

PLANNING AND ZONING COMMISSION  
TOWN OF SOUTHTON

MARCH 6, 2018

The Planning & Zoning Commission of the Town of Southington held a public hearing and regular meeting on Tuesday, March 6, 2018 at the John Weichsel Municipal Center Assembly Room, 196 North Main Street, Southington, CT. Michael DeSanto, Chair, called the meeting to order at 7:00 pm.

The following Commissioners were in attendance:

Paul Chaplinsky	Dagmara Scalise
Robert Hammersley	Susan Locks
James Morelli	Michael DeSanto, Chair

Alternates: Ted Cabata, Ross Hart & Peter Santago

Ex-Officio: Robert Phillips, Director of Planning & Community Development  
James Grappone, Assistant Town Engineer  
Carolyn Futtner, Town Attorney

Absent: Jennifer Clock, Commissioner  
Joe Coviello, Alternate

The Chair seated Peter Santago for Jennifer Clock for this evening's meeting. A quorum was determined.

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

MICHAEL DELSANTO, Chair, presiding:

4. APPROVAL OF MINUTES

A. Regular Meeting of February 20, 2018

Ms. Locks made a motion to approve the Minutes as presented. Mr. Hammersley seconded. Motion passed unanimously on a voice vote.

5. PUBLIC HEARING ITEMS

Mr. Phillips read the legal notice into the record.

A. Praveen Dhulipalla, Special Permit application for a medical marijuana dispensary, property owned by 995 Queen, LLC, located at 995 Queen Street in a B zone (SPU #592)

(Minutes are prepared summary style and you can refer to the video recording on line for the full two-hour public hearing.)

Attorney April Arrasate presented the application on behalf of the applicant, Praveen Dhulipalla, a pharmacist from Avon, CT.

Attorney Arrasate presented a slide show walking everyone through the Department of Consumer Protection Medical Marijuana Program.

She advised she has been involved in the program from the beginning. I am an attorney in this state and I am the Chair of the Medical Marijuana Program of the Connecticut Bar Association. I am very familiar with this program as to where it came from and where it is going. (Please refer to the video on line for the fifteen-minute slide presentation and comments.)

We are to discuss this particular location for the Connecticut program.

- This program is highly regulated with a specific list of debilitating medical conditions. All qualifying conditions are disease originating conditions and not symptom based. (Cancer, AIDS, Glaucoma, MS for example.)
- She spelled out the certification program for the patient by the physician.
- A counselling relationship between the patient and the pharmacist was discussed.
- Security requirements for these facilities are highly regulated, very strict which was spelled out by Attorney Arrasate. She noted it was an extremely limited access facility.
- Physician regulations were discussed.
- Patient caregiver certification regulations were discussed.
- Board of Physicians, a five-member board, was discussed as the only way to add medical conditions to the qualifying medical debilitating conditions.
- Dispensary requirements were discussed as per the State of Connecticut.
- Four licensed producers in Connecticut as to regulations and requirements were discussed.
- Professional alarm systems and approved safes were noted. No consumption on site.
- The difference is this is pharmaceutical grade marijuana. She explained the labelling, showing a label.

The Department of Consumer Protection is offering a true medical program. This location is a true pharmacy, even more strictly regulated.

That is just a basic understanding of what the program is.

Attorney Arrasate answered various questions from the commissioners.

- There are four producers, nine dispensaries and about 24,000 patients at this time. And, nobody has been removed from the program. She couldn't speak to individual patients.

- Why Southington and why this location? Attorney Arrasate felt this valley area was under-served and we're trying to get something more accessible for them. The nearest ones right now are Bristol and Waterbury. They are not on the I-84 line and from the Avon or Farmington area it is

inconvenient. We are looking to serve Southington, Newington, New Britain, Farmington and those towns.

- Overall market for this facility given where Southington is and the surrounding communities being served from this location do you have a number of people. It'll take about fifteen to thirty minutes to see the patient and do the counselling required. Maximum of 25 to 30 people. Six days a week.

- Parking spaces available and the other uses in the plaza were discussed.

- Enforcement power of the Department of Consumer Protection and tools they use to enforce their own regulations were explained. Diligent about inspections and they have a lot of discretion and they can revoke regulations. Monitoring requirements were discussed, in addition.

- Residential use, do you have information about these types of facilities that are adjacent to a residential use and whether there have been any issues? There are no restrictions by the state where these can go as it is highly regulated answered the applicant.

Attorney Arrasate noted as far as the other dispensaries go, there have been no break-ins or robberies. Somebody did throw a rock at a window and the alarm went off and they fled. These actually bring security to the neighborhood because they are so overly regulated and there is a security guard there every moment it is open.

As far as the residential, she concluded she had not heard of any complaints. There's not many people there loitering outside. It's not like a head shop. It looks like a medical office.

- The applicant submits an application to the state outlining his security plan, his marketing plan, his business plan, very detailed oriented. The state uses that to hold to you a standard with your business. She noted she did not know of one that did not have a security guard on site while open.

- How long a consultation could take would depend on how long a patient has been coming. There's so much feedback required when the patient returns and the dispensary has an obligation regulatory to record their prior medication and have the patient self-assess. They have to upland to the prescription monitoring program and assess for potential substance abuse concerns. All that is required by the regulations you can't do in a short amount of time.

- In this business you do not see very often a caregiver coming in without the patient. They typically come in with the patient to help them. I think it is rare just the caregiver comes in.

Attorney Arrasate will look into it further per Mr. Chaplinsky's request.

- The only thing that can be sold in the dispensary is marijuana, marijuana products and its paraphernalia. The reason is we end up selling vaporizer units. Most try to deter anything that requires smoking. Storage containers are sold to keep it fresh and safe and locked. Batteries for the vaporization unit are sold. A few other things like that. You are not selling typical drug paraphernalia as you image. It's medical products.

- A list of what is to be sold will be submitted to the Town Planner.

- Nobody can enter and purchase at the facility without a prescription.
- Future drive thru windows at the dispensaries are not being looked at any time soon. If it did happen, it would have to be an entirely new zoning situation.
- If Connecticut were to pass a law on recreational marijuana, this dispensary would not automatically be a dispensary. You would have the control over the zoning requirements for that. This zoning approval is just for medical.
- What's harder to do, is it harder to sell oxycodone or harder to sell medical marijuana? It is much harder to sell medical marijuana answered Attorney Arrasate.
- Attorney Arrasate explained the approval process with the state noting this is the first step. The submission date is April 9<sup>th</sup> and the state typically takes between thirty and sixty days to make a decision. You are talking approval in June or July and you have four months to get up and running.
- Hours of operation: Monday thru Friday, 9:00 am to 6:00 pm and Saturday, 9:00 am to 2:00 pm. Fifty hours a week.
- Policy on showing up for your appointment early was explained as business decisions.
- 24/7 security procedures were discussed. Alarm systems are mandated and required to be redundant. There is a direct line with the police. We work closely with the PD so they're aware of what's going on. Silent alarms, motion alarms and redundant.
- The applicant outlined the layout of the facility and the three layers of security to get to the actual dispensary (the safes).
- Discussion on whether the security guard would be armed or unarmed. Cameras on site and access were discussed.
- Discussion on community outreach by these types of facilities to support the community on illegal use of these types of substances. Attorney Arrasate pointed out in the application is there is section for your Substance Abuse Prevention Plan. We reach out to a substance use prevention organization in town and not only offer communication between us so we have a resource. The relationship with a substance abuse prevention professional is twofold. Just because this is legalized medicine doesn't mean its legal across the board to be used recreationally and more importantly you want a resource for people who come to you who need this type of counselling and you want to be able to send them to professionals. We want to develop the relationship and we commit a certain percentage amount of gross sales to all of these endeavors (community interest programs, substance abuse prevention).  
Discussion.  
Cannabinoid therapy in conjunction with opiate therapy actually reduces the amount of opiates necessary to manage pain and sometimes reducing them all together.  
Discussion.  
Thank you.

Those speaking in favor of the application:

The following four people spoke in favor of the application specifically addressing the need for this dispensary because it does improve access for people with genuine medical pain to need marijuana, cannabis is probably the least harmful of all the drugs out there, not allowing this access is not improving drug abuse prevention in town, experience with dispensaries here in Connecticut as far as security its top notch, cleaner medicine for all patients, the town should be looking to capture some of the market, as this is coming, embrace it and see for yourself what's out there, discussion on cannabinoids and their therapeutic values, the town to be open minded about this as it is coming in the future, access should not be denied to those who need this medicine for pain. The medical reason for marijuana is undisputed. Facilities are merit-based.

1. Samuel Henderson, 19 Taunton Street
2. Ryan Vassar, 15 Saddlebrook Path
3. John Gavin, 40 Brookwood Drive (Read a prepared statement)
4. Any Florian, 512 Mount Vernon Road

Those speaking against the application:

The following ten people spoke against the application citing the following reasons: the location is in too congested of an area, very traffic busy in a residential area, safety concerns with the traffic in the area, medical marijuana is marijuana being used for medical purposes, pharmaceutical grade just means it is grown in a Connecticut-licensed facility and it is labeled with chemical ratios and it has a consistent dose, nor warnings on the label or recommended use on the label, we know the facilities are regulated but how are they monitored, will the dispensaries ultimately be used for purchasing marijuana for recreational use, not using money provided by a dispensary because of ethics, Bristol and Waterbury are closer than Southington, in supporting the Red Ribbon Rally's program this goes against what it stands for, Southington does not need this and no reason for us to have it here and undermine the work done by the Coalition, STEPS and all of the anti-drug movements we've had, is this in violation of the federal law, detrimental to property values, this is family oriented neighborhood, close to the elementary school in the neighborhood, the dispensaries should be put near or in medical buildings, two churches within a thousand feet of this facility, if this is approved it sends the wrong message to our kids, has the applicant met the zoning regulations (8-02.1, 8-02.9, 8-02.11(a), 8-02.11(b)) abuse of the facility.

1. Chris Palmieri, 186 Highridge Road, speaking as President of our local STEPS Coalition. (Read a prepared statement on file in the Planning Office.)
2. Tracey Wales, 81 River Street
3. Bo Huhn, Guilford (Read a prepared statement on file in the Planning Office.)
4. Lisa Mason, 66 Hobart Street
5. Victoria Triano, 33 Belleview Avenue

6. Rudy Zanu, 55 College Avenue
7. Melissa Murphy, 96 College Avenue
8. Sev Bovino, 285 Hightower Road
9. Warren Stevens, 110 Paul Terrace
10. Steve Giudice, 283 Deerbooke Circle

#### Rebuttal

Q Have there been violations in Connecticut for medical marijuana facilities?

A Regulatory issues with mostly the producers. Attorney Arrasate did not know of any dispensary-related. Nothing that has caused the revocation of a license.

Q How does the Department of Consumer Protection monitor the facilities?

A The Department of Consumer Protection, answered Attorney Arrasate, is intimately involved. Frequent inspections. Involved on a daily basis and it is really a day to day relationship. They have a marijuana control division specifically charged with monitoring these facilities and there aren't many. They have a personal understanding of what is going on in the facilities and they do unannounced inspections. They are FOIA available.

Q We had a question about your involvement.

A. Attorney Arrasate explained her personal experience with her mother's fight with breast cancer and her being the primary caregiver. I feel like with opioids you lose the person before you lose them. The program came into the state and I was interested in switching my practice to something with patient advocacy. I have been in this industry from the beginning. I presented at Rotary as Curaleaf which is one of the four producers. I have left that and am now an of-counsel with Brown, Pandiris & Scott. I have no conflict and nothing personal to gain from this. We are looking for something to address the needs for people who have something like my Mom in those times.

Q What if three doctors are at this facility?

A. The restriction is because of the size of the facility. It's 2500 sf. HIPPA requirements are for consultation rooms. You can't have more than one dispenser in there. This is a sole proprietorship.

Q How about a stipulation this is for only one doctor?

A. The applicant responded the facility can only support one at this time. One pharmacist.

Q Are there churches within 1000 feet of the facility?

A. We did the search and we didn't find anything answered the Applicant and his Attorney.

Mr. Phillips interjected the current regulations have separation distances from producers and there is no separation distance for dispensaries. Explained the history.

Q We have a regulation in town and the state has its laws with regards to medical marijuana.

A. The Cole Memo is a very complicated issue and there were a lot of inaccuracies. It's hard to understand. The rescinding of the Cole Memo doesn't have legal implications. It was just a policy memo like a handshake. To get into the debate of whether the State of Connecticut has the authority to institute a medical marijuana program I think is beyond the scope of this room here tonight.

We are not here to discuss whether the Connecticut has the right under the federal law to create this program to begin with, we are not really here to discuss marijuana and whether it is a medicine or not and we are not here to discuss recreational marijuana. Actually, whether dispensaries should come to Southington is beyond the scope of this hearing as you've already determined that in a prior action. While I understand all the things said by those against, we are not here to discuss the drug problem in America or its impact on children or children's perception of things. We all agree the developing brain shouldn't have any substances exposed to it. We want to work together with the groups not because we have to but because that's in the best interest of our patients.

All arguments for children getting their hands on this are the same arguments as for prescription drugs.

What we are here to discuss is this specific location. It sounds like the main concerns were traffic in the area, the air quality or odor from the facility and the amount of customers. We discussed already it is by appointment, only. One dispensary of 2500 sf. Consultations.

As to traffic and parking, there are enough spaces. It's zoned for this use. They're allowed to put a business there and it could be a business even more impactful than this. This is relatively light traffic considering a business. If a business is allowed to go in there, this is a low traffic one that is going to be better for that area.

The concerns about stop signs and congestion aren't really in our control.

As far as school buses, children are less concerned with the area than they are with what is happening on the school bus which is pretty exciting.

As for air treatment, everything coming into the facility is packaged. Very little odor. They're sealed tightly. We do have an air treatment program where you have open things. There are activated carbon unit over where marijuana is stored and the entrance/exits. We have air quality monitoring in addition in the facility.

Detrimental impact to property values and neighborhood consistency, it is a standalone building with the fabric store attached. There are other plazas and businesses nearby and several are medical facilities. We feel like it does fit in in the area. We have already talked about what has already been approved by the commission and detrimental impact and aren't really up for discussion here tonight. What I've found is there is hysteria in the beginning of these things and then quickly people forget and nobody knows it is there. It has no exterior component indicative of what is happening.

Signage was discussed in response to a query by Ms. Scalise. An 18 – inch by 18-inch sign is allowed by department regulations. You can only write the name of the facility or the address. Nothing stating marijuana inside, no icons or anything like that. No pictures allowed.

Mr. Chaplinsky stated he would like to see more from the property values perspective. Public safety, health and wellness and any other data you can provide. You have to prove it is not going to have a detrimental effect. Attorney Arrasate said information could be provided for other dispensaries in other towns and that might be helpful. I don't have anything regarding this specific location.

Lost content was discussed. Required inventory management systems were explained. (Seed to Sale software.)

More discussion about this facility becoming a recreational marijuana facility if such a law were passed in Connecticut.

Delivery requirements were discussed.

HIPPA requirements were discussed.

Special training/education for the pharmacist was discussed.

The commission agreed they wanted to see more information on property values and traffic in the area as it impacts not only Queen Street but River Street.

The Chair advised the public hearing would be kept open to the next meeting. The next meeting is March 20, 2018 at 7:00 o'clock, p.m.

(The meeting was recessed at 9:09 o'clock, p.m.)

(The meeting was resumed at 9:16 o'clock, p.m.)

MICHAEL DELSANTO, resuming the Chair:

6. BUSINESS MEETING

A. Praveen Dhulipalla, Special Permit application for a medical marijuana dispensary, property owned by 995 Queen, LLC, located at 995 Queen Street in a B zone (SPU #592)

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

B. Praveen Dhulipalla, site plan application for a medical marijuana dispensary, property owned by 955 Queen, LLC located at 995 Queen Street, in a B zone (SPR #1744)

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

C. Lovley Development, Inc., 6 lot subdivision application, property owned by William Curtiss located at 792 South End Road, in zones R-20/25 and R-40 (S #1319), tabled from February 20

Sev Bovino, Planner with Kratzert Jones & Associates represented the applicant. This is located at South End Road and Meriden Waterbury Road. It has two frontages. The proposal is for six lots, three in R-20/25 and three in the R-40 zone. The property is bisected by a zone line. It is served by public water and sewer. We are going to have sidewalks. We have received staff comments. We've addressed planning and engineering comments but engineering developed an additional checklist which we are willing to look at and stipulate those issues if Jim is okay with that.

I'll answer questions at this time.

Mr. Bovino pointed out the sidewalks in response to a query by Mr. Chaplinsky. It is around the proposed roadway and cul de sac.

Mr. Grappone did note the supplemental checklist will require revised plans. They are minor in nature. We did work with the developer on some revisions as mentioned at the last meeting for drainage improvements and easements. We are happy to say the developer was willing to work with us and we appreciate that.

Mr. Phillips said it is ready for action with the suggested modifications to the site plan in the engineering report dated March 6, 2018.

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

D. Winterfell Holding, LLC, site plan application to construct business offices and associated parking lot, property located at 1248 Meriden-Waterbury Turnpike, in a B zone (SPR #1745)

Stephen Giudice, Harry Cole & Son, 876 South Main Street, Plantsville, represented the applicant. This is property located at 1248 Meriden Waterbury Turnpike in Plantsville. It's a 4800-sf building. Two stories. Entrance located at the front and on the side. There is an existing house and garage on the parcel. We were originally considering renovating the house with additions, but as we got into it, it seems like a tear down and rebuild is the best solution for the site. Storm water management is location at this location (indicating). Sheet runoff with infiltration trenches. Handicapped parking spaces (indicating). Some planted islands per your requirements and some landscaping along Meriden Waterbury Turnpike.

This was submitted last week and staff hasn't really had a chance to issue checklists. We'll request a table and answer any questions.

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

E. Bagno, LLC, request for extension of earth excavation approval, West Street (EE #137)

Stephen Giudice represented the application. He noted this was before you in the past and then we might've requested another extension previously. This site had been excavated as part of the

construction of I-84 and had been excavated out considerably. Almost down to the groundwater table. There are CL&P towers that run through the property.

He showed the future development of the property. Phases for proposed filling. We were hoping to get the fill from Camp Sloper from the excavation of their dredging of the pond. (They're still trying to get enough funding to support that and we're hoping to accept a good chunk of material from that.)

They've been doing some filling in the meantime. (Indicating) There is still about 50% left to fill on the site.

I don't believe we've had any issues, complaints or violations on the property. The applicant has been stabilizing as he goes along. It is just the material hasn't come in as quickly as we would like.

Mr. Phillips said there are not issues. He confirmed this has been extended twice before for two years each.

Mr. Chaplinsky asked what is the plan? To be fair to the neighbors and the never-ending excavation in the area. Mr. Giudice noted it is not excavation, it is filling a filling. It has been a while since there's been any activity here. It was steady for a while but there hasn't been filling out there for quite some time. It is vegetated and stabilized.

Discussion.

He noted a large excavation in the area that exited through this site. He showed the exit and explained. This site was used to gain access to West Street for the other excavation.

Mr. Hammersley again asked what is the plan. We've had two extensions for two years each, so four years and you're looking for another two years. Mr. Giudice explained it is based on availability. This site needs about six feet of fill across this entire area to make it developable due to the groundwater level to keep the foundations above that. The intent is to come back with either a residential subdivision or open space subdivision. They've entertained churches and things like that on the site, as well. They do not have a specific user, yet.

Mr. Hammersley discussed the hold up in getting the fill. It may not be from Camp Sloper, but there is other fill that you can purchase. Is it price? Funding? Financial? Mr. Giudice responded he didn't think it was financial. He doesn't want to overpay for fill. It is based on availability and price.

Mr. Giudice noted in response to Mr. Chaplinsky, there are no changes in the access. The extension is not an act of trying to drag this out longer. We've been going through the process and it's taken longer than expected. Explained the plan with Camp Sloper.

Mr. Giudice explained the adjacent parcel excavation which is not part of this application.

Mr. Phillips noted there were no conditions on the previous extensions. If there were conditions or stipulations on the original approval, they would remain and still be valid.

Mr. Chaplinsky made a motion to approve. Mr. Morelli seconded.

Mr. Chaplinsky felt we should consider wrapping it up after this third extension just in fairness to the people down there. They deserve to have some finality to excavation on the parcel. Mr.

Hammersley agreed with those comments. He noted it has been four years and if you are relying on a nonprofit entity to get you fill, I think that that is unrealistic. If that nonprofit is relying on state resources to perform that activity to get you fill, it becomes even more unrealistic given the state's current situation which isn't anticipated to get any better within the time this extension would come into play. I am going to vote against it. I just think six years is too long. And, I'm voting it against it more on a personal feeling than anything else. You've had time to do this. I understand all things that come into play with development and finances. I just think that beyond this application when I'm sitting here in two years and you were to come before us again I just want to have a note to myself that I voted against it. I will be voting against this motion.

Mr. Giudice said with this application there is nothing going on with the site. I don't know why extending it is an issue. We are not causing an issue to the neighborhood or the town or anything like that. It is just the idea of keeping this going forward and not reinventing the wheel. I understand it's been a long time but this type of operation takes longer. Two years is probably not an adequate approval period for an operation like this.

Discussion.

Mr. Chaplinsky felt this was good collaboration with the YMCA. There's a win/win there and I'm supportive. Mr. Morelli noted there are not complaints about and I don't see it as a big issue, either.

Mr. Hammersley pointed out we are talking about six years. Developments in town have taken less than two years to get done --- bigger developments have taken less amount of time. This is it. Beyond this I don't see how you could come back here and ask for more time making it eight years.

Discussion.

Motion passed 6 to 1 with Mr. Hammersley opposed.

F. Paul Cascio, site plan application for retail component of industrial use for flooring installation and sales company, 122 Spring Street, Unit B-4 (SPR #1747)

The applicant, Paul Cascio, 39 Mix Street, Bristol, CT, presented the application as the property owner. He noted this is flooring installation and sales. The 50-year old carpet installer whose knees are done.

Mr. Phillips explained the regulations require that the commission approves the establishment of a retail portion of industrial use up to 20%. The applicant came in very recently and it is a relatively minor application so we got him on this Agenda. I'll add that engineering pointed out that the striping in the parking lot needs to be restriped.

Mr. Cascio said it is a condo complex. I can address it with the board and I don't think it will be an issue. I agree it needs to be done.

Mr. Phillips suggested a stipulation to that affect.

Mr. Cascio said having to wait until this striping is done is a problem. The gentleman is paying rent. Each unit by the condo rules has two spaces. This is not a high traffic business. The Chair pointed out this is asking for a retail component which will bring you more than two parking spaces. Mr. Cascio

was sure they could get the lines taken care of. If you could do it without a stipulation?

Discussion.

Mr. Chaplinsky asked if it were possible as this application is for 122 Spring Street, Unit B-4. Can the stipulation be specific to striping the spots required for their business? Separately, they'll have to get the condo association to do the whole parking lot. At least for their application specific to their unit and the number of spots for their business, is that a reasonable stipulation? Mr. Phillips noted the regulations require handicapped spots. The concern is that you can't see the parking spaces, you can't find the accessible spots and those are code issues that are open on this application.

Mr. Chaplinsky said he would make a motion to approve with the stipulation that the parking striping has to be done to town staff's approvals for your unit. Mr. Phillips said it would be reviewed at the building permit stage. Ms. Locks seconded. Motion passed 7 to 0 on a roll call vote.

G. 609 North Main Street, LLC, request for 5-year extension of subdivision approval, 601 & 609 North Main Street (S #1276)

Sev Bovino, representing the applicant, explained the application. This property is located at the corner of Flanders Road and Queen Street. This is Beacon Pharmacy. It is a two-lot subdivision that needs to be reapproved. The goal is to build in the back of this property and it is next on the agenda for site plan extension. That was the reason for the subdivision.

Mr. Chaplinsky questioned the queueing in the area as those were concerns last time. And, the traffic generation. Mr. Bovino advised the town has created two lanes there, since. You have two lanes and you can go right or left. Mr. Chaplinsky asked if he recalled the number of trips in/out based on the use. Mr. Bovino did not recall that.

It is a 20,000-sf medical building. Two floors.

Mr. Morelli made a motion to approve which was seconded by Ms. Scalise. Motion passed 7 to 0 on a roll call vote.

H. 609 North Main Street, LLC, request for 5-year extension of site plan approval, 601 & 609 North Main Street (S#1476.1)

Mr. Bovino noted it is the same application. Same presentation. This is the site plan portion. Any stipulations made on the original application carry forward.

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

I. D'Amato Construction, release of \$11,600 erosion and sedimentation bond, 110 Corporate Drive (Pepsi) (SPR #1729)

Ready for action. Mr. Hammersley made a motion to approve. Mr. Morelli seconded. Motion passed unanimously on a voice vote.

7. ADMINISTRATIVE ITEMS

Mr. Phillips questioned if the commissioners wanted digital reports on the Chrome Books rather than in paper form. I email ahead of time. Everyone agreed.

Mr. Hammersley asked for the zoning maps could be put on the Chrome Books. Mr. Chaplinsky clarified the map be put on the desk top so you don't have to go on line. IT will be contacted.

8. ITEMS TO SCHEDULE FOR PUBLIC HEARING

William Wells, Special Permit application to construct a garage in excess of three spaces, 15 Hawks Next Drive, in a R-80 zone (SPU #593) March 20

Robert Ludecke, Special Permit application to construct a carport which will be in excess of three garage spaces, 61 Norton Street, in a B zone (SPU #594) March 20

Okay to schedule both of these.

9. RECEIPT OF NEW APPLICATIONS

- Winterfell
- Cascio
- Formado. Floodplain filling application at North Main Street. Site plan and combine parcels and expand parking of the same.
- Special permit for carport in excess of three current garage spaces.

Mr. Chaplinsky reported on the open space subcommittee and a hot topic that is brewing. We had a good debate at the open space subcommittee regarding funds for open space. At the last council meeting there was a discussion about how to appropriate the funds and what they could be used for. The subcommittee debated one specific item which was: if we put a referendum up this coming election for \$2 million into the open space fund, should we allow building rights to be used by that money to preserve open space. Building rights could be for anything such as private property to ensure that homes would not be built on that land in the future. Hawks Landing was used as an example.

Discussion.

After several commissioners commenting, it was suggested a memo be written and sent signed by the Chair supporting the development rights as a tool to be used in the \$2 million referendum for open space.

10. EXECUTIVE SESSION to discuss pending litigation

Mr. Santago made a motion to go into executive session with the commission, Mr. Phillips and Ms. Futtner, Town Attorney, excluding the press and public to discuss pending litigation. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting adjourned to executive session at 10:02 o'clock, p.m.)

**EXECUTIVE SESSION**

The Planning & Zoning Commission of the Town of Southington entered into executive session on Tuesday, March 6, 2018 at the Municipal Center Assembly Room, 196 North Main Street, Southington, CT in order to discuss pending litigation.

The following Commissioners were present:

Paul Chaplinsky	Dagmara Scalise
Robert Hammersley	Susan Locks
James Morelli	Michael DeSanto, Chair
Alternates:	Ted Cabata, Ross Hart & Peter Santago

Also, Present:

Robert Phillips, Director of Planning & Community Development  
Carolyn Futtner, Town Attorney

No motions or votes were taken.

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

(Whereupon, executive session was adjourned at 10:20 o'clock, p.m.)

**REGULAR SESSION**

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

(Whereupon, the meeting was adjourned at 10:21 o'clock, p.m.)

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Robert A. Phillips  
Acting Secretary

