. It will be a right enter, only. That change will have impact on the fire review and we'll follow up on that.

I inquired as to why they didn't provide an easement on the east/west side of the property line for access. It is a topography issue from what I understand. They can explain when they're here.

Mr. Chaplinsky said some things that came up with this were access to West Street. There was a ZBA hearing that granted some variances. Can you tell us about that.

Mr. Phillips said the applicant originally came in for site plan modification of the original approval that was approved before the WSB was adopted. It was office use. The fact that they are changing to a business use and the building is changing to be smaller with a drive thru, I determined that they needed a whole new site plan application. They had to get variances for building on that property as it is not in accordance with the minimum lot size, frontage and front yard setback for the WSB. The WSB rules apply to that property after they were originally approved. Their buildable area got smaller and that's why they went to the ZBA. Otherwise they'd be forced to consolidate, which is a goal of the commission, but they went with the option to go to the ZBA.

Mr. Chaplinsky noted the curb cut on West Street is a significant concern and how that gets done. I'd like to staff to pay special attention to that.

Discussion.

Mr. Phillips indicated to the applicant they should try to move the building so the entrance is not right at the front and it has to do with the site constraints.

Discussion.

Discussion of applications approved before the WSB regulation was approved.

Mr. Chaplinsky was worried about future applications, i.e.: variances. Discussion.

Mr. Phillips also discussed the colonial style look with the applicants. The original rendering did not have that.

Discussion.

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 and Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

E. Shelconn Construction, Paul Bracone, owner, site plan application to renovate existing building and construct 16,560 square foot addition, 39 DePaul Drive, in an I-1 zone SPR #1701.

Mr. Phillips advised the applicant has requested a table in order to respond to staff comments.

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

F. Gary DeWolf Architects (applicant), 42 Simms Road Associates, (owner), site plan application to renovate seafood market and restaurant destroyed by fire, 959 Meriden Waterbury Road in a B zone (SPR #1702).

Gary DeWolf, principal in Gary DeWolf Architects, New Haven. I am representing the applicant this event for site plan application to basically rebuild his restaurant which was destroyed by fire.

The exterior, roof, walls, et cetera were not damaged. It was all interior fire damage which was a total loss.

We are looking to put back the use that was there before which was a restaurant with retail space. Showed and explained a hard copy of the site plan. Additional comments have been added to the drawings.

The site is about 1.25 acres and of that, 51% of it is not usable and not buildable as it is the river and open space. It's generally a wetlands area.

By reorganizing the existing paved area and removing the freezer boxes and refrigeration units that were prior on the exterior, I am moving them to the interior wall which freed up space to allow us to provide 46 parking spaces on site. That will accommodate a dining area, a bar area and will also accommodate the kitchen and retail service outlet.

The establishment will be as it has always been. It'll have a retail portion, a restaurant portion and the kitchen. It's just organized differently and more efficiently than before. Any exterior freezer or storage units before have been moved to the interior.

The building is 3900 sf in total. We're not adding or removing from it other than just moving the freezer units to the interior.

The 46 spaces accommodate our need for patron service, employees and the retail establishment. We do not need parking from the adjacent parcel. Discussion.

He went through and explained the site plan submittal.

We will have 72 dining patron spaces which include the bar, lounge and dining room as well as employees.

Lighting in the parking area was discussed.

The parking area being "tight" was discussed. A review of the circulation on the site was requested. Two different property lines were pointed out. The container area was discussed.

Mr. DeWolf noted it is a one way directional parking lot based on STC standards. The area between the two buildings is a shared easement. There is a legal document for. We would post on our building it is a one way

driveway as you can't fit two cars through there. It has parking on the angle and the aisle way between the buildings. The parking has been like this since the buildings were built in the '50's.

Mr. Chaplinsky again asked for staff to review the parking and circulation.

Signage and pavement markings need to be shown on the site plan.

The wetland area needs to be cleaned up. Explained debris.

Mr. Phillips brought up there is no existing sidewalk there. Technically, we are looking at a sidewalk situation here. The site is challenged to put a sidewalk in there as there is a river crossing. They've requested no sidewalk waiver and it is not shown on the plan.

I think with the number of items brought up, I'd be uncomfortable with that many stipulations on a site plan approval. Staff agrees if they ask for a sidewalk waiver, advised Attorney Sciota, we'd recommend that. The lighting is part of your site plan. That's required. Cleaning up the area is not a big deal for a stipulation. Stipulations are not insurmountable and are pretty straight forward.

Discussion.

Mr. Phillips noted there is a lot of missing history on this site and that's why we went the route of the site plan approval to try to replace that history.

Sidewalk waiver was discussed by the architect based upon topographical and structural issues. He submitted that request tonight.

Mr. Chaplinsky made a motion to approve with stipulations:

- Trash be picked up in the regulated area.
- Markings for traffic direction, on the building or ground markings, whatever engineering suggests.

Mr. Conroy noted we are still waiting for comments from the engineering department. I can tell the parking lot meets the regulations but nobody else could. I support the application but I don't know if an approval is the right way to go.

Discussion.

Mr. Chaplinsky commented having heard staff's comments maybe a motion to table is in order.

Discussion.

Mr. Conroy said if the stipulation is just pursuant to the engineer's comments that have yet to be provided and yet to be done, it has been made clear what the comments for the engineer are and if he reviews that and we make the stipulation to respond to engineering comments, we've done that a hundred times.

Mr. Chaplinsky made a motion to table to the next meeting. Mr. Macchio seconded. Motion passed on a majority voice vote with Mr. Kalkowski opposed to the table.

G. Southington Industrial Properties, LLC release of \$7,500 E & S bond, 127 Industrial Drive SPR #1635.1

Item ready for action. Mr. Kalkowski so moved the motion for approval. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote

H. Toll CT III Limited Partnership, release of \$11,000 E & S bond, Phase I, 1012 Savage Street, Blocher Farm Estates S #1270.

Item ready for action. Mr. Kalkowski so moved the motion for approval which was seconded by Mr. Chaplinsky. Motion passed unanimously on a voice vote.

I. Toll CT III Limited Partnership, reduction of \$42,000 E & S bond, Phase II, to a new amount of \$10,000, 1012 Savage Street, Blocher Farm Estates S #1270.

Item ready for action. Mr. Kalkowski so moved the motion for approval and Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

PLAN OF CONSERVATION AND DEVELOPMENT

Ms. Clocked had no new report. The next meeting is September 17th at 7pm which will be a review of the draft plan.

ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

None.

ADMINISTRATIVE REPORTS

Application, Samer Alhalak, Marion Mall Associates, remove existing tanks, pumps and 640 sf of canopy and install new tanks and pumps and 1238 sf canopy at 2211 Meriden Waterbury Turnpike in a B zone.

It's an upgrade and they're expanding the canopy area. The commission is okay with that as an administrative approval.

RECEIPT OF NEW APPLICATIONS

That Alhalak is one of them. The second is the Gary DeWolf application we just talked about.

ADJOURNMENT

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

(Whereupon, the meeting was adjourned.)