

PLANNING AND ZONING COMMISSION
TOWN OF SOUTHTON

FEBRUARY 5, 2019

The Planning & Zoning Commission of the Town of Southington held a regular meeting on Tuesday, February 5, 2019 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:

Dagmara Scalise	Jennifer Clock
Robert Hammersley	Susan Locks
Michael DelSanto, Chair	

Alternates: Peter Santago & Val Guarino

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

Absent: Paul Chaplinsky & James Morelli, Commissioners
Joe Coviello, Alternate

The Chair seated Mr. Guarino for Mr. Morelli and Mr. Santago for Mr. Chaplinsky. A quorum was determined.

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

MICHAEL DELSANTO, Chair, presiding:

4. MINUTES

A. Regular Meeting of January 15, 2019

Ms. Clock made a motion to approve. Mr. Guarino seconded. Motion passed on a majority voice vote with Ms. Locks and Ms. Scalise abstaining. Ms. Locks & Ms. Scalise did note they read the Minutes of the last meeting.

PUBLIC HEARINGS

Mr. Phillips read the legal notice into the record.

A. Lovley Development, Inc., application for Zoning Text Amendment for proposed new section of the Town of Southington Zoning Regulations: Section 3-09 – Age Restricted Cluster Housing Zone (ZA #597)

Mr. Hammersley recused himself from this item and left the dais.

Sev Bovino, Planner, Kratzert, Jones & Associates represented on behalf of the applicant. The proposal is to amend the zoning amendment text to include the new section, Section 3-09, to allowed Age Restricted Cluster Single Units Detached Housing (ARCH).

The POD calls for the PZC to address the housing needs of an aging population, provide housing choices for existing residents so they do not have to move elsewhere when circumstances change, offer more housing choices. Those are the items as they appear on your POD and recommended. (Copies of that page submitted for the record.)

On October 2nd, 2018, we presented this plan on the screen to you on an informal basis and most liked it and commented how this was the answer to your goal of getting more open space while allowing more development choices. We wrote the regulation to accomplish it.

We are in the City of Progress. We look at the future. By you encouraging this kind of development, called infill development, it will benefit the neighborhood in terms of property values, will provide open space with no cost to the taxpayer and also no cost for the maintenance of the infrastructure associated with this type of project.

Mr. Lovley would like to speak at this point.

I'll be glad to answer any of your questions.

Mark Lovley, President of Lovley Development with offices at 710 Main Street, Plantsville.

At the last meeting there was some questions about the development we had proposed and we were talking about some facts we heard in October.

As a model we used a piece of property at 792 South End Road. That development is approved right now for six single family housed sized between 2500 and 3500 square feet. The average kids in the schools is about nine. The total taxes paid to the town on the six homes would be approximately \$72,000. Roads maintained by the town.

In the concept we're showing, you'd have 79,000 square feet of open space which is just under two acres of open space. Number of units would be 15 single-family one-story ranches. Size of the units would be 1400 to almost 2000 sf, single story homes for age 55+. Number of kids in the school would be zero. Taxes estimated would be about \$102,000 to \$120,000. No maintenance of roads to the town.

Land would be held in common and taken care of by the association.

There are two options: either the land can be given to the town as open space if it is abutting an existing open space or kept as greenspace as part of the association and maintained by them.

(Submitted for the record data.)

There was some questions about time on the market for the units. He reviewed data he had for sale. Applegate sold at \$400,000 was on the market for 19 days. Glacier Way, \$250,000 on the market for 4 days. Cortland Way was on the market for one day. Berlin Avenue on the market for 18 days. Glacier Way (another one) on the market for zero days --- sold the day it went on the market.

One over at Timber Ridge, a very old unit which needed work was on for 87 days. And, one was on for 74 days and it was 55+ with second floor bedrooms. (Submitted for the record.)

For this development, just by word of mouth, we have 23 names of people that are interested in this product right now which shows the need for this type of housing in our community. It's just how we get there with the regulation.

(Those speaking in favor of the application.)

Al Montbaron, local real estate agent, noted there is a need for senior free-standing housing. This is a very creative way to meet that niche. These proposed rule changes are not a blanket approval and it's five acres or more and has to be approved on a case by case basis. It would give you an opportunity to be sure that development makes sense for a certain parcel. It's good to have in our arsenal of housing solutions.

Tom Curtiss, 821 South End Road, had a concern about this property but that is not for tonight. I read the regulation on line. He noted the minimum age and the rental --- there were loopholes that could be abused. The reg needs to be tightened up.

He didn't think rentals should be allowed. And on the age, three-bedroom homes, it's just open to violations on that. You can put a lot of people in a three-bedroom homes.

Linda Lawrence, 54 Crestview Drive, submitted a letter of support that she submitted for the record.

Paula Burton, realtor in town, read a letter into the record. (On file in the Town Planner's Office.)

Tom Curtiss clarified: I am in favor of the concept and understand the need. My concerns were secondary rentals. I prefer them to be owner occupied.

(Those speaking in opposition to the application.)

None.

(Rebuttal)

Mr. Bovino clarified the age situation as being 55 and over. Mr. Phillips referred to Section 3-02.3, permitted uses. The language was changed in (b) to state "may" have a spouse or occupant who must be 18 or older. It was over 55 and not below 18. Mr. Bovino said they have no objection to that modification of the language.

And, in Section D, it refers to the rental of the unit being prohibited. And, that is in the condo documents. It is clearly prohibited. Except a nonresident family member may purchase up to one unit for a family member who will reside in the unit. Explained.

As far as regulation by the Town, in accordance with CGS, the Town of Southington acting through its duly appointed officials may enter onto the premises for the purpose of verifying compliance with federal, state and local laws.

Mr. Phillips read into the record comments from the three regional planning agency referrals. (On file in the Planning Office.)

Hearing no further comments, the Chair closed this public hearing.

(The Chair reseated Mr. Hammersley and he resumed the dais.)

B. B & R Corporation, special permit application for construction of one additional building to be used in support of ongoing site activities, property located at 49 DePaolo Drive, in an I-2 zone (SPU #617).

(Minutes are prepared summary style and you can refer to the video on line to hear the full 35-minute presentation.)

George Andrews, professional engineer with Lourierro Engineering Associates located in Plainville, CT. I'm here on behalf of B & R Corporation their subsidiary Quantum Biopower.

I'll give you some background on the site, talk about the need for the project, transition into the proposed improvements and I have some slides, and then close with some discussion on storm water management, soil erosion and sedimentation control.

The site is on the terminus of DePaolo Drive.

We initiated this permitting process back in 2012 and have been in front of you for five different modifications at this point. Several modifications have occurred through DEEP as well as through your commission.

We are proposing construction of a new building here (indicated on the site plan). It's about a 55-acre campus. Thirty-five acres is owned by the applicant and 19 acres is the Old Southington Landfill which is occupied by the applicant, as well.

The ongoing operations include mulch manufacturing, composting, and anaerobic digestion and they will continue with no changes proposed.

With regard to the anaerobic digestion process, that facility receives food waste. It is brought in in vehicles and it comes from prepackage facilities, retail facilities, manufacturers, restaurants, cafeterias, et cetera. They drop the waste at the site and the site ends up processing it through an anaerobic digestion process. Explained the process indicating the end product is generation of heat for the facility. It is currently permitted for 40,000 tons/year. We are not proposing any additional capacity of that digester.

The proposed new building is for a new process operation, but they won't increase the capacity of the site or the capacity of that particular facility.

Early in the planning stages, it was anticipated that about 70% of the product received would be source separated organic materials (SSOM) from a restaurant. Spent food or food not completely eaten which has been separated and shows up in a barrel or truck gets dropped into the pit in the facility.

What we are finding that about 70% is packaged spent foods. It arrives not source separated but arrives with all of its packaging. A perfect example would be coca cola. Explained it needs to be destroyed and documentation of the process done.

The transition from 70% SSOM to 70% packaged has created a bit of difficulty with regard to processing. The equipment purchased depackages although it is very, very inefficient at that process. It takes a lot of time and the material needs to be segregated with a lot of hand labor.

The proposal is to construct this new building and provide a new updated processing facility that is specifically designed for depackaging. (See slide on screen.) Process described.

Plastic products, milk containers or any type of food products and this device actually separates it, puts the recyclables into a bin and then drops the biomass into a pit – if solid it gets pulped and then pumped over to the digester where it can be degraded.

On site we have a scale house, office building, maintenance facility and then the anaerobic digester processing building and the new proposed building. That is larger than existing and it will offer us is the opportunity with a loading dock and high bay doors, a much more efficient means of actually moving the packaged materials and storing them and then processing down here (indicating).

Elevation views were discussed.

We have multiple buildings on this site which is why we're here under the SPU and site plan process. The proposed building is located 65' to the closest property line. That property line is shared between the applicant and the Town's landfill. The height of the building is 35.3 feet at its highest peak. It's essentially a single story, high bay warehouse. That will include all indoor storage. And, processing toward the back.

All other activities that exist and have been previously permitted are ongoing. No shift proposed.

No new activity at the site. Explained they are proposing a more efficient depackaging facility. We are not increasing the capacity of the anaerobic digester plant. Just providing a more efficient means of the separation process. Allows more recyclables to go off site. Cleaner recyclables. Allow for the storage of the packaged material indoors.

We do have a solid waste permit with the DEEP. We'll need a modification to that in order to actuate this new facility.

As to parking and traffic, we are anticipating a decrease in the number of trips to site. We are anticipating full tractor trailer loads of packaged foods coming in. Right now, they're using smaller trucks as they couldn't handle the larger trucks with the inefficient system they have.

The utility plant was discussed. Water & sewer on site. Explained mains.

Hours of operation will remain Monday thru Friday, 7:00 am to 6:00 pm and Saturday, 7:00 am to 4:00 pm.

Stormwater management was discussed. A detailed report was submitted.

The grading, drainage and erosion control plan was discussed.

Lighting was discussed. LED wall pack lighting on the front of the facility.

He went through staff comments. Updated plans were submitted.

We are on the Water Commission agenda for February 7th.

He reviewed the proposal highlights.

No additional staffing is proposed or parking.

I'm happy to answer questions.

Mr. Hammersley asked about noise. Mr. Andrews explained the facility is housed within a steel building and that's the mechanism (building & enclosure) to control the noise.

Ms. Scalise asked about the increase in efficiency but not necessary the increase in capacity. Mr. Andrews responded it is limited by tankage size. To increase capacity at this point, a very expensive endeavor (\$5 to \$8 million). There is no plan to double the size which would be the next step of the anaerobic digester.

Discussion.

Ms. Scalise brought up the trucks would be larger, but no increase in traffic. Where are the trucks traveling today? What kind of traffic impact on the main roads was questioned.

Discussion.

Mr. Phillips talked about the industrial zone this is in and the truck traffic that is already there with other businesses in the area.

Current semi and box truck traffic on site was discussed.

(Those speaking in favor of the application.)

None.

(Those speaking against the application.)

None.

Hearing no further comments, the Chair closed the public hearing.

C. Alphonso Fragola, Special Permit application for garage in excess of 3 spaces, 320 Winding Ridge in an R-80 zone (SPU #618).

Attorney Bryan Meccariello presented on behalf of the applicant. This is an application for a special permit. He is putting an addition to his home. He now has three children, all boys, and they just installed a pool so there is other equipment and landscaping equipment with the vehicles he is anticipating.

Currently his garage has three bays and is a total of 888 sf. (Passed in a five-page set of the building plans.)

- foundation plan
- Southington GIS information for the property at 320 Winding Ridge.
- There are numerous properties around it, similar in size and have five garage bays and I've included that information. (Reviewed)

Each application is on a case by case basis. You do want to look at the harmony with the neighborhood, the size of the structure, the use of the structure. This is R-80 all residential zone.

(Those speaking in favor of the application.)

None.

(Those speaking against the application.)

None.

Hearing no further comments, the Chair closed this public hearing.

D. Proposed zoning text amendment to Section 11-23 – Medical Marijuana (ZA #598).

Rob Phillips, Director of Planning & Community Development, presented the application. There was a subcommittee created to examine our existing medical marijuana regulations and through that process we researched when these regulations first came on the books in 2012 and we researched the subcommittee at that time. Essentially, what came out of it was these regulations.

There was a concern. We had two applications for medical marijuana earlier last year and one was denied and the other was approved. It was subsequently not approved at the state level so that facility is not in existence and won't be for the foreseeable future at this point in time.

There was a drive to look at the regulations. By researching the past enactment of the regulations of what transpired there was some recommendations of the subcommittee to strengthen our existing regulation. The main area of concern was under the dispensary portion of the regulations. Currently, right now, producers have a separation distance of a certain distance from sensitive receptors and it's outlined in the regulations.

The proposal is to incorporate those same separation distances for the dispensaries as for the producers..

In 2012, the separation distances for dispensaries was discussed but it never made it out of subcommittee. When it came to the commission, those distances only applied to producers.

Our proposal is to look at the separation requirements outlined and add the terms: or dispensary for every area, subsection that has medical marijuana producer separation limitations.

We're saying dispensaries and producers should be treated exactly the same with the same separation distances to churches, schools, public buildings, public parks and also from residentially zoned land or a site that has five or more residential units, et cetera.

It was also a drive to look at the actual purpose of the regulation. We know that the states are really looking hard at retail and recreational legalization and we wanted to make sure that our regulations as currently written is specific to medical marijuana and we want to make sure we double down and make that clear. The proposed language to add to the purpose section would be:

This section shall not permit any retail and/or wholesale of marijuana products not considered medical marijuana as regulated within Chapter 420(f) of the CGS.

It's kind of belt and suspenders approach to make it clear that if a special permit is granted under these regulations, it is only for medical marijuana. And, if the State of Connecticut follows the Massachusetts model where they're allowing retail recreational sales out of dispensaries, I'm assuming they would look at that model for Connecticut.

We don't know how this may transpire. We have one tool in our tool box which is a moratorium and we usually use these things when something rapidly changes at the state level or has the potential for unfavorable outcomes or unknown outcomes, you can enact a zoning regulation called a moratorium for a specific purpose and for a specific amount of time. We can use that if and when the law changes.

This would for now kind of double down and make sure this is meant for medical marijuana and nothing else.

Ms. Scalise asked if legalization of marijuana passes, is there another section of our regulations that would address that? Mr. Phillips explained we have "permissive regulations". If it is not expressly permitted, then it is considered prohibited. We don't anywhere in the regulations allow retail sales of recreational marijuana or any other type of drug of that nature.

Discussion.

Ms. Clock wanted it noted that during committee discussions we came to agreement that it is not under the PZC purview to ban marijuana if it did become legal from town. Mr. Phillips said the PZC looks at land uses. That's the charge. If something comes out of the state like cigarettes and alcohol, that's bigger than the PZC.

Discussion of the mapping showing the CB and B zones where dispensaries would be allowed under special permit. If we added the separation distances for producers already in the regulations for dispensaries as well, the result is the potential sites. It is reduced substantially. Two spots on West

Street, near I-84 and Queen Street interchange and the TA Truck Stop at the confluence of I-84 and the Meriden Waterbury Road.

(Those speaking in favor of this application)

Ziggy Jurglewicz, 383 West Street, Southington spoke in favor.

Margaret Miller, 73 Miller Farms Road in Plantsville, spoke in favor of the regulation changes because with these regulations the dispensaries and producers for marijuana would be further from the school I go to and helps to reduce the marijuana use at my school. JFK Middle School student in 7th grade.

Discussion.

Lisa Mason, 66 Hobart Street. I thank the subcommittee for working on this proposal for us. I am part of the STEP Coalition and I want to send my support for this. One thing important to us is making sure there is a separation distance between schools and medical marijuana dispensaries.

I appreciate that and the fact that recreational marijuana has been incorporated. We don't know what will happen with the state.

(Those speaking against the application)

Stacy Dolan, 55 Vermont Ave. I am not really against it. I know the mess this will create if we open a dispensary here. We know one will be opening in surrounding cities close to us. I really want to make sure this does not prevent any red tape. I want to be first and foremost because tax wise we are looking at a lot of money. I agree we should have restrictions on where it should be.

Kevin Curtis, 196 Meriden Avenue. Discussed the separation distances. This limits it even more where you should have these in town. Growing facilities were discussed.

Hearing no further comments, the Chair closed the public hearing.

8:27 o'clock, p.m.

BUSINESS MEETING

(Mr. Hammersley recused himself from this item and left the dais.)

A. Lovley Development, Inc., application for Zoning Text Amendment for proposed new section of the Town of Southington Zoning Regulations: Section 3-09 – Age Restricted Cluster Housing Zone (ZA #597)

Mr. Phillips advised this item could be continued to the next meeting without an extension but if you want to continue at that meeting you would need a motion for an extension.

Ms. Clock stated she was in support of the application. She then made a motion to approve on the basis of I like how it is proposed. There is a saying that I use in my business: Work smart, not hard. I think that this entire proposal is working smarter for our town. And, basically, what we were handed

tonight sums it up. It's more open space, more taxes, gives our town a break from their services. And, there is a need for elderly housing and we discussed in the POCD. For all of those reasons, I do support it.

Mr. Phillips clarified: In that motion are we including the suggested to the language under 3-09.3(b) from "and or a spouse or other occupant to be 18 or older" to "may have a spouse or other occupant is 18 or older". Ms. Clock concurred. She further stated the most important piece for her is they are free standing. That's very important. I feel it fits the community. Free standing units.

Ms. Locks seconded. She further commented she would like to see more of the greenspace instead of open space that would be maintained by the unit owners. Mr. Phillips said the greenspace in these types of developments is proposed to be association run.

Mr. Guarino noted the spreadsheet Mr. Phillips passed around saying that comes out to about 500 houses dumped on to small properties. I'm concerned with five houses per acre, whether separated or not.

Discussion.

Mr. Phillips said there area about a dozen or properties that are five acres or more in the R20/25 or R40 zone. Nothing in R12 of that size. In the R2025, potentially 347 potential homes and the R40 would be 266. Those are increases as subdivision would yield about 134 and 58 respectively. But they are different: association run, private roads.

Mr. Guarino noted the upside to the town but he was concerned about crowding all those houses into a small area. The only hard data we got is 23 people are interested, not 500.

The process for each application would be zone change proposal for the floating zone with a public hearing required and then it would be a special permit with a public hearing required.

Ms. Scalise agreed. She has concerns and she is not sure she buys into the whole need for additional housing, age restricted. I know the POCD talks about our future growth and does address the need for elderly housing, but it also addresses the need for other types of housing. I think there should be a balance. I am not sure I am good with this.

Motion passed 4 to 2 with Mr. Guarino and Ms. Scalise opposed.

Effective February 20,2019.

(Mr. Hammersley resumed his seat at the dais.)

B. B & R Corporation, special permit application for construction of one additional building to be used in support of ongoing site activities, property located at 49 DePaolo Drive, in an I-2 zone (SPU #617).

Ready for action. Ms. Locks made a motion to approve. They've been a very good company for the area. Very respectful for the neighbors. I'd like to wish them well in going forward and making

their facility better. Mr. Hammersley seconded. He toured the facility and was impressed by the operation and the improvements and enhancements are expanding their operations.

Motion passed 7 to 0 on a roll call vote.

C. B & R Corporation, site plan application for construction of one additional building to be used in support of ongoing site activities, property located at 49 DePaolo Drive, in an I-2 zone (SPR #1667.5)

Ready for approval. Ms. Locks made a motion to approve. Mr. Hammersley seconded. Motion passed 7 to 0 on a roll call vote.

D. Alphonso Fragola, Special Permit application for garage in excess of 3 spaces, 320 Winding Ridge in an R-80 zone (SPU #618).

Mr. Santago made a motion to approve. Ms. Clock seconded.

Mr. Santago stated he appreciated the detail given on this for the neighborhood. We always ask for stuff like that. I appreciate the level of detail and pictures, et cetera. Makes our discussion quicker and decisions easier.

Motion passed 7 to 0 on a roll call vote.

E. Proposed zoning text amendment to Section 11-23 – Medical Marijuana (ZA #598).

Ready for action. Mr. Hammersley made a motion to approve. I think the committee has done a great job of tidying up the regulations. I'm happy to see the outcome and look forward to seeing this pass. Mr. Guarino seconded.

Mr. Santago publicly thanked Kelly and Jenelle committee members for a very collaborative and well-respected group to balance the needs of folks and keep the facility for those who need it and then balance the needs of the town. Quite honestly, to keep our regulations consistent language wise and to the spirit and intent of what it is.

The Chair stated he was very proud of this commission and the members of the subcommittee. We did medical marijuana to get ahead of the game and we're getting ahead of the game now. This is a no judgment zone. We are not the moral police on smoking pot or not. This is a land use committee and we will stick with land use. If the state says we're going to put these things on every street corner that's up to the Town Council. They'll have to come up with an ordinance to prevent it from happening if they choose. That is their purview. Great job. Very thorough. Very proud of this commission and the committee for the work they did.

Motion passed 7 to 0 on a roll call vote.

This is effective February 20, 2019.

F. Dee Zee, Inc., LLC, site plan modification for a 8,250 sf addition, property located at 93 Industrial Drive, in an I-1 zone (SPR #1571.2)

Stephen Giudice, Harry Cole & Son, 876 South Main Street in Plantsville presented on behalf of the applicant. This is 93 Industrial Drive. This business has been growing, growing and growing. They came to us and decided they wanted to add more warehouse space. The entire building is almost entirely a freezer and they just store ice, blocks and bags of ice.

It's good for them and it's good for the town. They're looking to 8200 sf to the building We are proposing another curb entrance, curb cut at this location (indicating). Some additional parking. Some additional loading docks.

We did submit plans and received comments from town staff. We did revisions and resubmitted. I believe we're in good shape.

Mr. Grappone added the comments are not really earth shattering if you want to approve it with a stipulation. Mr. Phillips agreed. However, revised plans are necessary with both reviews.

MR. Hammersley made a motion to approve with the stipulation that the applicant work with staff to resolve any issues before permits are offered. Ms. Clock seconded.

Motion passed 7 to 0 on a roll call vote.

G. Susco Building Group, LLC, site plan application to construct a 3,600-sf building, parking area, an outside storage area, property located at 49 Birch Street, in an I-2 zone (SPR #1773).

Mr. Giudice presented on behalf of the applicant. This is a new application. This is an I-2 zone. It is 1.02 acres. Frontage on Birch Street. There is a residentially owned property to the north. The abutting property is basically a residential property and the rail road. The lot has been vacant for quite some time.

He noted wetland areas that were flagged by a soil scientist. There is a small existing drainage pipe that runs through here and there is floodplain associated with this property. Explained.

The application is to construct 3,600 sf building. We are proposing to have outside storage on the north side of the building with fencing and screening. (Indicated) There would be garage doors with parking to the south and another loading door and a loading space and handicapped parking space (indicating).

The building is serviced by public sewer and private on-site well. We have some storm water quality basins proposed (indicating). We have low impact development drainage features incorporated into the site, as well. (Pretreatment filter strips, et cetera)

We are currently going before the wetlands commission on Thursday (2/7/2019). We wanted to give you a heads up that we are here.

We haven't received staff comments yet. I can answer any questions and then I will ask for a table.

Mr. Guarino discussed the proposed landscaping. You have a lot of native plants and a lot of non-natives and a potentially invasive tree you want to plant. I'm hoping you will revisit the landscaping. Discussion followed regarding the Bradford Pear Tree being declared invasive any time now. Information will be provided to staff to pass on to the applicant.

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

H. Mandatory 8-24 Referral for land swap, Westwood Road (MR #523)

Mr. Giudice presented on behalf of the applicant. This has to do with a proposed land swap between the Estate of a private property owner and the Town of Southington. He gave the history of the property at the corner of West Street. He noted a solution that was suggested by the then town attorney, Mark Sciota regarding this landlocked piece of property.

Now Mark is the Town Manager and we're back trying to straighten this out, the recommended way to handle this was through an 8-24. We did go and present to the Town Council and the Town Manager and the Town Council were okay with it.

What we are proposing to do, is there is a strip of land here that was open space as part of the Westwood Road subdivision. This open space isn't considered a great piece of property. He noted the detention basin and the encumbrance by CL&P power lines.

It creates a barrier between Westwood Road and this piece of property. We're proposing to swap about 1200 sf of land between the Estate's property and the open space to gain approximately 60 feet of width here (indicating).

This is the piece we're proposing to take (indicating). We're granting back the same amount of area on this property's open space. It's a relatively minor proposal. It doesn't set precedence for this commission. We're hoping you would send back a favorable 8-24.

Mr. Phillips explained it would be a vote of whether you are in favor or not in favor. If you are not in favor, it would go back to the Council and force a supermajority vote to approve it rather than a simple majority.

I don't have any comments to add. There is a lot yield difference between what they could do now and what they could do in this scenario. I would ask the applicant why not a modification of the property line with the single-family home? Mr. Giudice explained the single-family home has a reverse mortgage which has been foreclosed on. And, the other issue is the house and the septic system are in this location (indicating). That was our first course of action.

The total square footage of the swap is 1,063 square feet.

Mr. Giudice added there will be a proposal for approximately six building lots on this property if this were to happen. That's what makes the property viable. Without it, we are kind of dead in the water.

Ms. Scalise said this seems like a simple, equitable solution. Eventually will get the benefit of having this property developed. It seems like a small square footage. As long as it doesn't set a precedent, I would be in favor of it. That's a motion to send back a favorable 8-24 to the Town Council.

Ms. Clock seconded. Motion passed 7 to 0 on a roll call vote.

I. Release of \$7,080 E & S bond, 1081 West Street, Courtyard by Marriott, (SPR #1513.2)

Ready for approval. Mr. Hammersley made a motion to approve. Ms. Locks seconded. Motion passed unanimously on a voice vote.

J. Request for 5-year extension of subdivision approval, 156 School Street (S#1308)

Ready for approval. Ms. Clock made a motion to approve. Mr. Santago seconded. Motion passed unanimously on a voice vote.

K. Request for release of \$10,450 E & S bond, 1095 West Street (SPR #1513.3)

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

7. ADMINISTRATIVE ITEMS

Minutes are prepared summary style and you may refer to the video online to hear the 30-minute discussion by the commission and staff.

A. Sign Subcommittee Report

Mr. Hammersley reviewed the report which is on file in the Planning Office. He also entertained comments from the commissioners, noting changes which may be required to the wording.

The sign enhancement program was introduced and discussed.

After discussion, it was decided that the changes would be reviewed and this item revisited at the next meeting before being referred out and a public hearing being held.

B. Open Space and Land Acquisition Report

No discussion this evening.

8. ITEMS TO SCHEDULE FOR PUBLIC HEARING

None.

9. RECEIPT OF NEW APPLICATIONS

- Longhorn Steakhouse.

10. ADJOURNMENT

Ms. Clock made a motion to adjourn which was seconded by Mr. Hammersley. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 9:34 o'clock, p.m.)