

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@5 zone (SPU #562) extended from April 5

AND

B. AA Denorfia Building & Development, LLC, 72 lot Resubdivision Application, Parcel 51, Loper Street (Map 158, Parcel051) property of Ann Griffin Egan, Trustee, in an R-20/25 zone S #1312, extended from April 5

Anthony Denorfia, 133 Main Street, Southington, CT. Just to recap, this is a 44-acre parcel on the north side of Loper Street. We are proposing a 72-lot open space versus a conventional subdivision. The lots range in size from 14,000 sf to 17,000 sf instead of the 22,500 sf for this zone.

We propose under the open space concept to have 14.81 acres of open space which is 33% versus 2.88 acres under the conventional subdivision.

All lots are going to be served by municipal utilities (water, sewer, gas and electric).

This is a special permit process, so I want to go over some of the regulations and burdens we've met over the last several meetings.

Under a special permit process, we have to meet the requirements of Section 8. We've submitted substantial evidence in the record that we meet or exceed all the requirements of those regulations.

This proposal is consistent with the purposes of zoning. It is not detrimental to the health, welfare, property values or public health of the area.

We are proposing what is allowed in that zone: single family housing which would be in harmony with the rest of the area.

We've provided engineering reports that the traffic flow, street alignment, et cetera meet or exceed all required engineering and safety requirements and those of the state DOT.

We submitted evidence that the development will not negatively affect property values and is compatible with the existing uses.

The plan will also protect the environment which is a big portion of Section 8. We are preserving a large amount of open space for future generations.

The other Section is 3-07. In order to grant approval, you need to believe that we meet at least two of the six purposes under 3-07.4. We believe that we've met most of those purposes under that.

We are preserving and conserving the land which will enhance the appearance, character and natural beauty of the area. We are conserving forest, wildlife, trees, et cetera. We've used design flexibility for the most appropriate use of the land and we have managed the storm water runoff, erosion and sedimentation controls and provided for the efficient use of the land. A smaller network of utilities and streets thereby lowering housing, public maintenance and energy costs.

We believe that we have presented the commission with a great plan and hope that the commission will agree with us. And, will agree that the open space concept proposed is the best use of the land.

We hope this evening you would grant the SPU application and continue the public hearing on the resubdivision application until we can address the remaining staff comments.

If you have any questions?

(None)

(Those speaking in favor of the application)

None.

(Those speaking against this application)

None.

The Chair closed the public hearing on Item A. And, for Item B, that will remain open per the Applicant's request.

C. Lovley Development, 2 lot resubdivision application, 15 Twin Pond Terrace, in an R-20/25 and R-80 zone S #1313, extended from April 5

Sev Bovino, Planner with Kratzert, Jones & Associates, represented the application. It was subject of a public hearing at the last meeting.

The wetlands board approved the application. All items were addressed in regard to the planning department.

Any questions for me?

(None)

(Those speaking in favor of this application)

(None)

(Those speaking against the application)

(None)

The Chair closed this public hearing.

D. Proposed Zoning Text Amendment, MUT Zone District, new Section 4-06 and revised Section 7A (ZA #587) extended from April 5

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, Pa (Map 143, Parcel 017); 1413 West Street (Map 155, Parcel 078); 712 Spring Street (Map 155, Parcel 075); Spring Street (Map 155, Parcel 072); (ZC #553); extended from April 5

Mr. Phillips stated for the record at the April 5th meeting, the recent changes related to the maximum height of buildings and added was four stories above West Street elevation, three for residential, only structures. Fifty-five feet above West Street elevation, 35 residential, only structures. You could possibly look at removing the West Street elevation notation and just keeping it similar to the CB zone which is 55 feet and four stories. Keeping the residential at three stories, 35 feet.

A decent portion of what is under consideration for rezoning is I-2 currently, the maximum height is 65 feet. That should be noted for the record.

Under allowable uses, I added some wording to strengthen the fact that we are looking for Master Plan for this area and it would be subject to an SPU.

I removed assisted living facilities as requested by the commission.

I added a note for the Master Plan again under consolidated parcels to continue that theme.

Also, with the buffering, vegetative preservation basically, we doubled what was proposed, 30 feet from residential zone to 60 feet. That was as a result of commission discussion.

Added some language regarding seasonal outdoor dining as an accessory use to a restaurant.

Also, removed sidewalks are not required along West Street and added sidewalks may not be required along West Street. There may be an opportunity where that could be beneficial.

Also removed the word "single" from residential site design requirements. The intention is multifamily residential units and no single stand-alone single family homes.

Also, tweaked the language to allow for vinyl but not more than 25% more of the surface area on all sides of the residential structure.

And, that would be the gist of the most recent changes.

There has been discussion about possibly allowing one connection to West Street. That certainly could be done. Again, you are looking to incorporate the recommendations of the West Street Corridor Study in this area, although it is a little smaller than the original recommendation as it doesn't include the frontage lots on Spring Street that are currently residential. Access management was very important to that. I would advise you to continue to look at that Corridor Study if that is what the vision is for the area that has been vetted by the commission and others. I would just suggest sticking with that and moving forward in that direction.

I open it up now to your discussion.

Mr. Chaplinsky reminded everyone of the email he sent with points about West Street with respect to the heights proposed. I hope you get out to look at the property as it is very helpful.

Discussion.

*** Please refer to the videotaping on line of the meeting to hear the exact presentations. ***

(Those speaking in favor of this application)

The following residents spoke in favor of the application citing the need to expand the tax base and provide jobs for the community without further straining the school system.

Flexibility is necessary to take advantage of the commercial development of the area. Zoning should allow for that.

Take into consideration the best interests of the entire town.

Nonconformance of the R-40 zone in reference to existing lot sizes.

Spring Street has a 60' ROW and is considered a major artery of transportation between to state highways.

Professional considerations in creating the WSB north of Spring Street and Gateway Interchange Zone from I-84 to Curtiss Street.

Farmington Canal location on the east end of the I-2 property.

- (1) Jonathan Kania, 1460 Meriden Waterbury Turnpike.
- (2) Roger Tolles, 712 Spring Street.

Clarifications from last meeting: The current I-2 building height is 65 feet and proposed MUT building height would be 66 feet. Not much difference.

Power lines are not a natural buffer. The I-2 zone extends 560 feet past the lower lines. The power company does not own the property and the landowner retains the right to park, grade, store materials and drive in the area with the approval of the power company.

Under an I-2 zone now, a site plan could be submitted and be approved without a public hearing.

If this is not changed there is potential for up to six curb cuts on West Street for heavy industrial use on this property.

Read letter dated March 15, 2016 from Randall Gage, 137 McIntosh Way. (On file in the Town Planner's Office.)

(Those speaking against the application.)

The following spoke against the application citing:

- Traffic concerns on Spring Street.
- Narrowness of Spring Street.
- Deaths on West and Spring Street.
- Businesses at the end of the street where flooding occurs.
- Difficult sightlines at Summit Farms Road/Spring Street.
- Decreased property values.
- Traffic on West Street.
- Don't want residential homes surrounding a business use.
- Opening access on to Spring Street will be a nightmare.
- Poor road condition, potholes, et cetera.
- Air pollution.

- Traffic and school busses are a danger to the children.

- (1) Joanne Kyle, 51 Summit Farms Road.
- (2) Greta Petra, 120 Spring Hill Road.
- (3) Eric Lindquist, 10 Spring Hill Road.

Clarification on two points: We are fine with the zone change. We are just not okay with it past the power lines. The industrial use, we agree with the intention of the MUT. It's a good approach to transitioning between the uses. We just don't want to see it go into the residential area.

Secondly, the access way discussed on to Spring Street. Very concerns as to why that is a bad idea.

He discussed in detail the West Street Corridor Zoning Analysis Study done by Milone & MacBroom. (Refer to video recording of the meeting for the presentation.)

Use the mixed use transition on the south side and leave the residential up there. Do not allow this thoroughfare through the back there. It will be a nightmare. All access on to West Street with one connection. It'll be fine. The DOT will allow it. It's the best approach and I think we can all get behind that as a town.

- (4) Claudia Castro Giovanni, 231 Ciccio Road.
- (5) Robert Farrell, 760 Spring Street.

I join with others looking forward to change. The MUT below the power lines as it is a natural and commercial restrictive barrier and to leave the residential as it is to be a really true transition to what exists now north of Spring Street.

- (6) Todd House, 88 Spring Hill Road.

As to the petition, we had 26% of the landowners in the area, the 500' circle did sign. People are against this in addition to those speaking here tonight.

(7) Doris Tolles, 712 Spring Street - speaking in favor of the application at this point. Hard copy of slide presentation on file in the Town Planner's office for review.

- (8) Greta Petra, 120 Spring Hill Road disputed some of the items in Ms. Tolles' presentation.
- (9) Tom Kyle, 51 Summit Farms Road.
- (10) Pat Caruso, 149 Summit Farms Road.

(11) Mary Rose Boulanger, 109 Spring Hill Road.

(12) Marion Micalski, 616 Spring Street.

(13) Mark Castro Giovanni, 231 Ciccio Road.

Mr. Phillips added the following facts:

- Percentage threshold to force a supermajority vote really only applies to the actual placement of the zone. Not the zoning amendment.

- The property outline, there was mention of a ROW, it's really fee simple. It's been reserved as an access point and obviously designed to accommodate a fairly large roadway, if need be.

- I think you could consider a connection to the West Street, perhaps a third connection. That could help master planning design a situation where any commercial traffic would circulate through Curtiss to West instead of going up to Spring, in the event they go to Spring Street. I still think the topography and layout is conducive to businesses not locating on the northern end for the lack of visibility.

- I can't stress enough this whole master plan is subject to a special permit. That's going to be another public hearing. Certainly hearing what we've heard so far will definitely help guide, if you do approve that, it will guide us as staff to tell the application through the pre-application process what really should be done. I can't stress that enough.

You need to think long and hard about what is your vision of the area. Go back to that. You are making changes in a specific area but also making land use decisions based upon 45,000 people in Southington.

I encourage you to think about the vision. You have tools in place to accommodate a master plan that will satisfy some of these concerns. Take that with you as you consider this further.

Hearing no more speakers, the Chair closed the public hearings on Items D & E.

F. Thomas and Alicia Atterato and Donald & Janice Desorbo, Special Permit Use Application for Parent/Grandparent Apartment to be located in proposed home, 50 Fragola Drive, property of FRAL, LLC, in an R-20/25 zone SPU #563.

Stephen Giudice, 876 South Main Street in Plantsville, introduced the application. Showed a quick rendering of the plot plan.

This is for a proposed in-law apartment. Its property owned by FRAL, LLC and the applicants are Thomas & Alecia Atterrato and Donald & Janice Desorbo. The apartment is to the rear of the building. We have adequate parking on the parking and adequate room for an onsite septic system and city water. Staff is satisfied with the applicant.

Happy to answer any questions.

(Those speaking in favor of the application)

(1) Bryan Meccariello, 142 North Main Street, Southington. I'm here on behalf of the developer/builder of this property.

Legal question for Mark: When you look at the restrictions, the notes on the building plans, if there is any estate planning within the family, Title 19 transfers, is that going to void the approval?

Attorney Sciota said are you talking about a transfer for estate purposes? Attorney Meccariello said yes because right now it is going to be co-owned.

The parents will occupy the in-law apartment.

Attorney Sciota said if it changes to be owned by one of them, you don't have to come back.

(2) Arthur Cyr, 103 Berlin Avenue. Just because I don't live in a neighborhood doesn't mean I don't go out and drive your agenda items. I know your regulations and hope you serve in the best interest of this entire town. Not just people who live in the neighborhood. I don't have to live in an R-40 neighborhood to have an opinion and hope you do what is in the best interest of the town.

I like parent/grandparent apartments. That's why I am speaking in favor of it. It doesn't matter it is not in my neighborhood.

I know you'll do the right thing.

Thank you.

(Those speaking against the application)

None.

The Chair closed the public hearing at this time.

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@5 zone (SPU #562) extended from April 5

Ready for action. The Chair explained the application before us is whether or not this should be an open space subdivision or a conventional subdivision and not whether or not there should be houses on this property.

Mr. Chaplinsky said he would support the application. I think we've had good support from the neighbors with respect to open space versus conventional subdivision. I think there is some subjectivity to what our previous regulations require for open space. I am support of the SPU. I do have concerns about the westerly curb cut on Loper Street. That's my only sticking point.

I would lean towards an approval of this with a stipulation that there is no cub cut to the westerly portion. For me, I would be in favor of approval with a stipulation there is no westerly access. How that gets worked out --- possibly different designs.

Mr. Morelli agreed with Mr. Chaplinsky. Nobody wants to see that property clear cut. I think the fact they'll leave 14 acres vs 2 is a no brainer. I think my only concerns, the same as Paul's, that lower roadway is potentially a problem.

Mr. Sciota said we've asked for fire department and police department comments. As your emergency management coordinator, I have a grave concern of putting 70 lots on one ingress/egress from an emergency management standpoint. I've never been a big fan, from a safety standpoint of that many dwellings on one ingress/egress where one thing can happen and I can't emergency vehicles in that. That concerns me greatly.

The police and fire can handle where the westerly goes, but from a safety standpoint I have grave concerns about one ingress/egress.
Discussion.

Mr. Phillips noted he as well as the engineering department concur that is a grave concern, as well. They would prefer not to have one ingress/egress.

Discussion of the western entrance.

Mr. Phillips said it is more critical that there are two entrances rather the issues that may arise during inclement weather on the western entrance.

Mr. Chaplinsky agreed with both comments. He feels as though we should have two points of access to this.
Discussion.

Mr. Chaplinsky discussed temporary/permanent and gated access ways to the subdivision for emergencies.

Discussion.

Mr. Chaplinsky made a motion to approve the open space subdivision without the westerly curb cut. Mr. Morelli seconded.

Mr. Sinclair commented you have to have two access points. Discussion.

Mr. Chaplinsky clarified that his proposal is not that there is one egress, my proposal is that there is not an egress on the steep incline of the hill westerly where it is. Somewhere in the subdivision application we'll come up with a second egress.

Mr. Sciota said the motion is for no westerly cut. Right now there is easterly and westerly. If there is no westerly, there is one.

Mr. Chaplinsky removed his motion. Mr. Morelli removed is second.

Mr. Chaplinsky remotioned to approve the subdivision with the easterly access point plus one additional access point that the commission has to approve.

Mr. Phillips cautioned they may abandon the SPU and go to the conventional layout and then you'll lose a lot of control.

Discussion.

Discussion of the access points to the subdivision.

Mr. Chaplinsky made the motion to approve it with the westerly access point on the map not a permanent roadway. It would be gated and maintained by the town. That's my motion. There is a second point of access but it is not permanent. Emergency services would have access to open the gate if need be.

No second to the motion. Therefore, it fails.

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

B. AA Denorfia Building & Development, LLC, 72 lot Resubdivision Application, Parcel 51, Loper Street (Map 158, Parcel051) property of Ann Griffin Egan, Trustee, in an R-20/25 zone S #1312, extended from April 5

Applicant requests a table. Mr. Sinclair made a motion to table and Mr. Cabata seconded. Motion passed unanimously on a voice vote.

C. Lovley Development, 2 lot resubdivision application, 15 Twin Pond Terrace, in an R-20/25 and R-80 zone S #1313, extended from April 5

Ready for action. Wetlands approved April 7th. Mr. Macchio made a motion to approve. Mr. Sinclair seconded. Motion passed 7 to 0 on a roll call vote.

D. Proposed Zoning Text Amendment, MUT Zone District, new Section 4-06 and revised Section 7A (ZA #587) extended from April 5

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

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, Pa (Map 143, Parcel 017); 1413 West Street (Map 155, Parcel 078); 712 Spring Street (Map 155, Parcel 075); Spring Street (Map 155, Parcel 072); (ZC #553); extended from April 5

Mr. Chaplinsky made a motion to table after reminding the commission that Commissioner Clock had asked we postpone these decisions until after the vote on the POCD which will be at the next meeting. Ms. Locks seconded. Motion passed unanimously on a voice vote.

F. Thomas and Alicia Atterato and Donald & Janice Desorbo, Special Permit Use Application for Parent/Grandparent Apartment to be located in proposed home, 50 Fragola Drive, property of FRAL, LLC, in an R-20/25 zone SPU #563.

Affidavits are on file as required. It is ready for action with the four stipulations you normally attach above the title block. Mr. Chaplinsky made a motion to approve which Mr. Sinclair seconded. Motion passed 7 to 0 on a roll call vote.

G. ProCaire, LLC, site plan modification (Parking lot and grading adjustment) and change of use, 51 Triano Drive, in an I-2 zone SPR #1608.1)

Stephen Guidice represented the applicant. This is a site plan modification. This lot had been approved previously for an ambulance and tow truck business. Since that time the new company, ProCaire, LLC has gone under contract to purchase the property. We are pretty much maintaining the footprint of the building. The parking lot is the same. The landscaping is the same.

We did make a minor modification at the side here. We have two tanks we're using for types of liquid gas. Then we added a little island here with the loading ramps so box trucks can come around and back into this loading ramp to load.

Those are the only significant changes to the plan. We did go through a staff review. There were a few minor comments and we made changes. We see this as a minor modification to the site. Hopefully you will see it as a favorable change, too.

Ready for action.

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

H. Subdivision Regulation amendment, Section 6 - Open Space (SA #25) tabled from April 5

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

I. Crystal Bee's release of \$56,450 Bond in Lieu of Site Plan Compliance, 240 Spring Street (SPR #1653

Ready for action. Mr. Sinclair made a motion to approve and Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

TWO ADDED ITEMS TO THE AGENDA:

J. Crystal Bees release of \$9,600 PI Bond.

K. Crystal Bees reduction of \$8,450 E & S Bond to \$2,450.

Voice approval to add these items to the agenda.

J. Crystal Bees release of \$9,600 PI Bond.

Ready for action. Motion to approve by Mr. Sinclair. Second by Mr. Cabata. Motion passed unanimously on a voice vote.

K. Crystal Bees reduction of \$8,450 E & S Bond to \$2,450.

Ready for action. Motion to approve by Mr. Sinclair. Second by Mr. Cabata. Motion passed unanimously on a voice vote.

8. PLAN OF CONSERVATION AND DEVELOPMENT

Public hearing is two weeks from tonight. If you have any concerns about what was presented in the draft plan, come out for the meeting and state your concerns. May 17th. Public Hearing.

9. REGIONAL PLANNING COMMISSION UPDATE

Mr. Cabata reported they have our POCD. They have not given us a date of when they are actually going to look at it or make comments.

Last meeting, they had Data Haven come in with surveys. They're in southern Connecticut and they're trying to expand into central Connecticut and the rest of the state. Only interesting thing was according to their data, Southington is well liked as a biking town. The trail is well used.

10. ITEMS TO BE SCHEDULED FOR PUBLIC HEARING

None.

11. ADMINISTRATIVE REPORTS

Mr. Phillips reported on Greenskies, LLC. It is a site plan modification for the ground and roof mount solar array installation at Hatton Elementary School. It's less impact than the previous approval that you had.

The Chair commented he saw that and it looked good to him. Hearing no comments, you can go back and do an administrative approval.

12. RECEIPT OF NEW APPLICATIONS

- Tavern Forty-Two Burger, Brew & 'Que. Floodplain application for 42-44 West Main Street. I-2 zone. Site plan modification for an 833 square foot deck. It is on the south side of the building, the old Hearthstone. It's in the flood zone.

- Greenskies. We just talked about that.

- Lineberry Realty, site plan modification proposed, 6,000 sf addition at 1157 Meriden Waterbury Turnpike. B zone.

- 405 Queen Street, LLC. Three lot subdivision application of 405 Queen Street. R-20/25 and B zone.

- SPU for the parent / grandparent apartment we just did tonight.

13. ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 9:03 o'clock, p.m.)