

PLANNING AND ZONING COMMISSION  
TOWN OF SOUTHTON

JUNE 5, 2018

The Planning & Zoning Commission of the Town of Southington held a public hearing and regular meeting on Tuesday, June 5, 2018 at the John Weichsel Municipal Center Assembly Room, 196 North Main Street, Southington, CT. Michael DelSanto, Chair, called the meeting to order at 7:01 pm.

The following Commissioners were in attendance:

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

Alternates: Ted Cabata, Joe Coviello, Ross Hart & Peter Santago

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

Absent: Dagmara Scalise, Commissioner

The Chair seated Ted Cabata for Dagmara Scalise. 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 May 15, 2018

Mr. Chaplinsky made a motion to approve as presented. Mr. Hammersley seconded. Motion passed on a majority voice vote with Ms. Locks abstaining.

5. PUBLIC HEARINGS

Mr. Phillips read the legal notice into the record.

A. Abundant Life Pentecostal Church, special permit application to convert retail into a church, property owned by Dolores Harrington, located at 1187 Queen Street and 242 River Street, in zones B and R-20/25 (SPU #600)

Harold Hanning, Jr., 23 Salvatore Avenue, Bristol, CT and Fred Harrington, 35 Oakridge Road, Burlington, CT presented the application.

Mr. Hanning explained they would like to convert the property into a church. No major structural changes. We've been in the building a few times already. Basically, we'll keep it the same way it is right now. Just fix it up and make it look like a church. Footprint will remain the same. No additions to the building.

Mr. Phillips explained the reason why this is on for special permit per zoning regulations. The establishment of any religious institution/church has to apply for and receive a special permit and a site plan. This is another level of approval.

As to the two properties, Queen Street and River Street, the building is located on property with an address of Queen Street, fronting right on Queen Street. The parking associated with the building is actually on a parcel with an address of River Street, even though it is on the Queen Street side. The back side on River Street is covered by wetlands and a watercourse which wouldn't allow for any real access.

The notice to abutters got to a few more than normally you would expect on a single property.

Mr. Harrington mentioned the property was converted from a café to a retail use. It was a pawn shop for about the last nine years. Nine years ago, we submitted a site plan which was we did all the requirements (put in a sidewalk, two concrete aprons, planted trees, added green space). We met all the requirements. When I spoke to Dave Lavallee, he said it doesn't appear as though any changes are needed --- interior to the building.

Mr. Harrington felt it was a phenomenal location for a church. It is zoned for a church which is a huge blessing.

Mr. Chaplinsky noted there are two structures. Queen Street has the pawn shop, but is there a home on the River Street property? Mr. Harrington said there is a "fort" on the property where a guy lived --- squatter was living there.

Discussion.

Parking was discussed. There are 27 parking spaces on the site.

Mr. Chaplinsky was confused as to why the two parcels? Mr. Phillips advised his comments were at the very least they should provide a reciprocal easement for the parking associated with this building. They responded it is written into the lease that is the parking utilized with the building. The building and the parking are right next to each other on different parcels, technically, fronting on Queen Street.

Discussion.

Mr. Harrington clarified the building is at 1187 Queen Street on approximately a half-acre. Most of the parking is immediately south or left of the building --- about 27 parking spaces right there. Between the parking lot and the building with the land immediately around it, there is maybe a half-acre that is going to be used for the church. Everything else is wetlands and it is on the east and west side of the Quinnipiac River. That parking lot ties in with land on River Street which has about 500' of frontage. It's all wetlands and floodplain. The only usable parcel is subject to the 500' floodplain. We don't anticipate using the River Street parcel.

The total number that we expect is averaging about 40 people. That building, we are estimating, will hold double that. Parking should be sufficient as we need one space for every 3 people.

Discussion of the parking lot size reduction.

(Those speaking in favor of the application)

None.

(Those speaking against the application)

None.

The Chair closed the public hearing at this time.

## 6. BUSINESS MEETING

A. Abundant Life Pentecostal Church, special permit application to convert retail into a church, property owned by Dolores Harrington, located at 1187 Queen Street and 242 River Street, in zones B and R-20/25 (SPU #600)

Mr. Phillips advised staff did not have any specific comments on the SPU portion. Ms. Locks made a motion to approve which Mr. Chaplinsky seconded. Motion passed 7 to 0 on a roll call vote.

B. Abundant Life Pentecostal Church, site plan application to convert retail into a church, property owned by Dolores Harrington, located at 1187 Queen Street and 242 River Street, in zones B and R-20/25 (SPR #1757)

Mr. Phillips advised this is ready for action. He advised there are some comments from engineering dated June 4<sup>th</sup>, 2018 that need to be met.

Easements to the north and south were discussed.

Ms. Locks made a motion to approve with the stipulation the June 4<sup>th</sup>, 2018 comments from engineering are met. Mr. Chaplinsky seconded. Motion passed 7 to 0 on a roll call vote.

C. Volpe & Sons Mobil, Inc., site plan application for a 4,480-sf building to house tow trucks on lower level and office space on main level, property located at 796 South Main Street, property of GMV Realty, LLC, in a CB zone (SPR#1754), tabled from May 15

Sev Bovino, Planner with Kratzert, Jones & Associates, advised this is still awaiting wetland approval and should be tabled.

Mr. Chaplinsky made a motion to table. Mr. Hammersley seconded.

Both motion and second were removed for questions.

The access easement to the north was noted by Mr. Phillips. Mr. Bovino had indicated security fencing was required that was preventing that I believe. Mr. Bovino said the property requires a security fence because they take cares from accidents and bring them there and then they have to be relocated. In the meantime, they have fencing on all sides with a gate from South Main Street to enter. We cannot allow traffic to enter into the property.

Discussion.

The lot is 75' wide. If you give an easement to the right or left there is not a buildable area. We are using the driveway to the south --- share the driveway with the other business. ROW between the two businesses.

Mr. Chaplinsky made a motion to table with a second by Mr. Hammersley. Motion passed unanimously on a voice vote.

D. 2156 West Street, LLC, site plan application for a22,943 sf retail/office building, property located at 2156 West Street, in a B zone (SPR A#1755), tabled from May 15

Sev Bovino, Planner, from Kratzert, Jones & Associates presented the application. Mr. Bovino oriented the commissioner with the site on the screen.

Since the last meeting we have revised the plans to show a connection to the north per staff's request. We provided 14 car stacking with no interference to the parking (indicated) coming to the pickup window.

We have a cross walk at the entrance (indicating). From the front door to the parking.

To limit parking here (indicating), we have proposed employee parking for these two rows (indicating).

We have widened the driveway in the back (indicating) to provide two 11' lane travel ways for the two-way traffic. We have also provided a dedicated lane for the drive-thru with a solid white painted line. It could be a raised concrete aisle to define that area so there is no confusion.

We have revised the design at the pickup window to provide the cross walk stop sign and bump in the pavement with Do Not Enter signs at this location (indicating).

We have reduced the width of the driveway here (indicating) to provide more safety area for this traffic. Explained.

We also have the curb cut on the north side of the property which is existing for the use of the sewer pump station for the town. Jim Grappone asked to have this kept open which this plan reflects and reduces the number of parking spaces by 3. However, we still have the appropriate number of spaces.

For your information, this plan was approved a few years back just the way it is designed now with some minor improvements to the plan.

I'll be glad to answer your questions at this point.

Mr. Chaplinsky said one of the most obvious areas of concern is the exiting of the fast food and the entrance for people who are going to cross the people exiting the fast food. Are there are examples where that type of design is used? Mr. Bovino noted and discussed Popeyes and the building in back of Popeyes.

Mr. Chaplinsky asked for the reason why the drive thru needs to be there versus the other side of the building. Are there other locations that you could put a drive thru on this property where you can restrict the crossing of traffic so you don't have people coming directly off the road into the site? It seems like a high probability of accidents happening there. Mr. Bovino explained the reason it is here is because it provides the longest stacking possible.

The drive thru could be placed here (indicating) and then you still have to go this way. With parking here and here (indicating). I limited the parking here (indicating) by calling it employee parking which will be used by a large number of employees.

Parking for the restaurant is here and here (indicating).

There is a perceived conflict, but the way we have designed it is protected by this island here (indicating) and the fact that the cars parked at the window, there is quite a bit of distance from that car to where you start inching into the traffic. We have appropriate Do Not Enter signage at both places, a stop sign for them to know they have to stop and look before entering the traffic. This provides the longest stacking. Discussion of similar sites.

In response to comments by Mr. Hammersley, it was noted the traffic light at West Street does not have a left turn signal (arrow). The traffic light has to be modified to take into account this traffic and the state has to give approval for a dedicated turn sign to turn left to travel north on West Street.

Discussion.

The buffer on the West Street was discussed by Mr. Hammersley. Mr. Bovino said it is about 20' of grassed area from West Street in. It calls for a 4' wide berm, slightly raised. Ours is larger and we are going to do a raised bed with landscaping. Explained.

Mr. Phillips advised both staff in engineering and planning are not extremely comfortable with the way the circulation is laid out. But, the queueing coming off West Street is something we are concerned about. I think it's up to the commission as to whether you feel it is safe enough.

Mr. Chaplinsky noted the staff has issues with the circulation and there seems to be angst amongst the commissioners. Have different proposals been considered that don't build out the site so much so you don't have to create that pinch point so close to West Street?

Mr. Bovino pointed out the positives: We do have a light. We have dedicated lanes that are there or are going to be reviewed by the state and requested to be striped for that. The site is linear in nature, deep. This is a mound of sand and on top of that there are major poles. You cannot grade this area to do anything (indicating). This area here (indicating) is a CL&P easement and you cannot do much underneath there. We had to fight to get some parking underneath. You are forced to do a linear design. We have about 500-some feet of frontage here. Under the regulation you can have multiple lots.

Mr. Chaplinsky asked about a stipulation that internally you had to take a right after you came into the site so you can't go straight to the drive thru.

Discussion.

Mr. Bovino said his client would agree to that stipulation.

Further discussion on the going right circulation pattern after entering the site.

Mr. Santago stated that Mr. Chaplinsky's idea in terms of flow is warranted.

Staff felt Mr. Chaplinsky's suggestion was an improvement.

Mr. Chaplinsky said it doesn't address the left turn, but that is an off-site issue. I don't like it. I think it is a dangerous situation. I don't like the turn, not having a left turn dedicated lane. I'd love to see the DOT work on some sort of solution there.

Discussion.

Different layouts of the site were discussed.

Mr. Chaplinsky made a motion to approve with the stipulation that the applicant gets final approval on the design from staff on that one way in and come to an agreement as to proper signage, striping on the ground, arrows on the ground, should be so only a right turn in would be allowed.

Mr. Cabata seconded.

Mr. Chaplinsky wanted on the record he is very concerned about the turning into this site, especially heading north. Anything the town can do to put a bug in the state DOT's ear to be sure this is looked at with the most scrutiny and insure this is taken care of before anything occurs on the site, I would appreciate that. That's not within our jurisdiction as it is a state road but I ask staff's help.

Mr. Hammersley echoed those comments. He discussed the resolution passed with regards to West Street and hoping to have insight and planning done with the state's help. This is another development that will slip thru the cracks and get done before any of that happens. I am concerned because of that. The traffic flow there is a problem and reason behind the resolution for me. I'll vote for it because it meets the regulation and I have no option, but I do it unenthusiastically.

Mr. Chaplinsky noted the elevations are consistent with the corridor and what we're trying to create there. I thank the applicant for putting his best foot forward. It is a nice rendering and I hope it comes out looking just like that.

Mr. Bovino advised the building setback in this area is 40' and we are 85' back.

Discussion.

Mr. Hammersley appreciated that and the comments by Mr. Chaplinsky. He did not want to see the Popeye's site duplicated down that road.

Motion passed 7 to 0 on a roll call vote for approval.

E. Robert Vojtila, site plan application for the construction of a 3,000 sf one story building to be used to store automobiles, property located at 30 Industrial Drive owned by Fibre Optic Plus, LLC in an I-1 zone (SPR #1756) tabled from May 15

Mr. Chaplinsky recused himself for this application and Mr. Santago was seated for Mr. Chaplinsky for this item.

Michael Ott, licensed professional engineer and land surveyor with Summer Hill Civil Engineers out of Madison, presented on behalf of the applicant. He noted the applicant is here, as well.

The Chair noted there was a note from staff saying there has been no correspondence from the applicant. Did you get anything from staff? Mr. Ott answered we received comments from Jim and Rob prior to the last meeting, but we have received nothing since. Are there new comments? Mr. Phillips advised staff was waiting for their response. Mr. Ott clarified their response was emailed to the town on last Thursday afternoon. A new set of drawings is included in that response. We believe we have addressed all staff comments in this set of drawings.

Mr. Ott went over the comments from staff. He advised he also received a letter from the Southington Water Department dated May 17th. That was notations they wanted on the water service tap. The Chair replied they would let us know if they had an issue with this going forward. Has staff received anything from the water department saying they are out of compliance queried the Chair.

Mr. Phillips had nothing in the file on that.

Mr. Ott went over the major comments. He stated there is no outside storage proposed. There is no exterior lighting proposed other than building mounted lighting that is required by the state building code. There is no outside mechanical equipment proposed. There are no floor drains proposed within the building. This is a pre-engineered metal 3,000 sf rectangular automobile storage building.

No employees. It is slab on grade construction with no basement. No foundation drains.

We were asked to reduce the number of parking spaces to four which we've done. We were also asked to provide an accessible space which we've done.

It was indicated for this particular lot in this industrial subdivision there was no requirement regarding storm water detention. I understand there is a storm water detention basin that was designed and constructed as part of the industrial subdivision and it had limited capacity. Some of the lots in the subdivision have a limitation on impervious surface area. I checked with Dave Lavallee and he said this particular lot did not have a limit and that storm water detention was not required. We did have a small storm water infiltration area out in front and staff asked we reconsider that and change that to a stone infiltration trench right off the edge of the parking lot. We did that.

No dumpsters.

Temporary construction entrances are provided at both driveways per staff request. We added straw, compost or woodchip waddle per staff request along the silt fencing.

We've provided the appropriate details. We did provide traffic flow direction arrows in response to staff request. And, we revised a couple of our details to be in accordance with the town's standard details.

Mr. Grappone stated there are a couple of other minor ones, but if we can get hard copies of the revised plans, it sounds like everything is revised.

The Chair asked if anything is outstanding or is this ready for action?

Mr. Phillips agreed with Mr. Grappone.

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

F. Execwest, LLC, site plan application for modifications to Building C and Building D, property located at 99 Executive Boulevard South, in a B zone (SPR #1686.4)

Mr. Chaplinsky was reseated at this time. Mr. Santago was thanked for his service.

Kenneth Knowles (sp), Eagle Brook Engineering and Survey, Danvers, MA, here on behalf of the applicant and NorthStar Properties.

He gave a quick overview of the site. This goes back to 2007 as part of the Target and Lowes. The north plaza was permitted in 2009 and in 2015 when we build Home Goods and Michael's. And, then modified again in 2016 for CHIPS.

As part of the original approval we made a commitment to come back to you with any future buildings because at the time we didn't have tenants for Building B, which is CHIPS, and Buildings C & D which we are here for tonight.

We are looking for a minor modification to the site plan for Building C, (Building 300) and Building D (Building 400). The site plan has very few changes. Building C got a little shallower and a little wider. It went from 6,000 sf to 6,375 sf. Building D has no change to the building size. The side entrance and loading slid back maybe 10' to accommodate the egress door on the building.

Utilities and storm water were all built as part of the construction in 2016 & 2017. There are utility stubs across the entrance but Building C & D. I don't anticipate construction within the parking lot except for some minor curbing. Explained.

We will be striping the parking in front of Building C & D. The spaces are there.

The site elevations were shown and discussed. There are no specific tenants, yet. A lot of the current retailers are looking for a lot of glass on the store front as opposed to a brick or stone. More hip and trendy, extending the glass all of the way down on the store front.

We have a potential patio if we have a restaurant tenant come into the corner. (Building C) It is intended to have three or four more tenants in line.

Building D has a similar look. Glass to the ground. Teak & wood. This is most likely going to be a single or most likely a dual tenant.

Matt O'Boyle, architect, is here to talk specifics if you had questions.

Mr. Chaplinsky asked staff if the drive was considered as part of the site still? Executive Boulevard South is a town road was the answer. Mr. Chaplinsky said when you enter the site and come around that first bend, that's a hairy area. We have traffic merging. People trying to get to the left and pull in to the plaza. Doesn't seem to be working very well right. It is a pinch point and area of concern for traffic. It's not a normal in and out there. As part of this, is there a way to look at restriping that, fixing that? There are a number of complaints from people who utilize that plaza regularly. It doesn't seem to be laid out in an ideal way.

Mr. Grappone responded the police department looked at it when it first opened. There is not a lot of room for improvements there. People now are actually used to the traffic patterns there and I believe there is no real substantial accidents.

Discussion.

Mr. Chaplinsky requested that be looked at again. Mr. Knowles said that was part of CT DOT and the STC certificate when the original plaza was built. To modify it would require DOT to get involved.

Discussion.

Maybe more signage or warning that it could be congested there at times as it is not obvious, observed Mr. Chaplinsky. Difficult situation I'd like to have looked at.

The renderings were noted and everyone liked them. Open glass, wood, teak elements.

Mr. Chaplinsky brought up the back of Building C which is going to face West Street. Is there more you can do to make it more like a front? Mr. Knowles pointed out the front façade. Building c, the back that faces West Street is carrying the teak band around so it's not a single façade. There is some glass in the egress doors. The one difficult with a multi user building is there needs to be some back of house. We're trying to dress the back up as best we can. We'll look at additional landscaping.

Discussion.

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

G. 8-24 referral of the Southington Water Department to install a 2 million gallon 65' concrete water tank and a 120' communication tower located off Mill Street, in an R-12 and R-12/20 zone (MR #520).

Mr. Cabata recused himself from this item. The Chair seated Mr. Hart in his seat.

Bill Casarella, Superintendent of the Southington Water Department. He gave staff a preliminary site plan.

John McClellan (sp) from Tighe & Bond, our engineering consultant was introduced.

Mr. Hammersley advised he knew that the company I work for does some work with the water department so he would recuse himself.

Mr. Hammersley recused himself and Mr. Coviello was seated in his seat for this application.

Mr. Casarella explained the plan is to build a 2-million-gallon storage tank and replace the two 1-million-gallon steel tanks that are there now. The steel tanks, one was built in 1949 and one in 1963. We did have to do some modifications to the tank and paint it. The cost of doing that is probably half the cost of building a new tank. We bought the property to the left. Explained on the screen.

He noted the tower location with a 60' fall radius. The tower is 120' tall. Class 3 tower, 60' enhanced on the bottom so only the 60' could fall and it would fall down and not out. It's required to have a 60' fall radius on it.

Once the tank is built, the plan is to demolish the two steel tanks. We currently have towers on top of tanks which is a problem. The weight restriction on the tanks right now. That's one of the reasons why we are building the tower. We have communication issues.

Dismantling procedure was discussed.

As to the timeframe, the bids will go out in the Fall with construction to start in the Spring of next year. Completion in the Fall of the same year. They are telling me two months for the tower, so by the end of the Spring of 2020, we'll be done. Only take about six to eight months to build the tank. The tower about two months.

This is ready for action. The SPR and SPU will be coming in July.

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

H. Request for 1<sup>st</sup> 90-day extension to file mylar, King's Ridge Subdivision, 792 South End Road (S#1319)

Mr. Hammersley and Mr. Cabata were reseated. Mr. Coviello and Mr. Hart were thanked for their service.

Ready for action.

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

## 7. ADMINISTRATIVE ITEMS

- Mark Pszolkowski site plan application to construct 5 additional parking spaces on located at 966 South Main Street, in a CB zone (SPR #1758)

Mr. Phillips explained this is a site plan modification. They're only adding five spaces in the rear of the building. It didn't seem like it rose to a high level here and maybe you'd want to do it administrative. I have the plans.

Discussion.

Consensus was given to do this administratively.

Subcommittee:

Mr. Phillips had discussions with the commission previously on this having to do with looking at and reviewing the medical marijuana regulations since they were adopted six years ago. Law is changing fairly quickly and the recreational use of marijuana may be coming down the road at some point in the not too distant future. STEPS has been really interested in requesting the commission look at this, as well.

He explained Farmington's regulations are putting it as a prohibited use. They are banning it from town after they had previously adopted medical marijuana dispensaries in an industrial zone.

Towns are looking at this again. The vote at the state is closer than it has ever been.

The Chair advised it is a new process and it is important we look at what we have. With the discussion Rob and I had, I reached out to board members and asking them if they would be willing to serve. Ms. Clock, Mr. Hart and Mr. Santago have agreed to sit on this subcommittee. Kelly Leppard from STEPS will be on the subcommittee, as well. Rob will be the staff person.

A meeting will be set up.

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

- Brian Whitford, special permit application for garage in excess of 3 spaces, 118 Mountain Pond Road, in an R-40 zone (SPU #601), June 19

This is fine for the 19<sup>th</sup>.

Mr. Phillips added another parent/grandparent apartment. We're making an accommodation for them as it would be disadvantageous for them to wait until July. They're trying to get the contractor lined up.

#### 9. RECEIPT OF NEW APPLICATIONS

The two special permits. Mountain Pond Road has a long story behind that but it is a public hearing and we'll get to it again.

Execwest was on the agenda tonight.

Commission communications:

Mr. Cabata reported on a CCROG meeting back in early May. They talked about the hazard mitigation plan with the state they're trying to put together. Ours is with Plainville and was done previously so it is good for another year. They'll grandfather us into the bigger CCROG picture.

Discussion.

10. ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 8:26 o'clock, p.m.)