

PLANNING AND ZONING COMMISSION
TOWN OF SOUTHTON

JUNE 04, 2019

The Planning & Zoning Commission of the Town of Southington held a public hearing and a regular meeting on Tuesday, June 04, 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:

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

Alternates: Stuart Savelkoul, Peter Santago & Val Guarino

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

Absent: Dagmara Scalise & Robert Hammersley
Joe Coviello, Alternate

The Chair seated Mr. Santago for Mr. Hammersley and Mr. Savelkoul for Ms. Scalise for this evenings meeting.

A quorum was determined.

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

The Chair congratulated the Southington High School baseball and softball teams. They both made it to the Championship game. Congratulations, Blue Knights.

MICHAEL DELSANTO, Chair, presiding:

MINUTES

A. Regular Meeting of May 7, 2019

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

PUBLIC HEARING ITEMS:

Mr. Phillips read the legal notice into the record.

A. Home Occupation application of Kathryn Albert to allow the sale of baked goods under the Cottage Food License, property located at 32 Kiefer Road, in an R-20/25 zone (HO#73)

Kathryn Albert, applicant, presented. She was looking to apply for her cottage food license to sell cookies out of my house. I work full time, bakery manager. This is something for me to do in the evenings. My intent is to do it on a less than part time basis. My intent is not to have anyone come to my house. I'd rather meet people elsewhere. It all has to be done in person.

Mr. Phillips reminded everyone this is a new industry allowed by the legislature. Really it kind of fits in our home occupation regulations and that's why the applicant is here. The health department is not involved as this is a Department of Consumer Protection Agency.

Mr. Chaplinsky thanked the applicant for applying. I'm assuming you are not planning large deliveries. Ms. Albert said basically for the most part it is just for friends and family.

(Those speaking in favor of the application.)

None.

(Those speaking against the application.)

None.

The Chair closed the public hearing item.

BUSINESS MEETING

A. 8-24 Referral for the Bond Ordinance appropriating \$900,000 for the 2019 road improvement program (MR #526)

Town Manager Mark Sciota presented. I'm here on CT. General Statutes 8-24 which requires me to get your approval to send to the town council anytime I want to borrow money. This is for my road projects. I'll be \$2.2 million in road projects, \$1.3 million in cash and \$900,000 in bonds. The process started with the town council and will be going to the BOF next week. Hopefully, I will get a favorable 8-24 from you tonight.

Ready for action.

Mr. Santago made a motion to approve the sending of a favorable 8-24 to the town council. Mr. Chaplinsky seconded. Motion passed 7 to 0 on a roll call vote.

B. 8-24 referral for the Bond Ordinance appropriating \$2,930,000 for costs related to the acquisition of the John Weichsel Municipal Center property (MR #527)

Mr. Sciota explained part of the lease for this building allowed us after eight years to buy the building for \$2.9 million. How we buy it is not that important to you at this moment. This 8-24 is saying that it is appropriate to buy this building for a town asset under your POCD. This is the 8-24. You'll see in the video some option we have to purchase: straight purchase using the undesignated fund balance, use bonding or none of that and continue to lease. All this is recommendations to the public as this has to go to referendum in 2019.

(Please refer to the 5-minute video on line to hear the presentation.)

Ready for action.

Mr. Morelli made a motion send back a favorable 8-24 to the town council. Ms. Locks seconded. Motion approved 7 to 0 on a roll call vote.

C. Home Occupation application of Kathryn Albert to allow the sale of baked goods under the Cottage Food License, property located at 32 Kiefer Road, in an R-20/25 zone (HO#73)

Ready for action.

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

Mr. Savelkoul asked why this is such a thing. I'm uncertain of why. Mr. Phillips said because it is similar to a business being run out of a home, we decided it fits into the home occupation. When this came through, we discussed that if we should start to receive a lot of these applications on a frequent basis, maybe we should look at a regulation that says subject to a zoning permit. We had a few in the very beginning, but there hasn't been one for six months, at least.

Discussion on why the health department is not involved. Mr. Phillips explained the background at the state and it was when the health department got out of it and DCP got involved that it went through.

Discussion.

Motion passed 7 to 0 on a roll call vote.

D. Lazy Lane Industrial Associates, site plan application for a proposed 8,100 s.f. industrial building, 182 Lazy Lane, in an I-2 zone (SPR #1777)

Sev Bovino, Planner with Kratzert, Jones & Associates represented the applicant. The property is located at 182 Lazy Lane, west of the rails to trails. The property is served by public water and sewer. It is located in an I-2 zone. There is an existing house on the property and a garage which will be removed to build this proposed building. The building size is 8,100 sf. The uses in the building will be a mix of office, manufacturing and storage.

The first three units are occupied by a mechanical contractor with nine employees. We expect the same mix for the rest of the building.

We have proposed 21 parking spaces versus nine or ten based on the zone which allow you to have one per thousand square feet. We will have nine employees just for this section plus the owners. We expect the same for the rest of the building. That's based on Section 12-01. P of the regulations.

We are providing a buffer to the residential zone to the west which is a mix of hardwoods and evergreens.

The drainage is designed to provide ZIRO as required by the regulations.

We are requesting a waiver of sidewalk, 243 feet of frontage in this area (indicating). It is based on Section 9-39.C-3 of the regulations. There is a watercourse to the west and one to the east and based on that condition we are requesting. Also, there is no sidewalks in the area.

In an Industrial zone, the walks are optional.

We have received planning department comments but not engineering.

We would like a vote on the sidewalk tonight so we can prepare for the next meeting.

Mr. Guarino requested on the landscape plan, it would be nice if you didn't plant the Bradford pear and the (inaudible) pear. Those are particularly noxious trees and potentially invasive.

Discussion.

Mr. Bovino indicated he had no preference and would take that suggestion.

Mr. Chaplinsky noted the residential zone to the west. What is the buffer distance? Mr. Bovino explained it is 50 feet with low impact and then a 35-foot planted buffer with a berm at the bottom. We are cutting the grades about three and half to four feet so it will be depressed. The grades slopes from west to east and we have a one floor building so we need to balance the site.

Discussion.

This is not ready for action, but the applicant would like a vote on the sidewalk waiver.

Ms. Clock made a motion to approve the waiver of sidewalk as requested. Ms. Locks seconded. Motion passed 7 to 0 on a roll call vote.

Ms. Locks made a motion to table the application. Mr. Santago seconded. Motion passed unanimously on a voice vote.

E. Joanne Etter, site plan application to convert existing residential building into professional office space and construct associated parking and landscaping, property owned by James & Linda Verrilli, located at 791 South Main Street, in a CB zone (SPR #1778)

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

We are proposing to change this property from residential to professional offices. Keeping the existing structure basically as is with the exception of adding a handicapped ramp along the side of the building in the back.

We designed a parking lot with eleven paved parking spaces and an overflow for employees in the back, impervious surfaces.

Storm drainage is managed through a drainage system, infiltration system along the property line. We have a handicapped space and sidewalk and handicapped ramp.

The structure itself is staying basically the same other than improvements to the exterior. We have sidewalks around the property already. This is surrounded by Wells Fargo (indicating). We don't anticipate really having much of an impact on the neighborhood. The building is about 2200 square feet, total.

We did receive comments from planning and I've submitted a response letter. We need to add some street trees along hillside.

We did get minor comments from engineering tonight --- very minor in nature and we shouldn't have any issues.

The business is Apple Valley Behavior Health.

Joanne Etter, applicant, addressed the commission, owner of Apple Valley Behavior Health and we are currently at 960 South Main Street. And, we also renting the downstairs floor at 966 South Main. We bought the building three years ago with five offices and three years later we are expanding. There are ten clinicians and we've outgrown our space.

When this came on the market, I had a vision. This gives us enough office space to take 966 and 960 and be under one roof. That's the vision.

Ready for action with engineering stipulations.

- The drainage system is close to the property line. There are some concerns. There could be adjustment to move that further away from the property line to address that.
- Some minor details missing from the plan.

Mr. Chaplinsky asked if there was an objection to allowing a cross easement for the future. Extensive discussion with Mr. Giudice. Also, discussion with the requirement and the way that it is written. A discussion with the applicant was encouraged.

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

F. Inspired by Opportunity, LLC, site plan application for fast food restaurant with sit down dining and drive through service, property owned by Southington Development Partners, LLC, located at 1799 Meriden Waterbury Road, in a B zone (SPR #1779).

David Sacco, civil engineer with TPA Design Group of New Haven on behalf of the applicant presented.

The proposal is to construct a Wendy's Restaurant at 1799 Meriden Waterbury Turnpike. This is to the side of the entrance drive to the AMC Theaters and across the driveway from where the Dunkin Donuts was recently approved and is under construction.

The use is permitted. The site development is compliant in terms of parking, in terms of coverage and setbacks. One issue that arose today that we'll be addressing is that it was pointed out that we have a couple of parking spaces in the front yard and we'll relocate those since the grades at the site preclude us from being able to put a berm there. There's already a slope up into the site that would make it difficult to manage physically putting a berm at that location.

This is a proposed 55 seat restaurant, 28 parking spaces are required and provided.

We are proposing a subsurface stormwater detention system that provides attenuation of all storm runoff up to the 25-year storm level. It is going to be connected off site to an existing catch basin in the entrance drive and will continue west from there. Very minimal overflow until you get to the 25- or 50-year storm because we are providing a substantial amount of stormwater detention on the site.

There is a landscape plan.

In response to the questionnaire we received today, the site landscape plan does not include any invasive species. It includes several pollinator friendly species.

The easements are already in place in terms of access to the theater driveway for the entrance drive as well as for the sidewalk connection. Explained this allows us to have a 5% grade and avoid having ramp sections or handicapped rails. Smooth, flatter connection.

The site slopes significantly from the theater drive down to Meriden Waterbury Turnpike. It is more or less flat east to west.

One waiver we are going to be seeking is the regulation require two street trees for every 50 feet of frontage. We are requesting that be reduced because if we add additional street trees, we'll completely block the building as well make the sign very low visibility which will complicate business for the client. We have shown the additional street trees along the site entrance drive to the north so we are providing the required number of trees but we are redistributing them around the site. It does include all of the required plantings every tenth space in the parking lot. There are plantings around the restaurant itself, screening around the proposed transformer pad.

We've done turning analyses for a typical delivery truck, trash truck, fire engine and they are all able to maneuver through the site without difficulty. Explained.

The location of the site drive was selected to align as closely as possible with the Dunkin Donuts to be sure there are adequate queueing between the stop light at the Meriden Waterbury Turnpike and where the two entrance drives are.

We did a traffic study and the conclusion of the engineer was that this would not have a significant impact on traffic patterns on Meriden Waterbury or the intersection. It did consider the

presence of the Dunkin Donuts in the calculations as we will have to present this to OSTA as it represents a modification of the certificate for the theater complex.

We do not have comments from engineering and we will deal with those when they come in.

Mr. Chaplinsky noted the tree conversation and their problem with the signage, is there a reason the building needs to be so close to Meriden Waterbury Turnpike? Could you push it back another 20 feet to the rear so you can still have trees and have signage without the conflict? Mr. Sacco responded the applicant is interested in enhancing the visibility. It's a difficult site in terms of visibility because there is an existing commercial building that comes out very close to Meriden Waterbury Turnpike right next door. Very limited visibility of the site as you approach from east to west. We are still back a little bit from the backyard setback. It was the developer's interest in maximizing the visibility of the building for traffic.

There is a monument sign proposed at the corner of the site. Discussion.

Mr. Chaplinsky added it might look nicer with some grass in front of the building. It seems like you have a very large area in the back that's underutilized where the whole plan could be shifted to the north. Mr. Sacco will discuss with his client.

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

G. Revision of previously approved floodplain filling application, North Ridge Golf Course, Welch Road (FF #250).

Andrew Quirk, professional engineer and principal of Kratzert, Jones & Associates presented on behalf of the applicant.

I'm here on a modification to the floodplain filling application for North Ridge Golf Club. It deals with the previous approval you had for the existing pond. You approved a pond plan that looked similar to this here (indicating). We've since modified the plan.

I'll go through the changes that I think are all positive from a wetland, pond, floodplain filling standpoint.

- Previously there was a bridge in this area that connected the two areas (indicating). That was eliminated and wetlands was happy with that change.

- This red area here (indicating) was previous filled. The existing pond has been eliminated so that decreases our floodplain filling, as well. So now the pond edge will be this dark blue line (indicating) that comes all the way around this area here (indicating). There is an increase in the proposed pond from 1.8 acres to 2.4 acres.

- The pond change is a positive .6 acres. The fill area that you approved in this area here (indicating), that's been reduced significantly from 32,000 sf to 3,200 sf. The fill on the northwest remains the same.

The net change is the floodplain creating area goes from 45,000 sf to 65,000 sf, an acre and a half. The fill is reduced from 73,000 sf to 21,000 sf. The net change to the floodplain was previously you approved an increase of 62,000 cf and now it's 174,000 cf.

All positives for wetlands and floodplain. We have an Army Corp permit in place and we'll be submitting this change to them and hope to start towards the end of summer.

This is ready for action with suggested stipulations of the Conservation Commission approval.

- A planting schedule shall be provided that includes native species be placed around the newly formed pond edges. Town staff shall approve planting schedule and any necessary substitutions.

- Boulders and / or other habitat structures should be introduced to the banks in various subsurface locations within the pond.

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

H. John J. Roncaioli, floodplain filling application for a proposed addition to house, 62 Echo Valley Road, in an R-20/25 zone (FF #259)

Mr. Phillips reported he has been in contact with the applicant and advised that we can't keep this hanging around forever. Hopefully, they will have everything squared away for the next meeting.

They have issues with being in the floodplain and the construction they'd like to do here. There has been talk about moving it away from the floodplain but there is also discussion that it just may not be cost effective for them to do so and they may just abandon it.

Mr. Chaplinsky made a motion to table which was seconded by Mr. Morelli. Motion passed unanimously on a voice vote.

I. Release of \$15,000 maintenance bond, Baldwin Estates – Courtland Way (S#1224.1)

Ready for action. Ms. Locks so moved the motion for approval. Mr. Chaplinsky seconded. Motion passed unanimously on a voice vote.

ADMINISTRATIVE ITEMS

A. Open Space and Land Acquisition Report

Mr. Chaplinsky reported they talked about the sewer line realignment agreement for the Curtis Property. It was discussed and approved by the committee and it will go back to the town council now.

Mr. Guarino spoke about the pollinator garden at Novick's is two thirds of the way complete. Dave Lavalley graded it and the students put in a lot of native shrubs and they were going to put annual plants to give it color. It really looks nice.

The rest of the area is a shame. It is going back to the Farm Heritage people. Something fell threw on mowing those fields.

Discussion.

Mr. Chaplinsky said he understood but it is still town property. Now we'll have to spend money to have it cut. In the future we have to have some kind of agreement when we have parcels like this, we have to stay on top of it or be willing to do it. Now we'll have to pay a lot more to have somebody go out and cut the invasive species that are out there.

Discussion.

There may be a call for a little bit of volunteer work there.

B. RPC Liaison Report

Mr. Hammersley is not here and he's our representative so we'll push that to the next meeting.

ITEMS TO SCHEDULE FOR PUBLIC HEARING

A. Petition of Stephen M. Giudice dba Harry E. Cole & Son to enact a zoning regulation amendment of text, Section 3-04.2 of the Zoning Regulations, (ZA#600) June 18th

B. Special Permit Application of Lovley Development to construct an age restricted housing development on property located at 792 South End Road in an ARCHZ Zone (SPU #622) June 18th

Schedule both for the 18th.

C. Heritage Identity Committee

Ms. Clock advised Councilor Miceli has appointed her to the Heritage Identity Study Committee. This is a committee formed to focus on preserving land and properties of historical value.

The idea was born out of when we walked the Curtis property, we were shown the stop on the underground railroad and realized there was no one activity trying to preserve the property.

We did the historic inventory update, which was great and everything was updated. One of the suggestions was to form this committee.

Myself, Councilor Miceli, Bonnie Plourde, Christina Volpe and Phil Wooding are on the committee. We meet next tomorrow.

The Chair asked for this item to be added to the Agenda on the second meeting of the month for updates.

Mr. Chaplinsky brought up the property between Curtis and Spring and somebody said something about a historical significance on that property. Mr. Phillips said there was a barn that may have been part of the underground railroad.

Ms. Clock said right now they are putting together their mission statement with goals to start. We'll try to work on the railroad stop on the Curtis property and then she will suggest the West Street property.

RECEIPT OF NEW APPLICATIONS

Mr. Phillips reported there is a long list and everything was on the agenda tonight except for Items F, G, H, I & J. F and G have to do with the age restricted cluster housing you approved. This is special permit and site plan. We have Queen Street Valvoline expansion. A solar canopy over 261 Summit Street and then a zoning regulations amendment to reduce the separation distances between multifamily buildings from where it is now, which is 30 or so feet, down to the age restricted cluster housing distance.

ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 8:10 o'clock, p.m.)