

PLANNING AND ZONING COMMISSION
TOWN OF SOUTHLINGTON
April 5, 2016

The Planning & Zoning Commission of the Town of Southington held a public hearing & regular meeting on Tuesday, April 5, 2016 at the Municipal Center Assembly Room, 196 North Main Street, Southington, CT. Chairman Michael DelSanto called the meeting to order at 7:00 pm.

The following Commissioners were in attendance:

Paul Chaplinsky	James Sinclair
Jennifer Clock	James Morelli*
Susan Locks	James Macchio
Michael DelSanto, Chair	

Alternates: Ted Cabata & Robert Hammersley

Ex-Officio: James Grappone, Assistant Town Engineer
David Lavalley, Assistant Town Planner
Mark J. Sciota, Deputy Town Mgr./Town Attorney

Absent: Joe Coviello, Alternate
Mr. Phillips, Director of Planning & Community
Development

(* Arrived at 7:03 p.m.)

The Chair seated Mr. Hammersley for Mr. Morelli. A quorum was determined.

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

4. Appointment of Alternate

Passed to next meeting.

5. Approval of Minutes

A. Regular meeting of March 15, 2016

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

No public notices to read into the record as they are all continuations.

Mr. Morelli entered the meeting and was seated.

6. Public Hearings

A. AA Denorfia Building & Development, LLC Special Permit Application for open space subdivision, Parcel 51, Loper Street (Map 158, Parcel 051), property of Ann Griffin Egan, Trustee, in an R-20/25 zone (SPU #562), continued from March 15

AND

B. AA Denorfia Building & Development, LLC, 72 Lot Resubdivision Application, Parcel 51, Loper Street (Map 158, Parcel 051), property of Ann Griffin Egan, Trustee, in an R-20/25 zone (S#1312), continued from March 15.

Stephen Giudice, Harry Cole & Son, 876 South Main Street, Plantsville noted the public hearing was continued to have some time to prepare more information. Attorney Denorfia is here to present.

Anthony Denorfia presented a couple of housekeeping items. We did submit a letter to Mr. Lavallee today granting an extension of time for the completion of the public hearing. We think you will want to continue the public hearing as we are going to be presenting the traffic report. I just received it today and am not sure staff has had a chance to look at it.

The other request was the backup data on our opinion from our real estate appraiser that there would not be a negative impact on the property values in the area. I will submit that now.

And, at this time, I think one of the concerns the commission had was the traffic at the intersections. I'd like to present Mark Vertucci from Fuss & O'Neil to give his report.

Mark Vertucci, senior transportation engineer at Fuss & O'Neil in Manchester. We did prepare a brief traffic impact statement for the proposed residential development. (Submitted for the record.)

He then reviewed his traffic report which is on file in the Town Planner's Office. You can view the presentation on the video recording.

In response to a question by Mr. Chaplinsky, discussion was had regarding the ability for vehicles to stop during inclement weather coming down the hill where the street is roughly at the steepest part of the grade of the hill. The time and distance required to see a car in the roadway or see a car pulling out and have enough time to come to a complete stop --- the stopping distances are actually less intensive than the intersection sight distance requirements. The fact that we exceed the intersection sight distance requirements by over

100' we actually exceed them even more for stopping sight distance. There is adequate distance for someone coming up the hill or coming over the crest down the hill to have enough time to react and be able to come to a complete stop if there is a vehicle stopped in the roadway or pulling out.

Mr. Chaplinsky further asked how inclement weather factored in. Mr. Vertucci explained that would increase the stopping distance, but again we're not close to the requirement, we a couple hundred feet beyond what is required so we have the added buffer.

There really isn't a calculation as that is more subjective. Discussion.

Discussion about traveling in the eastbound direction, going up the hill, there being room if there is a car heading eastward that is going to turn left into the subdivision was had in response to a query by Mr. Chaplinsky. Is there room for a car to pass around the right side in that area? Mr. Vertucci said there may be room if the vehicle is hugging the centerline to get around. The left turns in are operating at a level of service A. Not waiting long at all. A vehicle waiting to turn left would not be there very long.

It's not something where I would recommend the road be widened for by-pass concluded Mr. Vertucci. The volume is not there to support that.

Mr. Denorfia said there was a question about the detention basin percentage of the total open space and that was 15%. Relatively minor.

That completes our presentation for this evening.

(Those speaking in favor of the application)

None.

(Those speaking against the application)

None.

The Chair indicated the public hearing for Item A and B would be left open.

C. Lovley Development, 2 lot resubdivision application, 15 Twin Pond Terrace, in an R-2025 and R-80 zone (S#1313), continued from March 15

Sev Bovino, Planner from Kratzert, Jones represented the applicant. This property is located at the intersection of Mount Vernon Road and Twin Ponds Terrace. It is zoned R-20/25. The land

area is 2.33 acres and it is served by public water and septic systems.

The proposal is to subdivide the property into two building lots. One to the north and one to the south (indicating). Both lots meet the zoning regulations requirements including the 80' square that is required on each lot. We also applied all the discounting regulations in terms of wetlands and steep grades. Both lots are well over one acre. This zone requires a half acre.

One of the lots has access from Twin Ponds Terrace quite a distance from the intersection and the other has to have a driveway form Mount Vernon Road at this location (indicating).

We have shown the proposed street trees on the plans together with all details and appropriate notes required.

We have received staff comments and reflected those comments on the plans. We have this application in front of the wetlands commission for consideration this Thursday night.

I'll be glad to answer any questions at this time.

(Those speaking in favor of the application.)

None.

(Those speaking against the application.)

None.

The public hearing is left open as the wetlands commission has not acted yet.

D. Proposed Zoning Text Amendment, MUT Zone District, new Section 4-06 and revised Section 7A (ZA #587), continued from March 15

AND

E. Proposed Zone Boundary Change, "I-2 and R-40" to "MUT" Zone District, properties located at 1177 West Street (Map 143, Parcel 019); 1193 West Street (Map 143, Parcel 018); West Street Map 143, Parcel 017); 1413ap 155, Parcel 078); 712 Spring Street (Map 155, Parcel 075); Spring Street (Map 155, Parcel 072); ZC #553), continued from March 15

The Chair asked if there was additional information from staff. Mr. Lavallee reported very general changes that came up as a result of input from staff in relation to height of the buildings. Just a

having a special permit for the master plan, subject to site plan review, very general.

Removal of assisted living facilities from the proposed zone.

Increase in buffer from residential area to 60'.

Accessory use for a restaurant can have outdoor seasonal dining.

Sidewalks may be required along West Street.

The removal of the word "single" for single and multi-family residential uses. Confusing when you read that. There are no stand alones. The units within the multifamily residential are either micro studio or one or two bedrooms per unit.

Vinyl can't comprise more than 25% of the surface area of a residential structure. Deals with the aesthetics of the building. The look we're trying to get out there tends to be more colonial.

Mr. Chaplinsky commented that he thought it would be really good if each commissioner could get out to the site over the next couple of weeks. Really good to walk this property so you have a good understanding of what the topography looks like. Especially with the building height. I'd be interested to understand on the eastern part of the property, the low land portion, how do we float a balloon to see the impact of a building that is what we're proposing, 5 stories versus 4 stories. Can we do that?

Discussion.

Attorney Sciota said you can do a special meeting on-site. He explained he would have to look into what companies do that. Staff can work on that.

Mr. Chaplinsky's other matter is there a possibility to look at the language on the north end of the property with respect to residential. How would that impact the regulations? We have to follow up on that, as well.

Folks need to remember there is a residential component to the north and whatever we allow for residential on this parcel can go anywhere including that residential area. If the residential is still included, we have to consider that language.

If the residential is excluded for some reason, it doesn't necessarily mean that someday a road won't go through there and still be subdivided. It's important the commission understand that there still could be some connectivity regardless of how the language is written. Think about that when making your decisions.

(Those speaking in favor of the application.)

Angelo Coppolla, 114 Spring Hill Road. I am concerned with the proposed zoning changes for the property between Spring and Curtiss Streets, specifically changing the zoning from R-40 and I-2 to a multiple use transition zone. He detailed what would be allowed.

Discussion of the height proposed.

Queen Street de-javue.

The MUT will affect the upper portion of Spring Street, closest to West Street. We need to consider the bottom of Spring Street development.

The families on Spring Street, Spring Hill Road and Summit Farms are going to see the results of your decision in close proximity to their homes. They are concerned and worried.

Discussed.

We could live with the land north of the powerlines zoned R-40 and the land south of the powerlines zoned I-2.

We cannot live with another Queen Street.

Discussed.

Home values being lowered was discussed.

A road from Spring Street to Curtiss is going to be the alternative route to 84 when West Street is clogged.

Setbacks were discussed.

Handed in Petitions signed by 75 residents of Spring Street, Summit Farms and Spring Hill Road opposed to the MUT zone. This represents approximately 70% of the people in the area and no one living in this area refused to sign the petition.

(Handed in to Mr. Lavallee.)

Mr. Chaplinsky went over the changes proposed and what is there today.

(Those speaking in favor of the application.)

(1) Doris Tolles, 712 Spring Street. I do agree it needs to be changed. This is the best interest of our community. The best way to do it is to allow the language to be flexible in allowing certain things in certain areas. She spoke about the proposed heights and compared it to the church to the west of her. As to heights in the area, you have to again be flexible with your regulations. Keep them flexible so the property is developed in a suitable manner proper for the landscape of the land. In terms of keeping the northern section residential, you need to look at the size of my neighbors' lots. I

have a house sitting on three acres of land, plus the surrounding property. My neighbors are between .46 and .56 acres that directly abut this property. Where is the conformity of zoning to make everybody happy.

There are wetlands on the property. There is built in buffers already to the property.

I would like to see the town developed the right way so we can benefit tax wise.

(Those speaking against the application.)

Erick Lindquist, 10 Spring Hill Road. Gave a 30-minute presentation. (On file in the town planner's office and you can refer to the video recording of the meeting for the exact presentation.)

The following spoke against the application noting the same concerns.

- (Inaudible) 30 Spring Hill Road.
- Art Sullivan, 662 Spring Street.
- Pat Caruso, 149 Summit Farms Road.
- Steve Theriault, 424 Prospect Street. Organizer of Southington Citizens Against Over Development. (Read letter which is on file in the planning office.)
- Greta Petra, 120 Spring Hill Road.
- Todd House, 88 Spring Hill Road.
- Tom O'Shea, 676 Spring Street.
- Mark Castro Giovanni, Pastor of the Tabernacle on the Corner of West and Spring.
- Claudia Castro Giovanni, 231 Ciccio Road.
- Tom O'Shea, 676 Spring Street.
- Ericka House, 88 Spring Hill Road.

Concerns: Against changing of the R-40 to MUT. Speed of traffic on Spring Street. Traffic is way too much with the schools and park in the area. Hours of businesses in the area. Don't want it to be like Queen Street. Concern for the Farmington Canal and the waterways. A lot of water in the area. North of the split being

residential still at R-40. Wetland areas. Buffers. Design of the access street from Curtis to Spring Street.

Petitions were handed in against the change. (On file in the Town Planner's Office.)

Attorney Sciota advised the names and addresses would be checked to see if the super majority vote comes into play.

Hearing no further speakers, the Chair continued the public hearing to the next meeting.

7. Business Meeting

A. AA Denorfia Building & Development, LLC Special Permit Application for open space subdivision, Parcel 51, Loper Street (Map 158, Parcel 051), property of Ann Griffin Egan, Trustee, in an R-20/25 zone (SPU #562), continued from March 15

AND

B. AA Denorfia Building & Development, LLC, 72 Lot Resubdivision Application, Parcel 51, Loper Street (Map 158, Parcel 051), property of Ann Griffin Egan, Trustee, in an R-20/25 zone (S#1312), continued from March 15

Mr. Sinclair made a motion to grant a 30-day extension on both Item A and Item B. Mr. Chaplinsky seconded. Motion passed unanimously on voice vote.

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

C. Lovley Development, 2 lot resubdivision application, 15 Twin Pond Terrace, in an R-2025 and R-80 zone (S#1313), continued from March 15

Mr. Bovino stated they were asking for a motion to table so this can go to wetlands.

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

D. Proposed Zoning Text Amendment, MUT Zone District, new Section 4-06 and revised Section 7A (ZA #587), continued from March 15

AND

E. Proposed Zone Boundary Change, "I-2 and R-40" to "MUT" Zone District, properties located at 1177 West Street (Map 143, Parcel 019); 1193 West Street (Map 143, Parcel 018); West Street Map 143, Parcel 017); 1413ap 155, Parcel 078); 712 Spring Street (Map 155, Parcel 075); Spring Street (Map 155, Parcel 072); ZC #553), continued from March 15

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

Mr. Lavallee asked for a 65-day extension on Item D and Item E.

Mr. Sinclair removed his table and Ms. Lock removed her second.

Ms. Locks so moved a motion for a 65-day extension for Item D and Item E. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

Mr. Sinclair made a motion to table Item D and Item E. Ms. Locks seconded. Motion passed unanimously on a voice vote.

F. Lovley Development, Inc., site plan application for 64 units of multifamily development, Eden Avenue (Map 100, Parcel 17), in a CB zone (SPR #1711, tabled from March 15

Mr. Bovino stated the property is located off of Eden Avenue and Forgione Drive in a CB zone. It is served by public water and sewer. This property was the subject of a special permit which was granted about a month ago.

The proposal is for 64 units. It is 41 elderly housing and 23 regular. The 41 units in one single building, three stories in height. The townhouses will be in three separate buildings, 23 units. Slab on grade with garages.

The plan shows landscaping, lighting, benches in the front and rear of the property, bike racks with proposed shade trees throughout the property to achieve a walker friendly environment.

The main entrance is from Eden Avenue (indicating). Internally we have a connection with the retail center (indicating) which fronts on Main Street.

There are stop signs and stop bars throughout to prevent speeding in the area.

The design maintains the current drainage pattern of the property. ZIRO is achieved per regulation.

We received wetlands approval.

The building exterior will be cultured stone and a mix of shakes and clapboard with a colonial look.

Interior will have sprinklers, elevator, community room and a workout area.

Toward the rear there'll be a deck with some seating area and walkway leading from the rear of the building to the parking area in the front.

Notes are on the plan for a proposed easement for future connection to Columbus Avenue.

We received staff comments, revised the plans to reflect the comments.

If you have any questions?

Mr. Lavallee noted two requested stipulations. (1) That shop drawings be approved by DPW Director prior to excavation permit. (2) Street addresses be resolved with staff. Forgione Drive is not a town street and they'll be Eden Avenue number addresses.

Mr. Bovino said he looked into the numbering to be the same as it is. After stopping to see the Post Master, he said it is #1,2,3 Forgione Drive. I agree it's not a legal street. We're open to what you feel is appropriate.

Attorney Sciota interjected that staff felt they should come off Eden Avenue, whatever sequence you wish to do is fine.

The special permit says #29 Eden Avenue advised Mr. Bovino.

Mr. Sinclair made a motion to approve with the aforementioned stipulations. Ms. Locks seconded. Motion passed 7 to 0 on a roll call vote.

G. Subdivision Regulation amendment, Section 6 - Open Space (SA #25), tabled from March 15

Mr. Lavallee advised a 65-day extension will be needed. Mr. Chaplinsky made a motion to grant the 65-day extension. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

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

H. Car-Sue Realty, site plan modification application for lot line revision and site improvements for a 15,500 square foot addition, 44 Robert Porter Road, in an I-1 zone (SPR \$1680.1)

Stephen Giudice represented the applicant. We have property located at 44 Robert Porter Road. This is an existing industrial user with property with an existing building and parking. It's 116,000 square foot parcel, 2.68 acres.

We are proposing a lot line revision. The property owner here owns the property next door. The property will be increased in size by almost 1 acre.

This building is serviced by public water and public sewer and we'll continue that use.

Currently on this property we have two detention basins (indicating).

Our proposal is adding a 15,500 square foot addition to the westerly side of the building. We'll relocate one detention basin to this location (indicating). And we are going to modify the existing detention basin at this location(indicating).

Our plans include expansion of the parking area in the front of the property. And, a turnaround area in the back for trucks who back in for loading docks.

This site was before you approximately 1.5 years ago for an addition of the rear of the building. That has been abandoned. That was a very small addition. The owners decided to go with a larger addition due to the growing nature and success of his business.

We have received staff comments and we did address them and resubmit revised plans today.

Mr. Lavallee noted two minor issues: An access gate be provided for the detention pond and that 6" sewer service related to manhole be at grade to the parking lot.

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

Mr. Giudice thanked staff. They did the review today and we appreciate it.

Motion passed 7 to 0 on a roll call vote.

I. Bagno, LLC, request for 2-year extension of earth excavation approval, West Street (EE #1371)

Ready for action. Mr. Macchio so moved the motion for approval. Ms. Clock seconded.

Mr. Chaplinsky asked about what is going on on the site.

Mr. Giudice said he submitted the request. I'd say they're one-third to a half of the way through the filling of the site. I do not have a presentation planned for you. This is an earth excavation, but it is a filling application to fill about 100,000 yds. of material on the site.

This site had been excavated for the purpose of constructing I-84 in the past. It was excavated down to almost groundwater elevation. In order to develop the property, they needed to bring in approximately 6' of material to keep the foundations out of the groundwater zone.

We had wetlands on site. We proposed fill on site. They're in the process of doing.

We had hoped to take fill from the Camp Sloper pond dredging. We are still in the Army Corp/DEP approval process at the Sloper pond dredging. The fill is not ready to be placed on the site.

They've been getting a lot of material from other places, just slower than expected. That's the reason for the extension request.

The site has been quite. It was busy the first 1.5 of the approval.

Mr. Chaplinsky brought up complaints of dirt and dust which were discussed.

Motion passed 7 to 0 on a roll call vote.

8. PLAN OF CONSERVATION AND DEVELOPMENT

Ms. Clock reported the town council had their public hearing and there was a lackluster showing, at best. Several town councilors did comment. It did pass. Check the Minutes on line.

Attorney Sciota clarified they had no feedback to this board. No changes based on that public hearing. You may have changes after your own public hearing. May 17th, 2016 is the public hearing.

9. ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

None.

10. ADMINISTRATIVE REPORTS

None.

11. RECEIPT OF NEW APPLICATIONS

ProCare, LLC on Triano Drive. Change of use from auto repair facility to respiratory/oxygen container filling center. The checklist is out on it.

Mr. Cabata noted the CROG meeting for March was held. The Chair will put it on the next Agenda for report.

Mr. Chaplinsky wanted follow up on Spring Street/West Street intersection with DOT and the staff referred the concern about that intersection to the DOT. What's an appropriate timeframe for us to expect something? Mr. Lavalley said he would let the Director make the call on that and get back to you.

Mr. Chaplinsky brought up the signage coming in/out of the driveway where the Eden Avenue complex is on to Main Street. North curb cut is in and south is out. Can that be checked? Attorney Sciota said we can check on the signage but it is private property.

Mr. Sinclair had one item. He had someone comment about the intersection of High Street and Merrill Avenue. High Street going east. Their comment was it would be a lot easier or the intersection would flow better if we made Merrill one way. I know there was a traffic study done in that area. Was that ever looked into?

Mr. Grappone responded the Police Chief looked into it and it was not recommended.

Discussion about the next meeting (April 19th) and the issue of a quorum. If you know you are not going to be in attendance, please let me know ASAP. We may have to cancel if we don't have a quorum. We can also do a special meeting if we have to.

12. ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 8:55 o'clock, p.m.)