

PLANNING AND ZONING COMMISSION
TOWN OF SOUTHTON
MAY 5, 2020

The Planning & Zoning Commission of the Town of Southington held a public hearing and regular meeting on Tuesday, May 5, 2020 via WebEx teleconference. Robert Hammersley, Chair, called the meeting to order at 7:00 pm.

The following participated:

Robert Salka, Jeff Gworek, Susan Locks, James Macchia, Christina Volpe & Peter Santago

Alternates: Theresa Albanese & Caleb Cowles

Absent: Alternates Joe Coviello & Stuart Savelkoul

Staff:

Robert Phillips, Director of Planning & Community Development

James Grappone, Ass't Town Engineer

A quorum was determined.

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

A Moment of Silence was observed by everyone.

APPROVAL OF MINUTES

A. Regular meeting of April 21, 200

Mr. Salka made a motion to approve. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

PUBLIC HEARINGS

A. Lee M. Levesque, Special Permit application to construct a garage in excess of 3 spaces, property located at 55 Paul Heights, in an R-20/25 zone, parcel size .35 acre (SPU #634)

Lee Levesque, 55 Paul Heights, applicant presented his application. In the rear of my property I am looking to construct a 24 x 36-foot garage. It will be used for vehicle storage. In lieu of putting up a shed, I would rather have the garage space to store my lawn equipment and such. My truck can't fit in the current garage as it isn't deep enough.

The style of the garage – I am trying to keep it so it coincides with the look of the existing home. We're vinyl side it. It won't have any metal roof or anything like that. It will be shingle. It will keep with the aesthetics of the home. Neat in appearance as is the house currently.

Pretty much the same siding that matches the existing home.

Mr. Gworek asked if there were still two existing garages on the left side of the house. The applicant said in the front there are two standard garage that'll fit a very small car but not a standard full-size pickup truck because there is a storage unit towards the back of the garage. We are looking to park my truck inside the garage.

He further asked if they would be kept as garages. Mr. Levesque said they would remain as garages.

Mr. Gworek asked if the applicant would be opposed to a stipulation saying o additional outside structures, sheds if this were approved. Mr. Levesque said he would have no sheds because he would utilize the garage.

Mr. Macchio noted this looks like it would be very useful for a lot of years. A rather large structure and it should accommodate cars and other equipment such as lawn type. I think it is a good plan, looks nice, well done.

Mr. Santago asked if we were okay in terms of space property line, boundaries? It's kind of near the back of the property. Are we okay feet wise? Mr. Grappone responded he believed so. Mr. Phillips said you can be as close as I think 5 feet or 10 feet to the property line and it is clearly outside of that. Mr. Santago noted 15 feet. So, we are okay there, right? Mr. Phillips responded in the affirmative.

Mr. Santago asked about the driveway expansion. That is going to be asphalt or crushed stone? Mr. Levesque said it would probably be processed to start until he can get enough compact to put the permanent drive in. I had spoken about the setbacks with Mr. Lavallee. We went over it and he assured me the plan was correct before I even submitted the application.

Mr. Salka wanted to make sure the motion to approve included a stipulation: no additional outbuildings on this property.

Ms. Locks wanted to make sure no type of business will be run out of here. And, it is just for residential use. Mr. Levesque affirmed that is correct. I've noted that on the original application it is entirely for a residential use and no commercial use. That's on the special permit application.

The Chair asked if he was running a business out of there now. Mr. Levesque said no.

Ms. Volpe wondered if there was any intention over time to create any sort of bedrooms or in-law apartment with this space. Mr. Levesque said that wouldn't be possible because there is no water or sewer out to the back of the location. Strictly for storage.

She then said it is a beautiful structure and it is a great job in keeping the integrity of the neighborhood, but the shrubs that are on the property now on Pleasant Street --- you have beautiful bushes. How tall are those and how visible is the structure going to be from Pleasant Street and the back of the middle school, that area. Right now, that is very aesthetically pleasing type of landscape and I think it would be nice to see it a bit. Mr. Levesque said right now there are arborvitaes along the side line and my neighbor to the left was wondering about the height as well. The arborvitaes now I planted in 2014 and they are probably about 10 feet high now. I have some plantings of the arborvitaes on the opposite side that are in excess of 25 to 30 feet. They will grow about a foot a year. He was totally fine

with it and we have a long row of arborvitaes alongside the garage on both sides. The structure really can't be seen from the sides at all.

Ms. Albanese asked about the temporary topsoil stockpile on the drawing. Is that temporary for during construction or is it you planned on using additional material when you excavate? Mr. Levesque explained the use of the stockpile for as you excavate out for the foundation for the garage and we have sediment control in place along the back and rear. No debris can blow on to the neighbors' yards or any sediment, et cetera. Once we backfill, that material will be brought back into the foundation area and spread to plant new grass up against the foundation. If there were excess topsoil it would be hauled off site. Ms. Albanese wanted it labeled on the plan as a temporary or construction stockpile. Right now, it says it is a stockpile.

Mr. Levesque said when the engineer draws it he shows where to pile so you make sure you don't put it on top of a septic area, where a machine would be running, it's for illustration purposes, but yes, the intent is that all material will be used or hauled off site. It is not going to be a pile that will remain.

There is an irrigation system in place now. We have to be very careful of where we put it. It has to stay in the center so you don't crush the heads for the irrigation system.

Mr. Cowles brought up the driveway to be installed and the impervious surface applied there. After the ability pave, between the combination of the driveway and the roofline and rainwater as runoff, how is runoff going to be handled from the site? Mr. Levesque said they would drain to the right. We pitch the gutters to one side and it would go off to the grass area. Same with the back. It wouldn't drain to the driveway as it would create icy conditions. We'll drain to the grassed area.

(Those speaking in favor of this application)

None.

(Those speaking in opposition to this application)

None.

As there are no outstanding items on this, the Chair closed the public hearing.

B. Ali and Kareme Philipou, Special Permit application for a parent/grandparent apartment, property located at 674 Meriden Waterbury Turnpike, in an R02/25 zone, parcel size of 1.58 acres (SPU #632)

Michael Tomolonous, 94 Pratt Street, Southington, CT, agent for the applicant, stated this is an application for a parent/grandparent addition for the property at 674 Meriden Waterbury Turnpike. It is a pretty straight forward application. We had some questions with the town and we resolved those. We did email recently on the changes we drew and changed a little bit of the square foot area and eliminated a couple of doors.

Mr. Phillips noted the doors in question on the screen --- lower right-hand side on the plan. Mr. Tomolonous said the doors have been eliminated and they are just case openings. Removal of the doors allows for a common area credit so it meets our regulations.

Mr. Tomolonous added there was an affidavit requested from the neighbor. I think you received that and I submitted the one from the homeowner stating it is for her parents and only to be used for her parents to live with them and take care of their kids. The Chair advised that was included in the package. The affidavit by the neighbor was dropped off last night. Mr. Phillips said that was not required but is just a letter in support, basically.

Mr. Gworek asked if we have any drawing on how it adjoins the existing roofline of the house. I wanted to see how it tied into the existing structure. Mr. Tomolonous had no elevations of the actual back of the house. The roofline comes in with a gable connecting to the whole back of the house.

Mr. Macchio wanted to make sure that it is stipulated this will be used for family members and not something to be converted in the future to make it a multifamily structure with someone outside of the family living there. Mr. Tomolonous said that is understood.

Mr. Cowles asked if we could have the affidavit recorded on the land records. He appreciated the current owners' intentions not to rent the space but in 50 years that space will still be there and he would like to see something more permanent attached to the property. The Chair answered he was assured that if this approved, the affidavit will become part of the permanent record and then it becomes a zoning enforcement issue should someone decide down the road they want to rent it out as an apartment. That won't happen. Point well taken on that.

Discussion.

(Those speaking in favor of the application)

None.

(Those speaking in opposition to the application)

None.

The Chair closed the public hearing.

(7:25 o'clock, p.m.)

BUSINESS MEETING

A. Lee M. Levesque, Special Permit application to construct a garage in excess of 3 spaces, property located at 55 Paul Heights, in an R-20/25 zone, parcel size .35 acre (SPU #634)

Mr. Salka made a motion to approve SPU 634 with the stipulation that there will be no additional structures on the property. Mr. Macchio seconded.

Mr. Gworek asked if we wanted to stipulate residential only with no business operations and also address the stockpile, make it temporary?

Mr. Phillips said you could stipulate no business, but it is really not necessary. That would be a zoning enforcement issue anyway. As for the stockpile, typically they are temporary in nature anyway. That would be another enforcement situation really. I don't think it is necessary, concluded Mr. Phillips.

Mr. Salka said he would go along with what Rob was saying in that it is really not necessary. Mr. Santago agreed.

Mr. Gworek said he was fine with it as is.

Motion passed 7 to 0 on a roll call vote.

B. Ali and Kareme Philipou, Special Permit application for a parent/grandparent apartment, property located at 674 Meriden Waterbury Turnpike, in an R02/25 zone, parcel size of 1.58 acres (SPU #632)

Mr. Salka made a motion to approve SPU 632. Mr. Santago seconded.

Mr. Macchio felt there should be a stipulation that this in the future cannot be changed over to a duplex type of situation. It has to stay as a parent/grandparent type of idea and not be changed. I'd like that added to the approval.

Mr. Salka agreed to amend his motion to include that. Mr. Santago seconded the amendment. Mr. Macchio said he seconded the motion with the stipulated amendment.

Motion passed 7 to 0 on a roll call vote.

C. Site plan application of Olive Branch Enterprises, LLC, to construct a 16'6" x 19'9" outside patio with columns and pergola roof, property located at 1217 South Main Street (Sliders) owned by Olivia Marina, LLC, in a B zone, parcel size .76 acres (SPR#1796) tabled from April 21

Jeff Carbone from Olive Branch Enterprises, LLC, 876 South Main Street, Plantsville, CT represented the applicant.

Mr. Salka noted the seating arrangement. You are looking at five tables with four chairs at each table. Mr. Carbone explained they had the architect render it to scale per the request at the last meeting. It looks like five tables fairly comfortably.

(Plan on the screen)

Mr. Salka commented it looks good.

Mr. Carbone continued it is pretty straight forward. The owners decided against even actually going with the pergola so that is off the table. It is just going to be a pretty straight forward with a patio with the perimeter fence. No issues of people being able to jump over the original 3-foot cement wall originally drawn. It will be a full 6-foot-tall vinyl fence with an emergency exit. (Noted on the plan)

Mr. Salka questioned the parking next to the patio. That one parking space right in front of the patio --- looks like there are four spaces there --- how close is that one space to the actual fence itself?

Mr. Carbone answered that was addressed at the last meeting and that space will be eliminated. There will be bollards placed around the perimeter so that one single spot will be eliminated.

Discussion.

Mr. Salka asked how many parking spaces will you have in that one section? It looks like right now there are four. And, one of those four will be eliminated? Mr. Carbone said that is exactly right. Left to right you will have one closest to South Main Street, the second one, third one and the fourth one which would have been closest to the patio would be eliminated.

Ms. Albanese asked if bollards were proposed on that side. They are on the large parking lot, but are they proposed for the one where the parking space is to be removed? I don't see that. Mr. Carbone said they are along the package store there are 5 with 3 parallel to South Main Street. This was at the request for the seating layout with additional information imported into the drawing.

Ms. Albanese asked if the bollards need to be shown on the plan. Mr. Phillips said whatever safety measures are necessary we can make sure they are part of the zoning permit.

Ms. Volpe appreciated the bollards being addressed. She likes what she is seeing for safety. My question is when you turn into this front parking lot, are there directional arrows for where you are to park and will there be some sort of signage that this is an outdoor area? Worst case scenario if there is not clear indications this is an outdoor area, even with everything in place there may be some sort of accident. Mr. Carbone said it is tucked into the natural notch of the building so that space already remains vacant and with the bollards there, no one would be able to cross to that zone. And, the parking is pretty straight forward when you pull in there. There are not too many options. It is a limited front. The rear is where most of the parking is.

Discussion.

Ms. Volpe wanted to be on the record showing we had some discussion of what this is going to look like in the future.

Mr. Gworek said since it is going to be a 6-foot vinyl fence surrounding it, do they plan on any kind of signage on that 6-foot-tall vinyl fence? I don't want banners or anything hung up. Mr. Carbone said no. On the building he has a designated signage in place there that he uses for promotional or events taking place. Now he has a memo about a patio possibly coming soon. There would be no need or reason to do anything. Plus, aesthetically, I doubt highly he would want to put something over the vinyl fencing. It would detract from the aesthetics of the building.

Discussion.

The Chair asked Mr. Phillips to talk about the regulations for signage, temporary signage? Mr. Phillips said there are provisions for a Grand Opening sign and things like that. All of our signage is very cut and dry. Our number one priority is the leveling of the playing field to make sure that businesses don't get an advantage. We do this from a zoning enforcement standpoint. We do patrol some of the major commercial corridors to make sure we don't have a situation where we have illegal signage, temporary signage and things like that. If something is hung on a fence, it is probably not in compliance with the regulations and it is something we address on a regular basis.

Mr. Salka made a motion to approve SPR 1796 in accordance with the submitted plans with a stipulation there will be no signage on that vinyl fence around the patio and removal of that fourth parking space nearest the patio itself. Ms. Volpe seconded. Motion passed 7 to 0 on a roll call vote.

D. 8-24 referral for the purchase of 471 Canal Street for Open Space in the amount of \$85,000 (MR#554)

Mr. Salka reported as part of the open space committee, we recommend approval. It is a great piece of property right next to the train station. It has water and sewer. There is possibility of putting bathrooms there for the linear trail. We had an opportunity to buy the property years ago but there was a house on it that has since been removed. It's contiguous with the train station.

The Chair added the committee is doing a bang-up job. I think this is the fourth 8-24 for open space we have to act on in six months. You have really put the pedal to the metal. I like what I see.

Mr. Salka made a motion to refer MR 554 back to the town council. Ms. Locks seconded.

This is consistent with the POCD added the Chair. Good job, again.

Motion passed 7 to 0 on a roll call vote.

E. Release of Bond in Lieu of Site Plan Compliance in the amount of \$3,500, 146 Industrial Drive (SPR#1730)

Ready for action. Mr. Grappone advised the bond was mostly for completion of the final paving and that is complete now. He has done everything we've asked him to do.

Mr. Salka made a motion to approve SPR #1730. Mr. Macchio seconded. Motion passed unanimously on a voice vote.

9. ADMINISTRATIVE ITEMS

Nothing this evening.

10. ITEMS TO SCHEDULE FOR PUBLIC HEARING

Mr. Phillips advised Beaton & Corbin is scheduled for May 19th. There may be some interest there. The Briarwood College public hearing has been continued to June. That certainly has a lot of interest still. I'm still getting inquiries, phone calls and emails.

11. RECEIPT OF NEW APPLICLATIONS

Nothing to report.

12. ADJOURNMENT

Mr. Salka made a motion to adjourn. Mr. Santago seconded. Motion passed unanimously on a voice vote.

(Whereupon, the meeting was adjourned at 7:51 o'clock, p.m.)

Stay safe everybody!