

PLANNING AND ZONING COMMISSION
TOWN OF SOUTHLINGTON

OCTOBER 3, 2017

The Planning & Zoning Commission of the Town of Southington held a regular meeting on Tuesday, October 3, 2017 at the John Weichsel 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
Robert Hammersley	Michael DelSanto, Chair

Alternates: Peter Santago & Ted Cabata*

(Arrived at 7:12 o'clock, p.m.)

Ex-Officio: Robert Phillips, Director of Planning & Community Development

James Grappone, Assistant Town Engineer
Mark J. Sciota, Deputy Town Mgr/Town Attorney

Absent: Jennifer Clock, Susan Locks & James Morelli,
Regular Members

Ross Hart & Joe Coviello, Alternates

The Chair seated Mr. Santago for Ms. Clock. A quorum determined.

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

4. Approval of Minutes

Mr. Sinclair made a motion to approve the Minutes of the Regular Meeting of September 19, 2017. Mr. Santago seconded. Motion passed unanimously on a voice vote.

5. Business Meeting

A. Southington Water Department, new building to host new back up well 2A, a generator site and chemical treatment facilities, property located at 1021 Meriden Waterbury Turnpike, in a B zone (FF #256/SPR #1739), tabled from September 19

Mr. Phillips said this is all set. I suggested five stipulations.

1. Exterior LED lighting must be shielded.
2. The existing waste holding tank shall be abandoned per the Health Department requirements (Comment #5 on engineering checklist).
3. The proposed stone infiltration trench be widened from two feet to three feet along the westerly side of the new driveway (Comment #7 from the engineering checklist).
4. Final design for the drywell to be approved by the Town Engineer since the depth of groundwater has not been determined (Comment #10 from the engineering checklist).
5. Provide a check valve as needed at the floor drain piping to prevent water from entering inside the new well house.

Mr. Hammersley made a motion to approve the FF #256. Mr. Sinclair seconded. Motion passed 5 to 0 on a roll call vote.

Mr. Sinclair made a motion to approve the SPR #1739 with the aforementioned stipulations. Mr. Hammersley seconded. Motion passed 5 to 0 on a roll call vote.

B. Mariani Construction 12-lot subdivision application, 1681 Mt. Vernon Road, in an R-2025 zone (S #1318)

Sev Bovino, Planner with Kratzert, Jones representing the applicant, Mariani Construction.

He pointed out on the screen Mt. Vernon Road, Acre Way and the property. North goes toward Lake Compounce. Jude Lane is down here about 600 feet.

The property is located at 1681 Mt. Vernon Road. There used to be an old house here on the farmland. It was removed and the site has been cleaned. This property is zoned R-20/25 and is served by public water and septic systems. The land area is 7.37 acres. The topography is a gentle slope toward the center property. It is mostly field and wooded area to the east. He pointed out the natural low area.

Soils are sand and gravel. The health department approved the tests and the layout.

We are proposing 12 lots conforming to the regulations.

The proposed road is pitched away from Mt. Vernon Road toward the east. (Indicated on the screen.)

The cul de sac is a low point. The drainage heads north to an existing drainage system that is in Acre Way. There is a drainage easement here (indicating).

The maps were revised according to comments from staff. We show additional trees, sidewalks, et cetera.

All appropriate notes and details are on the plans.

The applicant is requesting under Section 2-02 to be allowed to pay a fee in lieu of open space which in this case would be a half acre. The applicant has provided an appraisal report and also an environmental assessment report.

Just FYI, the 50' stub located in the Acre Way subdivision was abandoned by the council and was deeded half to the neighbor on either side. It was deeded subject to the design you see in front of you on the plan & profile sheet that is part of your plan, P-1. This design includes the small detention area, the pipe leading to it and exiting from it and entering the existing system. There is a pipe on the property right now that we are not touching. I've provided the plan with a copy of the deed that was filed with the town clerk.

If we have to provide open space, we would probably place it here (indicating) or by the road so it would be eliminating one lot.

The length of the road is 695'.

We have provided all the appropriate design details.

I was hoping you could ask questions and then move on it.

The Chair asked how many lots are gained with the fee in lieu of? Mr. Bovino answered one lot. If you decide you don't want the money, we would eliminate one lot either here by Mt. Vernon Road or somewhere here (indicating).

The Town Attorney asked Mr. Bovino how he came up with the \$21,900. Mr. Bovino said it was the appraisal report which was \$200,000, plus, and it is ten percent of the value.

Discussion.

Paul Mariani clarified it was 7 acres of raw land appraised at \$219,000. The Town Assessor has it at \$165,000. So, we're higher. At the closing he paid \$225,000.

Discussion.

Discussion of the appraisal amount.

Attorney Sciota stated looking at \$21,000, you need to look very seriously if you want to add another lot. The \$21,000 from an open space standpoint isn't a heck of a lot of money. You may want to look seriously at the open space on the subdivision.

Discussion.

Discussion of the town taking the open space or a homeowner's association taking the open space land. The commission make that decision.

Mr. Chaplinsky asked if there were two plans, one showing the open space subdivision versus a conventional subdivision. Mr. Bovino said they have not submitted an open space subdivision as they went straight to the conventional subdivision. What we have submitted is the option of where we are putting the open space. (On the screen)

Mr. Chaplinsky said he understood where the open lot is for the conventional subdivision, but it is typical to have an open space and a conventional plan. I was just curious.

Mr. Bovino explained in this case the open space subdivision did not make any sense. Normally, we do do that, though.

Attorney Sciota said staff would agree on this one. You shorten the road, but you still have to access the land to the rear. You only allow so many rear lots in an R-20/25 zone. Conventional is the correct way to go.

Mr. Phillips further advised the applicant was requesting a waiver of a portion of the sidewalk to the rear. The revised plans do show the sidewalk. Mr. Bovino said the plan shows the sidewalk all around the cul de sac. The applicant would like the commission to consider --- over the years we've had complaints from the highway department and people who live on the cul de sacs, that the snow gets plowed and dumped on the sidewalk on these two lots on the end. The sidewalk ends up covered with snow. He suggested not building it and stop the sidewalk here (indicating) with a handicapped ramp and people can come in from Mt. Vernon Road. And, the snow can be piled in front of these yards without a problem for the homeowner or the town.

The Chair felt that was opening a can of worms and setting a precedent. Attorney Sciota pointed out it is maybe a two-month problem. The other ten months are not a problem. You've never done that that I can remember he concluded.

Mr. Mariani brought up the fee in lieu of for open space. The Chair said that would have to be discussed with staff. Usually the town is looking for something of a better interest financially or we'll take the open space.

Discussion.

Discussion of use of the open space in a subdivision like this.

The homeowners' association concept was discussed.

Mr. Grappone said staff would support the open space being in a homeowners' association with the detention basin being on that property with an easement in favor of the town for drainage. Right now, the design is not like that and we would need to get revised plans.

Mr. Bovino noted the drainage has been designed in this area here (indicating). We have the right to drain all through here with a pipe and we chose to create a small detention area. It's only 8' wide at the bottom. The conveyance was subject to that design and we are not willing to change that design. That's the way it was agreed upon.

The open space is up to you.

Attorney Sciota said as long as they acknowledge who the owner is because when the town abandoned it, the owner to the right got that land. As long as the HOA acknowledges they are responsible for maintaining that and not who took the property, then the town is fine with it.

Discussion of the detention basin and the area surrounding it.

Mr. Chaplinsky said he would like to walk the site. Therefore, he made a motion to table. Mr. Sinclair seconded. Motion passed unanimously on a voice vote.

(Mr. Cabata has arrived and the Chair seated Mr. Cabata for Ms. Locks.)

C. Andy 2017, LLC, site plan application to construct a new 23,000 square foot building, parking area, and associated vehicular circulation area, 157 & 143 Industrial Drive, in an I-1 zone (SPR #1740)

Stephen Giudice, Harry Cole & Son, 876 South Main Street, Plantsville, represented the applicant.

This is two lots, 17 & 15 at the end of Industrial Drive. Applicant has purchased both properties. He has a machine shop around the corner and he's looking to expand his facility.

We're proposed to combine the two properties into one. The parcel is serviced by public water and public sewers. I-1 zone.

We're proposing a 15,000-sf building and an 8,000-sf future addition located to the north.

The access drive comes in at the cul de sac and comes down along the property line and goes down to a lower level. From the street the building won't be as high. Only one story. When you come around the back side, it will be a two-story building. The loading dock location was pointed out.

The detention basin is located here. This subdivision was designed to provide ZIRO for all the lots up to 75% of each building lot. We have some storm water quality measures. ZIRO is though the existing detention basin.

A small office space was indicated. The rest is manufacturing. Aircraft parts. He is growing and wants to continue to operate here.

Mr. Phillips commented the future expansion on the north end, you are reviewing it now, if and when they come in for that, it will be through the zoning permit process.

He suggested four stipulations.

Stipulations:

1. The proposed retaining wall to be designed by a CT PE. A separate building permit is required.
2. Final design of the grinder pump and force main for sewer service shall be approved by the Town Engineer's office.
3. Provide exist velocity for the force main.
4. The permanent patch for the utility connections in Industrial Drive shall match the existing pavement thickness if greater than the dimensions shown on the detail (Sheet D-2).

Mr. Giudice pointed out all surrounding parcels are industrial in response to a query by Mr. Chaplinsky.

Mr. Sinclair made a motion to approve with the suggested stipulations. Mr. Santago seconded. Motion passed 6 to 0.

D. Louis Martocchio, site plan modification application to construct a 1,170-square foot building addition and provide required parking spaces, 193 Main Street, in a CB zone (SPR #1741)

Stephen Giudice represented the applicant. Technically, it is Martocchio & Oliviera. This is a CB zone. It's a .31-acre parcel serviced by public water and sewer. It is an existing law office located here.

There is an existing paved parking lot to the rear and an existing outbuilding.

This addition kind of occupies the location of a past (inaudible) that was there. We've formalized the parking. Adding some landscaping and removed some impervious surface to meet ZIRO requirements. We added fenced dumpster pad to the back of the property and some landscaping along the residential zone to the rear.

There are six total parking spaces. The addition is 1200 square feet. I believe we're in good shape on this one.

Mr. Phillips said the applicant is not proposing a loading space and regulations dictate you have to find that it's acceptable. From my point of view, future proposed use, I don't think they need one.

Lou Martocchio, 191 Main Street, Southington, CT stated the existing shed is a storage facility that's used primarily for archives and other miscellaneous office materials.

Parking requirements are met. There is a handicapped space located in front of the building.

The narrow passageway on the side of the building exists now. The employees park in the back today.

Mr. Phillips advised this is ready for action.

Mr. Sinclair made a motion to approve. Mr. Hammersley seconded. Motion passed 6 to 0 on a roll call vote.

E. Festival Fun Parks, LLC, Earth Excavation application to remove 61,000 yards of material for potential amusement park expansion, parking area or picnic area, 2304 Mount Vernon Road, in an R-40 and R-80 zone (EE #144), extending from September 51

Mr. Phillips reported the applicant has requested an extension. They are still working out the details with their abutting property owners. I did suggest that they try to finalize whatever they are doing before the end of the month because of the potential change. Hopefully, the commission is not in the position where you feel like you have to make a decision at the next meeting. We'll see.

The timeline for the current application expires around Thanksgiving.

The Chair's paramount concern is this commission may have a different look come November 7th. Attorney Sciota responded staff talked about it today and Rob is going to talk to the applicant about this. One way or the other they request a decision or they withdraw it or you deny it without prejudice and they can come back and refile.

We try every year to go clean into the new board. This has been on so long, let's try and make a decision at the next meeting one way or the other. Rob'll speak with the applicant.

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

F. Request for approval under Section 8-24 for the Eden Avenue Municipal parking lot (MR 516).

Attorney Sciota explained this is coming from the economic development division and the strike committee which the Chair serves on.

We've been trying to work on the south end of our CB zone and add some parking to it. We're getting some development in that area. Explained.

Eden Avenue needs a little support as businesses are closing there.

Working very closely with the BOE and I thank the BOE for their willingness to work with us. The northerly portion of the parking lot off of Eden Avenue which is part of Derynoski School would be the area that would become municipal. Explained.

From a financial standpoint, we'd be able to put this parking lot together for about \$5,000.

We're hoping for a favorable 8-24 back to the Town Council and hopefully this will be a jump start for the south end of our CB zone.

This is 42 plus 2 handicapped parking spaces.

No businesses in the area are looking for waivers, but there are a lot of vacancies in the area.

Hoping to use this as a marketing tool. And, we never have enough parking noted Attorney Sciota.

I thank the BOE as they are going to continue to plow it. We are going to do the spring landscaping (Parking Authority). The front fence is coming down. We're not taking down any landscaping onsite. We'll do some striping, some crack seal. We'll fix one detention basin.

Mr. Santago noted some councilman expressed reservations about this. Am I wrong or right to say their reservation was more monetary given the budget situation than it was the spirit of what's going on. Attorney Sciota explained two thoughts with economic development. We are of the school that you bring a parking lot in and that assists business and not the flip side which is the business first and then

the parking. We hope by supplying the municipal parking that'll help the south end CB Zone. That's the theory we're working under.

Mr. Phillips added: free municipal parking is the key.

Mr. Santago clarified that approving this tonight, we are just approving the idea of this tonight.

Attorney Sciota explained the 8-24 process. You are saying this is beneficial to the planning of that end of town.

The Chair related a constituent contacted him and his paramount concern was safety of students at the school. Right now, anyone can go in there and park. His concern was he wanted to make it clear he's an employer of the school and his concern is that there'll be people coming in/out throughout the day parking while kids are at recess. I told him he can go to the town council and let them know his concerns. Our focus is whether or not it is in line with our plan of development.

Attorney Sciota clarified that's why it was brought to the BOE first to be sure they were okay with it before even bringing it to the council. Municipal parking also gives the businesses in that area a chance to expand on their whole parcel because they get parking waivers they wouldn't if it was just Eden Avenue parking.

It is being used as parking now and this is going to make it more formal. I feel comfortable it would not have gone through the BOE unless they felt comfortable with it.

Mr. Chaplinsky made a motion to send back a favorable 8-24. Mr. Sinclair seconded. Motion passed 6 to 0 on a roll call vote.

G. Release of \$65,000 site improvement bond, 49 DePaolo Drive (SPR #1667)

Ready for action. Mr. Sinclair so moved the motion. Mr. Hammersley seconded. Motion passed unanimously on a voice vote.

H. Acceptance of Bagno Drive, from West Pine Drive to its terminus, a total distance of 630 feet (.12 mi) subject to the receipt of a \$25,000 maintenance bond, Bagno Estates (S #1307)

Ready for action. Mr. Sinclair so moved the motion. Mr. Cabata seconded. Motion passed unanimously on a voice vote.

I. Release of \$380,400 security agreement upon receipt of \$25,000 maintenance bond, Bagno Estate (S# 1307)

Ready for action. Mr. Cabata so moved the motion. Mr. Sinclair seconded. Motion passed unanimously on a voice vote.

J. Release of \$4,300.17 Erosion and Sedimentation bond, Pike Realty Co., 95 Corporate Drive (SPR #1158.1)

Ready for action. Mr. Sinclair so moved the motion. Mr. Santago seconded. Motion passed unanimously on a voice vote.

6. AMINISTRATIVE ITEMS

Mr. Phillips reported on a quick discussion on the cluster subdivision modification. There was a comment/request last meeting to quantify properties. This was done recently for a different purpose but as far as undeveloped residentially zoned land, 5 acres or larger, 1799 acres are categorized as undeveloped residentially zoned land.

Of that almost 1800 acres, 197 acres is in an R-20/25 zone and 365 acres is in the R-40 zone and 1,236 acres are in the R-80 zone.

Some of the properties, especially in the R-80 zone, may be protected open space or water company land.

The numbers will be sent to the commissioners.

If we are looking at mandating the open space or preservation subdivision, it probably only make sense in the R-40 and R-80 zones.

You don't have a tremendous amount of development left in the R-20/25. You wouldn't have a good design anyway. You are not really saving open space in R-20/25 because you can't reduce the lots that much more. The Chair stated it is not passive recreation and he prefers to have that.

This should be pushed off to when the new commission is seated.

Food Truck policy should be pushed off to when the new commission is seated.

7. ITEMS TO SCHEDULE FOR PUBLIC HEARING

- None

8. RECEIPT OF NEW APPLICATIONS

1. John Senese application for a site plan modification. It could've been an administrative item but commission might want to see it. It is a change to the ingress and the parking area with that new property they have. They're moving it farther back.

9. ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 7:46 o'clock, p.m.)