

PLANNING AND ZONING COMMISSION  
TOWN OF SOUTHTON

APRIL 3, 2018

The Planning & Zoning Commission of the Town of Southington held a public hearing and regular meeting on Tuesday, April 3, 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:

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

Alternates: Ross Hart & Peter Santago

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

Absent: Joe Coviello & Ted Cabata, Alternate Commissioners

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 March 20, 2018

Ms. Locks made a motion to approve the Minutes as presented. Ms. Clock seconded. Motion passed on a majority voice vote with Mr. Chaplinsky and Mr. Morelli abstaining.

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 Street, LLC, located at 995 Queen Street in a B zone (SPU #592), continued from March 20

The Chair asked if the applicant were in attendance.

(No response)

The Chair decided to pass this item and come back later in the meeting.

B. James D. and Joyce Voisine, special permit application to allow operation of a consignment/antique business with outdoor display of inventory during business hours, and seeking outdoor storage in rear of building within allowable footprint/distance from building 1126 Queen Street, in a B zone (SPU #595)

Attorney William Galske from Plainville, CT presented on behalf of Jim Voisine, owner applicant of the property.

As far as history, the main reason we're here tonight is to seek approval to continue operation of the consignment shop. Mr. Voisine had applied back in 2014 and then he got a permit in 2015 from this commission to operate. (Submitted letter dated April 28<sup>th</sup>, 2015 which is the approval letter for the special permit use.)

The regulations require that the approval letter be filed with the town clerk. Mr. Voisine, for one reason or another, unfortunately the letter did not get recorded. He had operated for two years after that until April of 2017 when he received a letter of violation that he had some motor vehicles on the property For Sale and the issue about the lack of certificate also came up. (Submitted copy of the letter, notice of violation.)

The motor vehicle issues were resolved. In February unfortunately again, he received a follow up letter from the ZEO again that he didn't have the proper approvals. The certificate was never recorded and it couldn't be located in the time that had gone by.

Here we are back looking to essentially reapprove what was approved back years ago and make sure the certificate gets recorded with the town clerk.

A couple of issues have come up in the meantime. I know your ZEO has been out to the property and looked at it and there is an issue about other being a couple of small trailers on the property in the front which are not registered. That is true. He just recently bought them and he has not had the time to register them, yet. Three trailers have been there all along and they are registered with plates. (Put into the record a copy of the Bill of Sale, one from mid-February and one from March 1<sup>st</sup> for the trailers.)

He did try to go to the DMV and the line was out the door, about three hours long. He is intending on going back to get the trailers registered. He needs them for his work.

That's where we are. I don't know if you've gone by the property. I do have some pictures of the front, a couple of shots from the road. (Submitted.)

It's a very clean operation. It doesn't draw a lot of traffic. He does store outside from time to time during business hours some of his inventory. I don't think there has been a problem with that in the past. It's taken in at night.

We are again back here looking for an approval. As far as the trailers go, I would offer two suggestions:

- He could move them in the back until they're registered or

- we ask you to continue the hearing and we'll get them registered within a couple of weeks.

The letter in February was just that he didn't record the certificate. It was too late. He couldn't get a copy. The time had gone by. The only thing was to reapply. That's what we did. In March he bought two new trailers but they were after that letter came out. The ZEO went out today and just noted he saw five trailers, he didn't know if they were registered or not, and I'm telling you that two are not registered.

Mr. Phillips confirmed a trailer is considered a motor vehicle and there is no approved motor vehicle sales license. The question was: Are they For Sale? The other issue would be unregistered which falls under a blight situation, according to the ordinance. We don't know which way it would go and what the real issue is.

The trailers are not For Sale. There's five of them adjoining each other on the side of the property.

I'll answer questions.

I know a neighbor sent a letter in about some things that I don't think are necessarily relevant as some of the issues go back to 2012 which was even before the first approval.

Mr. Chaplinsky asked if they had addressed the issues with the neighbor with respect to any of the outstanding matters? The neighbor had some concerns about property boundaries and ---

Attorney Galske interjected the property boundary issues raised go back to 2011 and 2012. They've not been resolved. My client's position is there is no issue to resolve. The neighbor is complaining about a fence there that goes back to the 1960's. There before either owned their property. A survey was done and shows the fence a foot or so over the property line. The neighbor has taken no action to have it resolved and he's trying to use your commission to solve what he believes to be a problem. Mr. Chaplinsky noted if it is still an open issue, it doesn't mean you are automatically granted the approval. Attorney Galske said it is not a zoning issue either but it is a private civil issue.

Discussion.

Explanation on the number of vehicles on the property and what they are used for, both front and rear. To the rear there is the snowplow he uses and his son's truck. (Pictures submitted)

Discussion.

The southerly boundary is the former wall of the former building. It is about ten feet tall and it's still there. A block wall maybe eighty years old or more. You can see the concrete from the slab of the original building in the backyard. What is in the backyard stored is not visible from the street. There is fencing along both sides of the property. (Pictures passed in.)

Storage containers to the rear were discussed. Attorney Galske said there is no violation as it is not uncommon for people to store property in the backyard.

Discussion.

Mr. Phillips added it was understood at the last approval that it had to be relocated to the back.

Discussion.

Mr. Chaplinsky asked if it was appropriate to allow storage containers for one business and not for another? He cited big box stores that come in for storage containers and had to post a bond. Mr. Phillips said that is a matter for the commission's discretion.

Ms. Scalise asked the Town Attorney: Can you help provide some guidance on how to tease apart if possible the concerns the neighbor submitted about storage by the applicant in the backyard and essentially the dispute as it relates to where the neighbor's property is versus the applicant's?

Attorney Futtner said this sounds like this is a boundary issue between the private parties.

Attorney Galske pointed out that they don't believe the applicant has any of his personal property over the property line. He did provide a sketch of the property line with the fence. It appears to be extremely (the fence) close to the property line --- maybe a foot or 18 inches. There is no personal property storing that goes over the property line.

Discussion.

Attorney Galske pointed out we are not looking to change anything on the outside as far as the site plan goes, at all.

An A-2 survey of the property has been provided to staff. Mr. Grappone and Mr. Phillips noted the town does not get involved in private property disputes.

Discussion.

The items stored in the front are related to the business. In the back there may be some things that could be reconditioned to be brought in. As far as the business goes, it is not a formal part of the business. The storage container may contain store items he is putting out. The truck and snowplow is used for the business. Explanation.

Use of the trailers for his business was discussed.

Unregistered vehicles on property is a blight issue. But, you can have up to two, noted Mr. Phillips. Attorney Galske explained they are not visible from the street.

(Those speaking in favor of the application)

None.

(Those speaking against the application)

None.

(Rebuttal)

Attorney Galske again suggested two ways to handle the unregistered trails as noted previously. Discussion.

Mr. Chaplinsky suggested he would argue the fact the issues are not a matter for the planning & zoning commission. There are some issues to work through. So, we don't continue to get complaints like this, I would suggest you speak with the neighbor and resolve the issues.

Discussion.

As to property values, it is the applicant's responsibility to prove that what is going on on his property is not going to affect the neighbors. Attorney Galske answered the existing conditions have been there for six years. It is our position the neighbor is using your commission as leverage to hold against my client.

Attorney Futtner confirmed the onus lies with the applicant for proof. Mr. Hammersley echoed Mr. Chaplinsky's comments. The onus is on the applicant. It's in our regulations and state statute, as well. If there is no proof it's not diminishing property value, then we have all discretion on this board to not approve the application. It's worthwhile. This is advice to cross over the fence and have a conversation. I think the neighbor is willing. But it has not occurred. I encourage you to have that conversation and it will be to your benefit.

The Chair left the public hearing open to the next meeting, April 17<sup>th</sup>. You can address any outstanding issues then.

Let's go back to letter A.

A. Praveen Dhulipalla, Special Permit application for a medical marijuana dispensary, property owned by 995 Queen Street, LLC, located at 995 Queen Street in a B zone (SPU #592), continued from March 20

Last call.

(No response)

The Chair closed the public hearing. Mr. Phillips said he sent an email asking if he would be present this evening.

## 6. BUSINESS MEETING

A. Praveen Dhulipalla, Special Permit application for a medical marijuana dispensary, property owned by 995 Queen Street, LLC, located at 995 Queen Street in a B zone (SPU #592), continued from March 20

Is the applicant here for this application?

(No response)

I am not sure where the applicant is. Pretty big night.

Mr. Chaplinsky stated based on the fact we haven't had any new information since the last meeting, I make a motion to deny citing 8.02.1, not consistent with purpose. The use is not in harmony because of its location and proximity to the R zone with the use that has been described to us. And, it has not been adequately been proven with expert testimony that it will not negatively impact adjacent property values in the surrounding area and 8.02.1 based on the testimony there is still some outstanding concern about the public health and safety. The applicant stated on the record and there were questions at the last meeting regarding the way people come in/out of the building and the fact there would be a security officer. With that, I still think there is some concern about health and safety

and public safety since we have had no testimony on that. Those would be the three areas I would make the motion on. Mr. Hammersley seconded.

Mr. Santago stated we did ask at the last meeting for the professional real estate to be submitted and we have not yet received that. That evidence not being provided is sufficient grounds for denial.

Discussion.

Mr. Hammersley added in addition the reasons stated, he too, would suggestion that regulation 8.02 that the proposed use of the building is not in harmony with the character of the surrounding properties in the area and do not hinder or discourage development or use of the adjacent properties is also a reason to vote to deny this application.

Mr. Chaplinsky agreed and amended his motion to include those comments on Section 8.02.2 made by Mr. Hammersley. Mr. Hammersley amended his second.

The Chair was disappointed in the applicant. He was told last meeting if he wasn't going to be ready, let us know. Lots of folks took time away from their family to come to this meeting.

Ms. Scalise asked Attorney Futtner: If we had not made this request and that property component had not been addressed by the applicant, would that be required to have a full application? Attorney Futtner responded it would be required because it is explicitly in the regulations. The stronger part of that is the applicant was put on notice at the last hearing he hadn't given any evidence that was of an expert nature to property values. He not only had the opportunity to do it at his last two presentations but he was specifically put on notice at the last hearing that we have nothing to consider here and why don't you do that.

Motion to deny passed 7 to 0 on a roll call vote.

(Audience applause)

B. Praveen Dhulipalla, site plan application for a medical marijuana dispensary, property owned by 995 Queen, LLC, located at 995 Queen Street, in a B zone (SPR#1744), tabled from March 20

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

C. James D. and Joyce Voisine, special permit application to allow operation of a consignment/antique business with outdoor display of inventory during business hours, and seeking outdoor storage in rear of building within allowable footprint/distance from building 1126 Queen Street, in a B zone (SPU #595)

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

D. James D. and Joyce Voisine, site plan application to operate consignment / antique business, 1126 Queen Street, in a B zone (SPR #1748)

Mr. Chaplinsky asked staff to talk to the applicant about easements, north and south, on the property. And I would talk about the access. There are two giant curb cuts there and I'd love to see on curb cut and permanently close one instead of logs across that could be open and closed. If we go forward with the site plan, I think that would be a worthy discussion.

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

E. J & P Manufacturing, LLC, site plan application for a 4,800 square foot industrial building, 48 Industrial Drive, in an I-1 zone (SPR #1750)

Stephen Giudice, Harry Cole & Son, 876 South Main Street in Plantsville represented the applicant. This property is at 48 Industrial Drive. It's an I-1 zone. This subdivision was approved about 15 years ago. This is one of the last remaining lots in this industrial subdivision. It's known as Lot 3 and it is .54-acre parcel. We're proposing a 4800-sf industrial manufacturing building. We have proposed parking and a landscaped buffer to the rear against residential properties. We are utilizing existing detention basins off site for storm water management that was constructed as part of the overall subdivision.

We have public water and sewer available. We are proposing some small drainage improvements, catch basins and roof leader runoff into the storm drainage system. They're a dumpster proposed at the rear of the lot.

We did receive some last-minute engineering comments tonight. There isn't anything that can't be worked out.

Any questions?

Mr. Phillips advised it is ready for action with whatever stipulations engineering suggests.

Mr. Grappone agreed the comments are minor in nature and nothing has to be stipulated on the record. We can handle these at the zoning permit time.

Mr. Chaplinsky asked for the buffer to be described. Mr. Giudice said there is some existing vegetation but we're proposing different types of vegetation. We have white pines and some smaller shrubs. It's a 35-foot buffer from the rear property line. The building is lower, the grade comes down to the building so no berm is proposed. We have a mix of Canadian hemlock, Colorado spruce, Emerald Green Arborvitae. There are some boxwoods, oriental varieties. Four different types of plantings. See Sheet C-1 of the plans.

Mr. Chaplinsky asked if it would be completely shielding the building from the adjacent residential property. The shouldn't have to wait 20 years. The staggered planting here looks nice. Mr. Giudice said the 35-foot buffer against residential zones for parking lots and buildings and he didn't feel it was to be a complete shield from the industrial use. What is proposed is a landscaped buffer but he

could not guarantee you wouldn't see the building. It is Industrial Drive. The 35-foot buffer can be natural vegetation or natural and supplemented.

Discussion.

Mr. Chaplinsky further discussed a four-foot berm as noted in the regulations in order to screen these facilities from view and to prevent automobile headlights from adjoining residences. Regulation 5-00.3 Industrial Zone.

Discussion.

Mr. Giudice stated staff approved the plan without the berm. Mr. Phillips stated he didn't know that we looked at that rear buffer and applied it. It is a question of interpretation and we didn't see that the four-foot berm was necessary on the rear portion. If the commission thinks otherwise.

Mr. Chaplinsky wanted it to meet the regulation --- nothing special. He then made a motion to approve and that staff review it with the applicant to ensure that it meets 5-00.3. Ms. Clock seconded. Motion passed 7 to 0 on a roll call vote.

F. 8-24 Referral for bond ordinance regarding the ordinance appropriating #2,600,000 for costs related to the design, removal and replacement of portions of the roof of the Southington High School (MR #518)

The Chair noted Mr. Hammersley would be recusing himself. Mr. Santago was seated for Mr. Hammersley.

(Mr. Hammersley left the dais and the room.)

Peter Romano, Director of Operations for the Southington School System presented. The Southington public schools has about 800,000 sf of roof to be maintained. The portion of the roof we're looking at for bonding right now is about 71,000 sf at the high school. It is not the complete high school but just the portion of what is called PVC roofing. It has a 20-year useful life and we are on year 30 of it. We've got our monies worth out of this roof. We are continuing to maintain it. We are requesting that the town fund this project. It would have to go to referendum. Assuming it is approved, we would go out to bid in the winter of 2018 and the roof would be replaced in the summer of 2019.

It is a PVC roof which is different than a tar roof or built up stone roof. It's like a swimming pool liner, when it starts to deteriorate because of the UV rays, it continues. We can't maintain it any more.

Discussion.

We are planning to go with a PVC roof. We are considering going with the tar built up roof which has a longer life, it's more expensive. So, the PVC is actually a deduct alternate in the bid documents and we'll see which is more economical for us.

Discussion of where this is affecting the high school: auditorium, on the back side where the athletics office is, the freshmen cafeteria, the tech ed area.

Discussion.

The leaks are solely because of the life of the roof. Structurally, the roof is sound.

Discussion.

Mr. Chaplinsky made a motion to send back a favorable 8-24. Ms. Clock seconded. Motion passed 7 to 0 on a roll call vote.

The Chair reseated Mr. Hammersley at this time.

G. 8-24 Referral for the bond ordinance regarding the ordinance appropriating \$2,000,000 for costs related to the acquisition for open space (MR #519)

(The Minutes are prepared summary style. Please refer to the video on line to view the full one- hour discussion on this item.)

Dawn Miceli, Vice Chair of the Town Council and Chair of the Open Space Committee discussed the item. We are looking to continue the investment into our open space program. We have a program that garnered more than 550 acres open space of all kinds.

The open space committee has approved a \$2,000,000 referendum. We are hopeful it will pass. I know this board asked if there would be verbiage in the referendum with regard to development rights. This referendum is hopeful that we will not include that verbiage. That doesn't mean we are not in favor of development rights. There are only a handful of parcels that have been targeted in the community that have development rights potential. They are significant properties that would have significant price tags. We are hopeful we would have separate transparent referendums for each of those parcels should they become available and are offered to the town. It's our assertion that development rights are certainly a conservation tool, but a special tool that deserves special consideration by our voters.

She noted OpEd pieces and editorials in local papers regarding this subject matter.

I'm here to answer questions.

We are talking about the educational budget and the financial challenges we face as a community. The fact of the matter is that in the long run open space purchases save us money because they don't require infrastructure, police, ambulance emergency services and public education.

Ms. Clock stated she fully supports open space. The POCD is in support and this is moving forward with its suggestions. It does support development rights, though. I was hoping maybe there could be a discussion --- I do agree voters should have a say in whether they do want development rights and it could be worded as such in a two-part question. Has that been considered? I do think it is an important tool because perceived open space is probably the most important of all.

Ms. Miceli responded development rights requires education of the public that development rights are a conservation tool. I don't think we're there yet, as a town. I need to do more work in raising awareness about the benefit of development rights.

Discussion.

Mr. Morelli commented we do not have a lot of open space to grab in town. We've been in positions in the recent past where we had no appropriation to buy open space and people were really unhappy about that. As to development rights and discussions I've had with the community, what seems to come back is that the deals are underhanded and I disagree totally. Discussion of the Hawks

Landing Development Rights Purchase. It was a good thing for the town. How many times do you think there will be large parcels for sale in Southington that we can wait three months for a referendum to get the voters' approval. That tool that you have with that money is necessary for you to do your job and it would be a travesty if you had a parcel to do a deal with and you didn't have that opportunity. I think it's important for all of us to educate people in town. The deals don't hang around. I think if we go forward with this and we don't try to educate people or just push it with that opportunity that we're doing the town a disservice. You won't be able to do the kind of deals you can do with that tool.

Discussion.

Ms. Miceli discussed the difference between development rights and a regular open space purchase.

Mr. Chaplinsky agreed with Ms. Clock's comments. I support the referendum but I don't believe development rights are independent pieces that are not tied to open space. You are saying in the referendum question that development rights are a separate open space question. I agree it is a separate tool, its part of open space. In 2015-16 we updated the POCD and in there it specifically says development rights are a tool for open space. I think development rights are a tool to get in front of issues before they arise. In my humble opinion, if I am negotiating with land owners I would lead with development rights purchases, especially where there is not an active seller.

Discussion.

We should have some sort of language in there if there is angst about transparency. We can help add language there. Maybe somebody on this commission will work with the council to incorporate the language. We do have to educate people. We shouldn't exclude it from the referendum. For me, I would like to send this back and ask council to relook at the language and come back to us with new language.

Ms. Scalise felt like this needs to be separated out as a consumer/citizen. I want to know if this is a purchase being purchased outright or if it is a different use of those funds. I would want the opportunity to say yes or no, one version over another.

Discussion of the impact on a two-part referendum question.

We have to develop consumer friendly explanations that illustrate what is potentially used or what is excluded.

Ms. Clock felt it has been put on record here what we would like to see and suggest, I would feel comfortable personally sending back a favorable 8-24 knowing that I trust the council to do and take into consideration what was discussed here.

I would offer to help in any education of the development rights that she could because it is so important, she added. I support open space of all kinds. I would like to send back a favorable 8-24. That is my motion.

Mr. Hammersley seconded the motion.

Mr. Chaplinsky questioned making a motion to approve when this is in direct conflict with our POCD. We haven't had testimony they are willing to include development rights. Our job as a planning & zoning commission is to make a determination as to whether this meet or does not meet our POCD.

Our POCD and I'll cite Section 2, Area 5, Page 27, Page 31 Number 4 details development rights as a preservation tool.

Discussion between Mr. Chaplinsky and Ms. Scalise as to what the obligation of the PZC is in this matter as regards meeting or not meeting the POCD.

Mr. Hammersley added his reading of the cited section states that that is a tool that is included and listed there. It doesn't mean that every piece of open space allocation or funding needs to fall within those seven different tools. It means that we support the effective preserving of open space and the tools available are stated there as options to be used when going to preserve open space. It doesn't mean they have or don't have to be used. No one has excluded it. It does fall within the town council's purview as to what the language is going to be. Our job is to say is the purchase of open space consistent with the POCD. It is. Do we support a \$2 million referendum to go to the voters for the purchase of open space? How that is used is really not our discretion. It's the discretion of the town council.

Discussion.

Mr. Chaplinsky further asked: Does this include the \$2 million and development rights as our POCD outlines, or not.

Discussion.

Mr. Chaplinsky asked Mr. Phillips for his opinion. Mr. Phillips said when he initially saw it, he didn't see anything explicitly saying not to be used for development rights. My initial feeling was that it could be potentially still a tool. I don't know the discussion at town council level, either, on this.

Discussion.

Mr. Chaplinsky referred to the meeting Minutes of town council. It was excluded from this \$2 million and it shouldn't be as it is not consistent with our POCD.

Discussion of tabling the matter to provide education for the community.

Mr. Santago agreed with Ms. Scalise's comments. What are we voting on really?

Mr. Morelli commented open space is a top priority in our town. To me, to ask the town council to get that money without development rights is a disservice to the POCD and to the people of Southington, whether educated or not. It is our duty as elected officials to do the right thing. I think personally I am all about the tools to get the job done. It is a disservice to not have that tool.

Discussion.

Mr. Chaplinsky read on Page 31 of the POCD: Enhanced Open Space tools as reference.  
Discussion.

Mr. Chaplinsky further discussed transparency for everything and not just development rights.

The Chair asked: What is the harm with leaving it in, the language for including the purchase of development rights? By leaving that piece out, in my opinion, it is in direct contrast to our POCD. If we send back a favorable 8-24 that leaves out that piece, it's not going to be part of the referendum. It is the council's prerogative. Not guaranteed it will occur.

Discussion of whether or not the commission would consider a motion to table was led by Mr. Chaplinsky. Ms. Clock was not willing to remove her motion.

Motion carries 4 to 3 with Mr. Morelli, Mr. Chaplinsky and Chair DelSanto opposed.

H. Reduction of subdivision bond from \$532,000 to a new amount of \$328,000, Woodland Heights, Loper Street, Phase 2 (S#1312)

Ready for action. Mr. Hammersley made a motion to approve which was seconded by Ms. Locks. Motion passed unanimously on a voice vote.

I. Crystal Bees, release of \$2,450 E & S bond, 240 Spring Street (SPR #1653)

Ready for action. Mr. Hammersley made a motion for approval and Ms. Scalise seconded. Motion passed unanimously on a voice vote.

J. Authorize, POCD Implementation Working Group Subcommittee

Mr. Phillips advised he and Ms. Clock had been working on coming up with volunteers to work on this subcommittee which is for the POCD to have some kind of oversight to make sure the goals and policies outlined in the POCD over the next ten years are at least analyzed, reviewed and promoted or put in order. This board would probably not meet more than two to four times per year.

Volunteers: Jen Clock & Jim Morelli Town Council: John Barry, Board of Finance, Tony Morrison and Conservation Commission, Terry Albanese. Of course, myself as staff and any others as necessary.

These are the most critical boards to move forward on goals and policies with the POCD.

A consensus was given by the PZC.

The Chair suggested someone from the public not connected to a board: Tony D'Angelo and / or Tom O'Shea of Spring Street.

## 7. ADMINISTRATIVE ITEMS

- Determination of Administrative Review and approval – site plan modification application of J.R. Clisham to revise curb cut per DOT, 1588 Meriden – Waterbury Turnpike, in an I-1 zone (SPR #1742.1)

Mr. Phillips reported as with all approvals on state highways, after your board they go to the DOT for review/approval. There may be adjustments made to the curb cuts on to the state highways. In this case, you originally approved a plan with two ingress/egress points and a third that was an emergency access for fire apparatus.

After review by the state, they reduced it to one ingress/egress and removed the emergency access, as well.

We usually do these as a field change and in this case, it had an impact on the number of curb cuts and I felt it would be appropriate to go through the administrative site review so you are aware.

The Chair commented seeing the DOT is the ultimate authority, we have to go by what they do.

Mr. Phillips advised this is a courtesy to you to let you know what they did as it is a visible change to what you had approved. The applicant is here if there are any questions.

(No questions.)

#### 8. ITEMS TO SCHEDULE FOR PUBLIC HEARING

- Bagno, LLC, Special Permit Application to construct a garage in excess of three spaces, 114 Brookfield Court, in an R-40 zone (SPU #598) April 17

- Beth Scarpati, Special Permit application to increase children allowed in daycare from 72 to 88, 1721 Meriden Waterbury Road, in a B zone (SPU #599) May 1

We also have a continuation from tonight for the 17<sup>th</sup>, but that's okay.

#### 9. RECEIPT OF NEW APPLICATIONS

- Bagno

- Scarpati

- Hidden Valley to convert batting cages to a go-cart track

#### Commission Updates:

Mr. Chaplinsky updated on the CROG meeting. Staff and I had the pleasure of meeting with our regional CROG team. Representative Fusco was kind enough to set that meeting up for us. I think we have a better appreciation of the process now with the hurdles and financing. This is regarding West Street and we've prepared a draft for submission that will come late summer, early fall, to CROG for a corridor study.

They've agreed that they will also look at the trouble spots for us along West Street. In the meantime, we know that Spring Street and West Pines Drive at West Street and also West Center Extension and West Center and West Street is a problem. We've asked them if they'd look at that as an interim to help us fix some of those intersections while we work on the submission and get some funding, hopefully, to get that project going.

It is a few years process but in the mean time our hope is that we'll be able to get exposure to those sites. We've feedback from CROG and they admit we have a couple of trouble spots and they'd

help us. We'll work with our traffic authority, the Chief of Police, and send a letter to them explaining how that is going to run.

Mr. Grappone confirmed the two intersections. There is a program that DOT favors which is "Don't Block the Box". They paint the road and if you are in that box you know you are in trouble. DOT in our initial meeting a year or so ago was in favor of that. We're working on mapping right now to get to the police chief and it will be under his request as the legal traffic authority. (West Pines Drive and Spring Street intersection.)

As to West Center Street and West Center Street Extension, that particular one, there has been some survey work we've done a number of years ago for a round-about at that intersection. We'll bring that interesting concept forward to the traffic authority.

Discussion.

Mr. Chaplinsky said if it doesn't fit the round-about, there is an alternative. It will bring some safety awareness to those intersections.

At the meeting we also talked about some of the pinch points, like the one lane on the north end of West Street being an issue and some of the other traffic issues along there. Hopefully, a larger corridor study will help us. We're on their radar.

Mr. Hammersley brought up Jude Lane and West Street and West Center, that part of West Street is a town road. Do we need or would we go after ConnDOT or state funding in order to address those intersections or is that something the town would undertake on its own? Mr. Grappone responded we submitted at LOTCIP application and it is before DOT and got approved for Jude Lane and West Street. That intersection will have a new traffic signal and an additional lane put in at that location. Right now, it is before Rights of Way and State OSTHA. Those are the last pieces we need to get the plans in to DOT. Mr. Hammersley observed that would be a prime intersection for "Don't Block the Box".

Discussion.

10. EXECUTIVE SESSION to discuss pending litigation

Ms. Clock made a motion to go into executive session including the entire commission, the town attorney and the town planner, but barring the press and public. Ms. Scalise seconded. Motion passed unanimously on a voice vote.

(Meeting adjourned to executive session at 8:55 o'clock, p.m.)

**EXECUTIVE SESSION**

The Planning & Zoning Commission of the Town of Southington entered into executive session on Tuesday, April 3, 2018 at the Municipal Center Assembly Room, 196 North Main Street, Southington, CT in order to discuss pending litigation.

The following Commissioners were present:

James Morelli	Dagmara Scalise
Jennifer Clock	Robert Hammersley
Susan Locks	Paul Chaplinsky
Michael DelSanto, Chair	

Alternates: Ross Hart & Peter Santago

Also Present:

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

Absent: Joe Coviello & Ted Cabata, Alternate Commissioners

No motions or votes were taken.

Mr. Chaplinsky made a motion to adjourn executive session and Ms. Scalise seconded. Motion passed unanimously on a voice vote.

(Whereupon, executive session was adjourned at 10:01 o'clock, p.m.)

**REGULAR SESSION**

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

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

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Robert A. Phillips  
Acting Secretary

