

PLANNING & ZONING COMMISSION  
Public Hearing & Regular Meeting  
September 15, 2015

The Planning & Zoning Commission held a public hearing & regular meeting on Tuesday, September 15, 2015. Chairman Michael DelSanto, called the meeting to order at 7:00 o'clock, p.m.

The following Commissioners were present, viz:

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

Alternates: Joe Coviello, Steve Leggett & Anthony D'Angelo,

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

Absent: James E. Morelli, Jr. - Alternates

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 September 1, 2015

Mr. Kalkowski so moved the motion for approval. Mr. Macchio seconded. Motion passed on a majority voice vote with Ms. Locks abstaining.

Ms. Locks stated for the record however that she did read the Minutes and viewed the video.

Mr. Phillips read the legal notice into the record at this time.

**5. PUBLIC HEARING**

**A. St. Dominic Church, Special Permit Application for proposed daycare for up to 60 children in existing building, 1050 Flanders road, in an R-40 zone (SPU #555)**

Father May from St. Dominic's, the Pastor. I have Sharon Ayotte and she's our parish business manager and facilities manager.

St. Dominic's School was established in 1978. The original grade levels were Pre-K to Grade 6. Later on to just Grade 5. Our student population grew to over 200 students a year. This past school year we had a merger with St. Thomas to establish a new school: Southington Catholic. So now our school campus is unoccupied.

St. Dominic's parish has always been a good neighbor. We take pride in how we maintain our buildings and grounds. Anytime the town has brought concerns from our neighbors to us, we have done everything possible to work together to address the concerns and will continue to do so.

It will be a loss to the parish as well as the neighborhood to leave these buildings empty. We are seeking a special permit to use part of our school campus as a daycare, primarily for children newborn to age 3 to 4. It is not our plan to provide a preschool program.

Our application requests the capacity of approximately 60 children. It is our intent to also offer a before and after care program for children of school age once the daycare is open.

The daycare will be located to the rear of our property. Currently there are two entrances on Flanders Road. We would have parents enter on the south entrance and then drive back to the daycare building. Parents could then drive around the front of the church and exit through the main parking lot or through the upper lot onto Laning Street.

There is ample parking. If approved we would add the required numbers of handicapped parking spaces so it is up to code to the area of the parking lot.

The number of vehicles entering/exiting during the morning drop off and evening pick up will be drastically reduced from the number of vehicles and buses that were here for pre-K and the school program.

The hours of operation would be 6:00 am to 6:00 pm, Monday thru Friday. Pick up and drop off times would vary eliminating a specific volume of traffic at any particular time.

Children attending the daycare would have a fenced in area with a playscape behind the daycare building.

Those speaking in favor of the application.

Arthur Cyr, 103 Berlin Avenue. I am not a parishioner of St. Dominic's Church. I stand here in support of this application. I'm thrilled to see a potentially large daycare center not in the center of town and not be on one of our major roads like the Meriden Waterbury Road or Main Street or North Main Street. I believe it is a perfect place for a proposed daycare.

Based on what I know of the location, having driven by it to look at other planning & zoning sites, I don't see where there can be any question of entry/egress, parking or any of the normal questions that this commission normally throws at an applicant.

Thank you.

Those speaking against the application.

(No response)

Father May added in terms of the site, itself, the present building we're proposing for the daycare center is a building which is kind of L-shaped. There are two classrooms in each building, quite large rooms. Directly from the parking lot there is a flat walk. There are trees around the area. In the middle there is a large statue. It's flat with a sidewalk. There are no steps directly into the building itself.

Inside the building we would have to follow the state codes in terms of bathrooms and sinks per child. We've looked into that. We have to do some renovations to meet the codes.

Hearing no further questions or comments, the Chair closed the public hearing at this time.

**6. BUSINESS MEETING**

**A. St. Dominic Church, Special Permit Application for proposed daycare for up to 60 children in existing building, 1050 Flanders road, in an R-40 zone (SPU #555)**

Mr. D'Angelo stated that he goes way back with St. Dominic's School. When I worked for the Southington schools, I was responsible for student transportation and I worked closely with the staff at St. Dominic's. I have to concur they were very responsive to the neighborhood, very responsive to parental or citizens concerns. They worked very closely with the school system and it was a pleasure working with the staff at St. Dominic's.

Anytime I did a call, I looked forward to talking to the staff there because they are responsive. They handled over 200 students with buses and parents all at one time.

I think it is a wonderful idea for the daycare center.

Mr. Phillips said it is ready for action with a few stipulations. Not to exceed 60 children. And, the hours 6:00 am to 6:00 pm.

There's plenty of parking. We're not rising to the traffic study levels for peak hour trips for this use. Daycare uses are during the week and religious service are on the weekends. There is a mixed use to accommodate the parking demand.

The daycare is for 60 children, is that the same for the after school care, as well, asked Mr. Conroy.

(Discussion with staff)

Mr. Phillips said it is a total of 60 for the site.

Mr. Chaplinsky made a motion to approve the application. Ms. Locks seconded.

Mr. Kalkowski wanted it clear that it is 60 total children for both programs. I would recommend that stipulation. If they do expand they can come back through the process for a modification of a special permit.

Discussion.

Mr. Chaplinsky amended his motion to approve with the stipulation of not to exceed 60 children and the hours are 6:00 am to 6:00 pm.

Ms. Locks amended her second.

Motion passed 7 to 0 on a roll call vote.

**B. St. Dominic Church, site plan application for proposed daycare for up to 60 children in existing building, 1050 Flanders Road, in an R-40 zone (SPR #1706)**

Mr. Phillips indicated it is ready for action.

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

**C. Beecher Street Associates, LLC, Site Plan application for a 22 unit multi family development, 49 Beecher Street, in an R-12 zone (SPR #1698), extended from September 1<sup>st</sup>**

Stephen Giudice presented on behalf of the applicant. This is the Beecher Street School located at 49 Beecher Street. R-12 zone. The special permit use was approved.

The only outstanding items were the issue of the sidewalks on Water Street and some elevation views of the building.

Discussion followed regarding the sidewalks. Originally request was put in for a waiver of sidewalks along Water Street and reducing the sidewalks on Beecher Street. Since that time, we've looked at different scenarios on Water Street and I had some brief conversations with staff about some alternative to sidewalks on Water Street. We talked about possibly making some improvements on the other side of the street as opposed to constructing one section of sidewalk on this

side (indicating) of the street. There are some gaps and repairs necessary on the other side.

Mr. Grappone passed around a handout. There is an existing sidewalk on the east side of Water Street. However, there is a gap of approximately 130 feet opposite the 5 (sic) units on Water Street. Basically directly opposite the one building with 8 (sic) units. It is a vacant parcel of land on the east side of Water Street.

Also, the sheet gives the dimensions of the existing road width which is 24 feet from the easterly curb line to either the face of the existing poles or existing hydrant. That is basically the town standard, 24 feet road width.

There is some space behind the back of the pole line which varies anywhere from 4.5 feet to 6.5 feet to the face of the wall. So a sidewalk could be constructed on the westerly side, but there are some problems associated with that because of the grade. There is an existing drainage - a couple of catch basins on that side. Then you have the pole and fire hydrant.

It would be better if there is actually a curb that was installed on the west side with the sidewalk but then it is problematic with either narrowing the road in order to do that or placing telephone poles in the walkway which we don't really like.

Our recommendation is to fill the gap on the east side and make the repair on the southerly property.

Ownership of the vacant parcel was brought up. Putting a sidewalk on a vacant parcel does not mean that the property owner is not responsible to plow it. So whoever the vacant owner is will take on the responsibility. Just to be sure everyone understands what this would be. Mr. Giudice thought it was owned by one of the abutting property owners. We'll find out.

Mr. Giudice showed and explained renderings of the project. Water Street properties are townhouses with the garage underneath similar to Renaissance Commons. First floor will have grade level access on the back side. Garage under in the front.

Beecher Street was shown and discussed.

Mr. Conroy noted he liked the renderings for the Beech Street side. The Water Street side might be a little too industrial or

modern. The choice of materials and colors are going to be critical.  
Discussion.

Mat Florian of 506 Mount Vernon Road explained both of these building will have to be part of the review by the historical society and they'll have input. I agree we don't want and industrial look or too modern. We are sensitive to the neighborhood.

As to the sidewalks, Mr. Conroy noted there is some liability as was noted that goes with installing a sidewalk on vacant property for the other property owner. I would prefer to have a sidewalk on this side. It is our property. It is a multi unit dwelling and sidewalks are important for pedestrian access. If you put sidewalks strictly on the other side, I'm all for repairing broken sidewalks; you'll have to have some way to cross. A crosswalk is never ideal. I don't think the utility poles or the drainage is an obstacle that can't be overcome.

As far as the dimensions of the roadway, 24 might be the standard but for an area like this, downtown area, 22 is not out of the question particularly if that means you can fit in sidewalks. More can be done to try to squeeze this in on the right side.

This is downtown; it's a pedestrian heavy development. It's supposed to be designed for pedestrians. I think it should have all the pedestrian amenities required.

Further discussion on the sidewalk issue. There are no sidewalks on the westerly side, but there are sidewalks across the street and there is a gap. I have the same concerns with putting sidewalks on another person's property.

Mr. Giudice said it is owned by the abutting neighbor and they are already clearing sidewalks, but they would have to clear this additional section of sidewalk.

The Chair continued we are always for sidewalks. We've been told to look for sidewalks that are contiguous. There are sidewalks on the easterly side and there is that gap. If they fill that gap, now we have sidewalks along the whole building. I disagree with the crosswalk idea earlier noted. I agree with Jim in filling that gap and now we have contiguous sidewalks along the whole road. If we put them on the other side, it is basically sidewalks that go nowhere.

Discussion.

Further lengthy discussion of the sidewalk placement with other commissioners giving their thoughts.

Mr. Giudice amended his waiver of sidewalks request to filling in the gap and repairing the sidewalks on the east side of Water Street and not installing sidewalks on the west side.

Attorney Sciota noted if they go on the east side of the street, it is full waiver. The west side would be a partial.

Mr. Chaplinsky made a motion to approve the waiver for the installation of the sidewalk on the west side on Water Street so that the applicant is responsible to build on the east side.

Mr. Kalkowski seconded.

Mr. Chaplinsky said the commission does not take the waivers lightly and it is important to note this is not a waiver to not put sidewalks in. This is a waiver to put sidewalks in in a more acceptable place that'll provide better services to people in this area, in my opinion. I'm in favor of that.

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

Mr. Chaplinsky made a motion to approve the application. With the stipulation to show sidewalks on the east side of Water Street northeastern corner of the site, across the street. Mr. Kalkowski seconded. Motion passed 7 to 0 on a roll call vote.

**D. Fragola, site plan review for bank with a drive thru, 1829 West Street, in a WSB zone (SPR #1650.1) extended from September 1**

Sev Bovino, Planner with Kratzert, Jones & Associates presented on behalf of the applicant. Attorney Bryan Meccariello is also in attendance on behalf of the applicant.

He showed the site plan with the proposed building, parking lot on the east side, the one way in driveway and the drive thru on the east side of the building.

At the last meeting there were a few items the commission wanted us to address. We have revised the plans and provided them to staff. On here, they are highlighted in yellow.

- There was an issue that the sidewalks needed to be 5 wide and we've revised that.

- We moved the catch basin this corner (indicated) slightly northerly to avoid the intersection with the driveway.

- We indicated that there is going to be a sign at this location (indicating) Do Not Enter. It's one way. Just right in, only.

- There was a concern about the ATM's location. We moved the ATM to where the vacuums are. You can do either banking or do the ATM. Mostly likely when there is a client they might actually place the ATM in the lobby area, a secure area where the entrance is.

- Scott Hesketh was asked to prepare a report about the queuing for this property. He provided a report and his conclusion is that the queuing of four cars is adequate and appropriate for this location based on the building size and the number of drive thrus we are proposing.

If you come in from West Queen Street, we can actually stack some additional cars before you impact the back up of these cars (indicating). So you'll have three additional cars at least that can stack.

The report was provided to staff. A table is attached.

I'll answer any questions at this time.

Mr. Bovino added the easement is being provided at this location (indicating). Also the sidewalk easement is proposed here (indicating). The easement is shown on the map.

Discussion of the easement and the responsibility after the property is developed. Mr. Bovino clarified if we don't install the sidewalk now, it will be their obligation to meet up with our sidewalk. The easement is to allow someone, either the town or a private individual, to come in and put the sidewalk in.

Attorney Sciota added the easement would go to the Town of Southington of its assigns. The easement stays with the Town of Southington but part of a requirement for the site plan that comes in is that they connect the sidewalks. The easement would already be in place.

Discussion of the placement of the sidewalk in relation to the wall.

Mr. Chaplinsky discussed the building orientation with Mr. Bovino. He was concerned with the queuing of the traffic right along West Street. Ideally we would like to see that on the other side of the building and have this look like the front of the building versus the service part of the building. When you have a situation like this you have the queuing coming around so as they come out of the service area they go to an exit point.

Mr. Bovino said that was looked at but there would be conflict. The drive thru on this side (indicating) would still have the parking on the east side so people would have to walk thru the drive thru area to get in. Much more of a conflict. The entrance from West Queen Street, there'd be conflicts there, too. We have looked at that.

Discussion.

Mr. Chaplinsky commented we are trying to put a lot on to this parcel with parking, queuing of cars, potential conflict.

We have a curb cut at West Street. That's another sore spot for me. When we made the West Street Business Zone regulations, we said we wanted to drive all curb cuts further away from where this is. We wanted to drive it 400 feet away from that intersection.

Mr. Bovino responded in regard to the arrangement of the building, your WSBZ encourages not to have parking in the front of the building, towards West Street. That is another reason we put the drive thru in this area and not to have parking in the front.

As far as West Street traffic, if you have to do banking business here, it makes sense more to come in, get out of the traffic line at the light instead of wait and then take a right and then take a right again. It's easier to just turn in and do your banking.

Mr. Chaplinsky said we have the ATM and we have cars queuing while one car is served and then an extra car comes in and we've plugged up the intersection from cars coming off of West Street trying to turn in. I'm concerned there is a lot going on on this parcel with traffic off of West Street at the same time. I would be in favor of closing the curb cut on West Street.

Discussion.

Discussion of the queue recommended in the report as being adequate and appropriate for this facility.

Discussion of banking requirements changing in the past few years as far as the intensity of use.

Mr. Bovino said if you have a problem with the location of the ATM, we can stipulate it be by the lobby at the entrance.

Discussion.

Further discussion of the queuing and traffic flow on the site and the closing of the curb cut on West Street. Commissioners gave their opinions on this matter.

The WSBZ regulations require 400 feet of frontage on West Street. The applicant went to the ZBA for a variance on that noted Mr. Chaplinsky in response to a query by Mr. D'Angelo. Mr. Chaplinsky thought there was miscommunication about the WSBZ. From what was presented in the Minutes was that the intent of this board when we passed the WSBZ, the intent was that we would not pass variance like that at the ZBA. I'm actually surprised this one was passed. That is neither here nor there. But the intent was to not allow variances in the WSBZ for this type of application. It does create a little bit of a problem. In my opinion, that is the root of the problem here. This lot does not have 400 feet of frontage. It's difficult to fit the intensity of the use on the parcel size they're trying to fit here. That's creating the conflict in my opinion. I look back at the variance and question whether that was appropriate or not.

From a site plan perspective, I still think the use is much too intense but if this board felt compelled to move forward with it, I would feel more comfortable with closing the West Street access and circulating everything from West Queen Street.

Mr. Macchio agreed with Mr. Chaplinsky's comments. I don't like it. I would like to see it come around from West Queen and keep the circulation as suggested. Much better. Reconfigure it for less congestion.

Ms. Clock agreed to the elimination of the curb cut.

Ms. Locks felt the curb cut was okay. Explained that anybody that is able to turn off West Street to get into the bank, they don't want to sit at the light and go around the corner.

Mr. Conroy reviewed the traffic study that was submitted. A lot of information in there. The recommendation for a 6 car queue, I thought was an average queue and not the higher end maximum queue. I calculate that to be between 8 to 10 vehicles. References confirm that 8 is probably the right number. You do have 8 and I think that is satisfactory. The queue question for me is satisfactorily answered.

I do like you moved the ATM. That'll help the calculation.

With regard to the Right Turn In entrance on West Street, it is a pretty standard application for this use. From a public standpoint you are relieving a great deal of traffic from that intersection by allowing the right turns. You don't want people turning left in, but the free flow right is standard.

As to the site plan, I comment the particular entrance on the side needs to be better defined. Explained the entrance should be widened enough so cars can enter and by pass if they have to but you don't want people to go down the wrong way.

Discussion.

As far as orientation of the building, continued Mr. Conroy, he felt that is the way it has to be. It complies with the WSBZ guidelines for the parking in the back. We do allow drive thrus for banks. It's well screened. This was approved for a similar use at that access and there's nothing we can do to force a consolidation here. It is what it is. This is the best application of this particular use we can see.

Attorney Bryan Meccariello, 142 North Main Street on behalf of the applicant agreed with Mr. Conroy in reminding all of this that this was an approved site for a 5,000 sf building with a right hand turn in. We are reducing it just a little over 3,000 sf. It's not going to be a big, bulky office looking building. It's going to fit within the spirit and intent of the WSBZ regulations.

Staff asked if we would be willing at some point when the property to the south, which we are providing access right now and the old plan did not, to eliminate the curb cut which has been approved. We have no problem with that. I'm sure a condition would be we'd have to put sidewalks where we are blocking that curb cut.

We're not asking this be different. We are going to follow the regulations and once the site to the south and the access way is

developed, yes, we'll gladly eliminate the curb cut and take it down to Welch Road.

It is a small site. We did go to the ZBA and got the variances that were required and requested for us to get.

Whatever action you take tonight, the Minutes and agenda refer to a bank, but the regulations call it a financial institution. If you could incorporate those words instead of a bank.

Mr. Chaplinsky, Mr. Conroy and Attorney Meccariello discussed moving the ATM location.

Mr. Phillips advised this matter is ready for action tonight.

Ms. Locks made a motion to approve the application.

Mr. Phillips suggested as a stipulation possibly closing off that West Street access if they have the connection to the southerly property. That would be consistent with the regulation because that access management strategy is part of the consolidated parcels section. I still question if there should be some kind of access easement to the east side. I think the applicant stated it was logistically difficult there but, just thinking down the road, it may be beneficial to have that.

Mr. Conroy said an easement is an easement and they can figure out how to build it later. We can stipulate that.

The one to the south is shown on the plan. They also have the sidewalk easement we have to talk about, added Mr. Phillips. Are you asking for a waiver of that 15 foot section and replacing it with an easement? That motion would be first. I think there should be something on the east side, maybe it closer to the southerly property line.

Mr. Conroy said there is a 20 foot wide access easement shown on the plan. Mr. Bovino said the one on this side (indicating) is not needed in their opinion. There is a 4 foot wall here, a drainage swale and this property is 11 acres running like this. I thought the goal was for West Street to have a bypass road parallel to West Street which we are providing.

Discussion.

Attorney Meccariello advised that easement is fine.

Further discussion on the easement.

Ms. Locks removed her motion.

Attorney Sciota noted as it is on the plan; you would need a waiver granted in exchange for an easement.

Mr. Conroy made a motion to grant a sidewalk waiver for the southerly portion of the property along West Street in exchange for an easement in favor of the town for the same area. Mr. Macchio seconded. Motion passed 7 to 0 on a roll call vote.

Stipulations: Taper reduction, additional signage, closure of the West Street entrance upon construction of a shared access along West Street with the adjacent parcel to the south. Additional signage was discussed by the commission.

Mr. Conroy made a motion to approve with stipulations of the additional signage and minor curb changes in coordination with staff and the closure of the West Street access upon construction of a shared access along West Street with the adjacent parcel to the south. Also architecture to be shown as rendered or similar to the rendering on the plan dated May 12, 2015.

Ms. Locks seconded.

Mr. Chaplinsky said we are trying to make a good faith effort to get this to happy medium. On the other hand, I think it is our obligation to lookout for the WSBZ that we worked so hard to develop regulations on. While I have an appreciation for the plan that's here, I also feel a little bit that we're trying to put too much on the parcel and trying to fit it into the WSBZ where maybe a little bit larger parcel would serve this site better.

Mr. Conroy said he thought we got ninety-five cents on the dollar for this parcel. It is technically sound. I see no reason not to approve it.

Ms. Locks agreed with Mr. Conroy.

Mr. D'Angelo said with the stipulations he feels comfortable.

Ms. Clock said she is okay with the stipulation about removal of the West Street access when the southerly property is developed. Just for access management.

Mr. Kalkowski said he was extremely disappointed with the variances granted, but he would respect that board. I just think we need to make sure they are very clear on the intent of the WSBZ. That's up to us to make sure that happens. There was a misunderstanding on the intent. We can fix that going forward. I do agree with Kevin this is probably the best we're going to get. Just disappointed with the granting of this variance right out of the gate.

Mr. Chaplinsky agreed with Mr. Kalkowski that the ZBA approval kind of hamstrung us a little bit on this one.

The Chair commented on the right turn in access. He didn't feel it would cause a traffic jam on West Street. He compared this to the McDonald's on 322/66. I hope that doesn't happen. The variance is the variance they received. If this is approved, it may bring some new business to that corner and eventually develop to the south.

Motion passed 7 to 0 on a roll call vote.

**E. Shelconn Construction, applicant, Paul Bracccone, owner, site plan application to renovate existing building and construct 16,560 sf addition, 39 DePaolo Drive, in an I-1 zone (SPR #1701), tabled from September 1<sup>st</sup>**

Applicant requested an extension. Mr. Chaplinsky made a motion to grant a 65-day extension. Mr. Kalkowski seconded. Motion passed unanimously on a voice vote.

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

## **7. PLAN OF CONSERVATION AN DEVELOPMENT**

Ms. Clock noted the draft plan is in and we're reviewing. A year's worth of work with a lot of hours and time spent. Everyone is encouraged to attend our meeting Thursday, September 17<sup>th</sup> at 7:00 pm right here.

Everyone is urged to attend but it is not a public input session. We will have a separate public input session. If you can attend, attend so you will be informed on the plan.

Mr. Phillips said this is the presentation of the full draft plan.

Another public information will be scheduled sometime around the holidays. From there, we go through the technical approval process.

The Chair commented: Great work, Jen. Keep it up.

**8. ITEMS TO BE SCHEDULED FOR PUBLIC HEARING**

None.

**9. ADMINISTRATIVE REPORTS**

None.

**10. RECEIPT OF NEW APPLICATIONS**

One public hearing eventually coming. It is an application to consolidate process buildings into structure at 49 DePaolo Dr. And, an application for SPU for three garages at 136 Sheffield.

**11. ADJOURNMENT**

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

(Whereupon, the meeting was adjourned at 8:32 o'clock, p.m.)