

PLANNING AND ZONING COMMISSION  
TOWN OF SOUTHTON  
OCTOBER 20, 2020

The Planning & Zoning Commission of the Town of Southington held a public hearing and regular meeting on Tuesday, October 0, 2020 via WebEx teleconference. Robert Hammersley, Chair, called the meeting to order at 7:01 pm.

The following participated:

Robert Salka, Jeff Gworek, Susan Locks, 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

The Chair seated Ms. Albanese for Mr. Macchio this evening. 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.

ROBERT HAMMERSLEY, Chair, presiding:

6. Approval of Minutes

A. Regular meeting of October 6, 2020

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

7. Public Hearings:

(Minutes are prepared summary style and you may refer to the posting on line to hear the full presentation regarding each item.)

A. Special Permit Application of Eleni Real Estate, LLC for two buildings on one lot, property located at 1615 West Street, in the WSB zone, parcel size 2.13 acres (SPU #639) extended from October 6, 2020

This item was extended. The applicant asked for a 65-day extension which would bring it to the December 1<sup>st</sup> meeting.

The Chair asked if there were anyone in the public who would like to comment on this.

(No response.)

B. Robert Agro, Special Permit application to build a garage in excess of 3 spaces, property located at 30 Blueberry Lane, in an R-20/25 zone, parcel sizes .59 acres (SPU #640) continued from October 6

Robert Agro, 23 Blueberry Lane in Southington, applicant was on the phone line.

The Chair said the commission had two things he was to look at: (1) get some measurements on a sheet of paper, which was submitted to the planning department and (2) talking to one of your neighbors who had opposition to what you were trying to do and if you could let us know those things have worked out?

Mr. Agro said he spoke to his neighbor. He was mainly concerned about the water issues. He is afraid if I do something, I may have more water go on his property. I told him the water is not going to be diverted to his property, it is going to go down my driveway with the proper drainage. And, then he said he didn't want to look at a garage outside his window. The lady on the corner looks out the window and sees a garage. I don't know what the opposition is.

I am willing to work with you people so I can build a garage for myself. He explained he wanted the garage to house his truck which can't fit into the garage that's there. If he puts the truck in the garage, he has to leave the door open. It's too big for the garage for me to put the truck in there and clean it. The trucks now are oversized compared to what they used to be. I might want to purchase another sports car and put it in that garage, as well.

I am not going to do any work out of there. I sold my business and the building. I don't plan on bothering anybody.

Discussion.

The Chair called on each commissioner to see if there were any questions:

Mr. Santago wondered if the applicant was going to consider building the garage in the same exterior as the house which is brick. The applicant said he's been getting prices on that. I've seen brick houses that have vinyl and some stucco. The brick is a lot more expensive. I'll put stucco brick (inaudible) It's going to cost me more money (inaudible.)

We asked that question because this is a special permit and you want a garage that's bigger and normal and with the special permit, it says an addition or renovation should either be of the same material as the existing building or a compatible material. It says that in the rule book and that is what we have to go on to make our decisions on.

Mr. Agro indicated he cut the size down from 26 feet (inaudible). I've no problem with that. Can I do part in brick and part in vinyl or a stucco brick? (Inaudible comments)

I have no objection to making this look proper.

Mr. Santago said his only question was for the look and feel of the garage to be more consistent with your existing building. Mr. Agro responded: No problem, sir.

Mr. Gworek stated his main concern originally was the construction and the outside exterior of the garage being brick. It would be nice. I know it's expensive.

The other question is I assume you are planning to match the shingle color of the house? Mr. Agro responded: Yes, sir.

Discussion.

I know you mentioned the neighbor was complaining about the water pooling in that area. In a picture that the neighbor submitted, is there curbing along your driveway, along the border between you two? The applicant responded: Yes, sir. Mr. Gworek asked if he planned on continuing the curbing. Mr. Agro responded definitely. I do not want to disrupt that guy's lawn. I am not going to have water runoff there. It's not his concern.

Discussion.

Mr. Gworek confirmed the new size would be 24 by 26 and not the original 26 x 26. Mr. Agro said yes. As long as I have the distance to pull the truck in the garage instead of leaving it outside.

Discussion.

Mr. Gworek said he would like to discuss stipulating that construction has to be similar to the house or just the facing that's visible, I don't know what the commission wants to do. The Chair said that would be discussed in the business portion of the meeting.

Mr. Cowles said he was happy with what the other commissioners had asked. He appreciated the revised documents that were submitted to give us a better perspective on what's going on out there.

Ms. Locks had no questions.

Ms. Albanese had no questions.

Ms. Volpe echoed commissioner concerns and liked the idea of it being uniform with the integrity of the main structure. And, the new documents do help.

Mr. Salka had no questions.

The Chair asked: It appears the garage is detached from the primary structure and if so, what is the reason for that? Mr. Agro said there is a 4' walkway to the patio out behind the house so I don't want to walk all the way around when my family comes over and they can go between the two garages and go to the patio. If I attach it to the building, it is a lot more money with the roof and the lines. This is going to be a properly built building. And, it is not going to be hideous.

There is a garage door on the back of the existing garage and I can put one on the back of the new garage, no problem.

(Those wishing to speak in favor of the application)

No response.

(Those wishing to speak in opposition to the application)

Erick Gherkin, 20 Blueberry Lane, spoke in opposition. He noted the pictures he sent in along with another letter.

Discussion of the fence location, the curb and the size of the garage. He noted even though the garage is downsized, it is over the allowable square footage per the letter dated 8/28/2020 from Dave Lavallee.

Discussion about the pictures sent in showing how tight an area it is. The curb is either on the property line or on my property. When he builds the garage, he'll have to extend the driveway back for that garage another 28' and he is saying he'll run a curb all the way down to try and divert the water. That curb in the picture was put in place by the original owner of the house to try and divert the water issue we first had. That driveway is pitched towards my property. Now, he'll make a huge driveway and it's going to cause even more issues. That's one thing.

Even though he downsized, the existing garage is 598 sf. If he downsized it, it still keeps him 130 sf over the allowed size.

I told him I had no problem with him adding a one car bay on to his garage because what he has now is an oversized two car garage.

The Chair advised this is before us because it is over the allotted size for garages. That's what is provided for in the special permit regulation.

Mr. Gherkin added this is going to set a precedent for the neighborhood if somebody wants a garage because there should be no reason it would be denied.

Discussion.

My main issues are the drainage, the driveway and the fence and the curb. The fence has been hit a few times. A very tight area.

The Chair called for questions from the Commission members to Mr. Gherkin:

The Chair asked if anything had been tried to alleviate the drainage issue either with a catch basin or constructed some type of drainage. Mr. Gherkin said no. In the past he had the backyard regraded so the water was taken to the other side of the yard and brought out to the street.

Discussion.

Ponding on the property was discussed. With the pavement being added, that's a good-sized spot.

(Rebuttal by Mr. Agro)

Mr. Agro didn't know about the water issues and I told him the driveway is not going to be paved to his property. I don't know where the property line lies. He has trees on one side of the fence and I have trees on the other side. I'm not going to pose anything that will affect his yard. With all this rain, I see no pooling on my driveway. I don't see where it went to his property.

As far as the building, it is going to be structurally a pleasant building to look at. Discussion.

He has a concern, but I will put curbing on the driveway. I'll pay for it, not him. And, it'll pitch towards my property.

The Chair asked if Commissioners had other questions.

Mr. Grappone suggested the applicant put in a gravel driveway instead of paved. Mr. Agro said he had no problem with that if that is what it takes. I really had wanted to put in a new cement driveway down the line. Mr. Grappone explained the topography is relatively flat so if he puts in a gravel driveway, I think it will percolate into the ground rather than runoff. It would just be the area where the proposed garage is. I think it would benefit and probably cause no issues on the abutter.

Discussion.

The Chair called for questions from the Commissioners to Mr. Agro on this application.

Mr. Salka asked: When Mr. Grappone said the roof drainage would percolate down, I assume there's gutters. Does he have a curtain around the house that drains out into the sewer system or does it just run into the gutters and out onto the yard itself? Mr. Agro said they all have the little 18" extensions at the end of the gutters and they run right into the yard.

Discussion.

Mr. Salka further asked why the garage has to be 24' wide. If you are just going to put a truck in there, I understand it might need to be deeper, but why 24' wide? Can't it be the normal width of a garage or a little bit larger to take a truck and attach it to the house? It'll take up less space, less runoff and the driveway wouldn't have to be quite as big. Why that large?

Mr. Agro said the main thing he wanted was the 26' deep. I have no problem cutting it down. I can cut it down to 22' by 26'. No objection.

The Chair said with the 26' x 26' he is about 182 sf over the allowable size. Mr. Phillips said if it is below 1,092 sf existing and proposed, that's a zoning permit. Over that is a special permit. The Chair said if he reduced it to 24 by 26, what is that? Mr. Gworek said with a 22' by 26' and the 598-sf garage now, he would be at 1170. Still over.

The Chair advised the applicant that if you got the garage size down to or below 1092 sf, you don't need to come before us. That is just a zoning permit handled administratively.

Discussion.

Mr. Gworek said it would be 19' by 26' and didn't know if it would be wide enough to get the two bays in that he wants.

Discussion.

Mr. Gworek asked: If we go ahead with the 24 by 26 and we vote "no". Can he immediately go to the zoning permit and ask for a 19 by 26 or something that gets approved or does he have to wait six months? The Chair said he can come in with the allowed amount and Mr. Phillips confirmed that.

Discussion.

Mr. Salka then asked if we were to deny this application and he went to the planning department with a new application that fits the 1092 sf, does that also mean he has to build it with the same material? Obviously, we wouldn't have the opportunity to stipulate that. Would the

planning/building department require that as part of the approval process? I know we can stipulate, but if it just goes to the building department, do they have to meet the same regulations? Mr. Phillips requested the PZC give some direction to staff with regard to what his proposal is to meet the regulations.

Mr. Salka said if we vote to approve with stipulations, I'm not sure how that works. The Chair said if we vote and decide to put stipulations on there, it provides a framework to the planning department as to what our thoughts are and to the extent possible, it wouldn't be unreasonable or shouldn't come as a surprise that stipulations might appear in a permit that's administered administratively. Mr. Phillips responded if they submit for a zoning permit, assuming it's below the threshold of the special permit, we'll look at the regulations. It has to be a similar treatment on the exterior unless the commission directs otherwise. Brick would be brick.

Discussion.

The Chair called for other questions by the Commissioners of Mr. Agro or staff.

(No response)

The Chair closed the public hearing on this item.

C. Brian Eldridge, Home Occupation application for Cottage Food Industry Operator License, property located at 49 Parkview Road, owned by Paula M. Hatje, in an R-12 zone (HO #76)

Brian Eldridge, 49 Parkview Drive, Plantsville, CT. Explained he wanted to get into the culinary field to do breads, pastries, baked goods. I'm working with DCP to try to get to do fresh pasta. Just selling it with the cottage food license with what it allows me to do to direct to consumer.

The Chair called for questions from the Commissioners.

Mr. Cowles had questions about the expansiveness of the application. My concern is that if you make this to a level where it is going to be profitable, I have some concerns about a homestyle kitchen being able to satisfy the needs of what you are trying to do there. You are going to be producing smoke steam vapors and things like that. You are in a pretty tight area with regards to your zone. I have concerns about nuisance odors.

The entire menu you will be doing, I'd like to know how much you are going to be doing out of the house. And, then also how or where are you going to sell the stuff? We don't want a bunch of people coming to the residential neighborhood to pick up a bunch of products. That's not okay with me.

Mr. Eldridge explained the bread production: flour, water and yeast. Maybe butter or eggs sometimes. I'm using items found in the normal kitchen: Kitchen Aid mixer, half sheet trays, pizza stone. I have a hood over the stove. There's no smoke, maybe a bit of steam. The only smell will be fresh baked bread. I bake at night so it's sold fresh baked.

Discussion.

I would not want to cause a circus in front of my house. My personal stance is I'd like to do a lot of it delivery, direct to consumer, similar to ordering a pizza.

I would be advertising on Southington Talks. Giving away some bread products on there for free. Just basic grass roots, old school, Southington, local marketing.

If it turns into a success, I would love to branch out to a brick & mortar. Right now, I want to keep it small. Pretty much the same standards the other people in town have that are cottage food operators.

Discussion.

It's going to be pretty much fresh bread. I'd love to get fresh pasta on there. But I'm working with the DCP to be able to get it on the list. Distant future. Right now, I'd like to sell croissants, French loaf, maybe an almond cake that is gluten free and dairy free.

Discussion.

Mr. Cowles was happy with the direct to customers and having them come to your residence to pick up is dodgy to me. I think that plan would work and satisfy the needs of the neighborhood.

The applicant said he likes to take orders so he's not throwing away everything.

Mr. Salka asked how will you acquire the supplies? Dropped of or you go out and purchase them and bring them to the home yourself? Mr. Eldridge said he would be purchasing them and bringing them to home himself. I have a Restaurant Depot membership. Just bringing in a couple of bags of flour, some milk & eggs. Nothing crazy or big. I do shop at Stop & Shop, Price Chopper, Costco's.

The permit is really designed for the home baker to kind of get going and get their feet wet in the retail market and see where it goes. If it's a success, you get a bakery license and you're on your way explained the applicant.

Ms. Locks asked if there would be any type of signage out in front of the house. The applicant said it would be delivery only, so he needs no signage. If someone is going to pick up the random loaf here or there, you pull in the driveway, mask on, and text me and I bring it out and you're on your way. If it is delivery only, by no means, no signage.

(Those wishing to speak in favor of the application)

No response.

(Those wishing to speak in opposition to the application)

No response.

The Chair closed the public hearing on this item.

D. Lovley Development, Inc., Special Permit Application for proposed 15 units age-restricted development, property located at 45 Pacer Lane, owned by Dennis Crispino, in an ARCHZ zone, parcel size 5.75 acres (SPU #641)

Sev Bovino, Planner with Kratzert, Jones & Associates presented on behalf of the applicant, Lovley Development.

The property is located at 45 Pacer Lane, served by public water and sewer. The entrance to this community is a short distance north of the intersection with Marion Avenue. The area is surrounded by single family homes, except in the southwest corner of the intersection, there is a small business plaza.

The land area of the property in question is 5.75 acres, recently rezoned to ARCHZ zone with a workforce component of the 10% minimum.

A 500' radius map was provided showing parcel owners and their mailing address. Notifications were sent to the owners and proof of mailing was submitted to the planning department.

The proposal is for 15 single family units of 1400 to 1600 sf each spread out through the site. Access by a private landscaped road with cul de sacs, enhanced by green space in each location. Each unit has a two-car garage, deck or patio.

Foundation plantings with low flowering shrubs in addition to street trees all around the project.

Minimum separating distance is 25' and we are providing a minimum of 27' from unit to unit.

Required green space in a conservation easement is 20% and we are providing 29.7% or 1.33 acres versus no green space for a conventional subdivision.

In addition, we provide green spaces in the center of the community which amounts to 16,760 sf which is in addition to the regular yard area each unit will have.

The proposed development ratio is 2.6 units per acre versus the allowed which is 5 units per acre. This works out to an average of 16,700 sf of land for each unit.

Existing vegetation along the perimeter will be preserved. Additional plantings will be done in areas where there are gaps, specifically on the north property lines of house #23, 39 & 53 Mount Vernon Road. There are some gaps there and we are going to put additional plantings to provide a buffer.

The entrance is designed as a boulevard with a landscaped center island and stone pillars. There'll be some screening where necessary on either side of the entrance.

All lighting in the community will be full cutoff LED lighting, shielded. The maximum height of the pole lights will be 12'. No floodlights permitted on the units.

Some decorative benches provided. Trash removal will be from a private contractor or hauler. Roads, utilities, drainage system and detention area will be maintained by the association, not the town.

We believe that this proposal provides a high-quality development, an answer to open space, provides flexibility in design and provides needed active over 55 housing for the community.

In summary, the minimum project area is 5 acres. We provide 5.76 acres.

Maximum units per acre is 5. We are proposing 2.6

Maximum building height is 32'. We are proposing 20' high homes.

Maximum impervious cover is 50%. Our impervious coverage is 26%.

Minimum frontage of the entire project is 75' and we have 101.22".

Minimum side and rear yards of the entire project is 25' and we are providing at the closest point 35'.

Minimum setback from the interior drive is 20' and we have 23'.

Minimum building separation is 25' and we provide 27'.

The conservation easement is 29.7% and you required 20%.

Any questions, I will be glad to answer them.

The Chair called on each commissioner individually for questions.

Ms. Locks asked about the green space, is there room for walking around this area? Mr. Bovino referred to the site development plan and a landscaped plan. You can see the small cul de sacs with areas you can walk and walk around the community. There is no walking trail in the back of the units. We tried to maintain privacy there. Walking is within the community.

Mr. Gworek had a couple of questions. For 51 Southfork Circle, the property that abuts to the north, Unit 6, it looks like they have a trampoline at the edge of their lawn that goes between the CL&P easement there. Is there going to be a buffer between Unit 6 and 51 Southfork Circle? Mr. Bovino said nothing could be planted under the easement. We'll have to deal with the plantings in back of the unit. The trampoline, we'll have to talk to the property owner and move it.

Mr. Gworek asked about an access to Southfork Circle, the cul de sac. Mr. Bovino said no access is shown there but if the commission feels they want us to provide a walkway between units 6 and 7 to go to Southfork, we can do that. Mr. Gworek was trying to keep it all separate. It is not going to be woods any more and they'll see all this development. The lights might not be a concern, but it is always a shock to the system with new development when you are used to looking at woods for years. Mr. Bovino said we can plant along the edge of the easement in back of units 6 & 7 so we shield that area. Mr. Gworek said that'd be something he'd like to see there.

Discussion.

And, Number 23 & 39 on Mt. Vernon, the proposed arborvitae screening, is that going to extend along the entire property line or just where it is depicted? Mr. Bovino said those two areas are shown as an example. It will be whenever there is a gap in the property there. We'll plant trees if there is a gap. We'll cover it.

Mr. Cowles explained he grew up in this area when he sees development in the area, his youth dies a little bit. The turnarounds within the neighborhood, emergency vehicles are a concern if they can turn around in the smaller space. There is a concern, are the streets two-way streets? As we come in on the little boulevard of sorts, it winds down to a normal, typical driveway kind of a thing, how wide is that? Can cars pass facing each other? Can emergency vehicles easily traverse that space?

Mr. Bovino said the entrance is a boulevard with an island. The paved area will be 32' which is 8' bigger than the normal roadway which are mostly 24' to 26'. And, then it travels down past the cul de sac to 20' which is plenty of space for two cars to go by. And, the cul de sacs are designed for emergency vehicles and the fire truck. The dimensions in the cul de sac shows the radius. They are

taken from the template the fire department provides and the fire truck will be able to move around the cul de sac.

There are no sidewalks proposed within the community. We are trying to keep the impervious area to a minimum. That's why we have so much green space. The 50% that's allowed for impervious area, we are way down from that to 26% because we are removing the paving to try to reduce that more for more groundwater infiltration to reduce the carbon footprint.

Mr. Cowles felt anxiety with 15 units and it's a compact community and people have to walk in the street to walk around and get out and enjoy the outdoors.

Ms. Volpe reiterated what was said in the July meeting when this was first discussed. We say we are concerned about over development, but arguably this type of parcel and site plan is what people throughout the community have concern about especially within this neighborhood. It is such a small parcel.

I want to remind everyone that cluster housing zoning does not include something like this that just looks like a curved subdivision development in my opinion. I understand that here is green space but without walkability, what are you really affording an aged population with this development?

Not only that, but there is no cohesiveness with the neighborhood that is already there. If you can't get to the green space and walk around it, you have two lanes of cars as just stated, it doesn't seem like it is fostering this cohesiveness.

Our POCD does comment on community character in this situation. It often comes down to the perception of the amount of undeveloped land which was one of the major key issues in the POCD that we wanted to ensure that keeping the feel of Southington requires keeping some parcels of land, especially woods in someone's back yard. That will be a noticeable difference for the populace in that area.

I'm concerned we're moving away from what the genesis of what age clustered housing is in our town and just putting another what looks like a similar subdivision within this area.

I bring up the fact there are not many amenities for an aged population here. I don't believe in creating something that seemingly is helpful but does not provide walkability or any of the local amenities that an aged population would need to blend in with that neighborhood effectively. If those things were in this application, I might be more considerable of it in the sense that it seems like the aged population is in mind in creating this development and not just a space for them to stay and be in but something that is walkable and blends in with the landscape around it. That is outlined in our regulations.

Discussion.

She added this abuts a historic district, the switch on and off between the two, I wonder if we impeded upon putting more houses in this area making it denser in this space on such a small parcel that it will compromise the New England feel of our town, the character of the Southington Mountain area.

The other thing is: are we creating monotony in our town? The houses are all going to look the same. We have multiple zoning parcels like this. What I would ask tonight is how is this going to

contribute to the character of that neighborhood? Consider possibly putting in a sidewalk. It's nice to have green space but if you can't use it, there is really no need for it. This zone is meant for it to be used by this aging population.

Mr. Bovino responded there are two kinds of open space: active and passive. In this case we have the active open space which surrounds the property and we can provide walks on one side of the street to make it easier for the community to use to visit the neighbors.

As far as amenities, not all age restricted communities have amenities such as a community room, et cetera. Most 55+ are very active and they enjoy their own space and then they go within the larger community to avail themselves of what they want to do.

Discussion.

We are willing to do sidewalks for them on one side because we are trying to reduce impervious areas.

This development offers another option or alternative to the typical single-family home. This is different concept within the regulations and we have good luck with it. There is a big demand for it. It is blending in within the community. It is a single-family development similar to the other except it is smaller and it provides workforce housing for the community which it is hard to get in the community. We are blending in and conforming to the architecture of the neighborhood. You won't see a drastic change from what you have there. It is going to be a private community.

Ms. Volpe said the diversity of architectural character in our town between our historic districts and residential areas does matter to maintain that character as I spoke of. I do remind everyone that we do have constituents that question the development of this area.

Also, one of the primary goals of our POCD was to reduce density away from the centers of our town. Understanding this zone allows for higher density and more green space, I would like to see that the green space is usable so the two characters of the community areas can cohesively operate with another and not feel removed.

Discussion.

Mr. Santago said his questions are more site plan related rather than special permit. But when you come back, looking at units 10, 11 and 12, is there trees there now? Along the other edges there seems to be privacy for residents. Arborvitaes do not always provide a lot of privacy. Can the site plan be altered a little or if you can increase the amount of vegetation in regards to privacy along that edge?

Mr. Bovino said there is some trees along the property line with some underbrush. We will increase the plantings there. If not arborvitaes, we can plant white pines which grow quicker and provide a thicker border.

Discussion.

We are putting 15 units instead of 25.

Ms. Albanese asked a few questions maybe more towards staff regarding the sewer main extension or permit from the IW Agency. Mr. Grappone said there is a crossing for the sanitary sewer. It is gravity flow. There is no floodplain associated with the stream crossing and the application is in front the wetlands commission for the crossing.

She liked the idea of the project. She liked the looks of it. Maybe supplementing some of the plantings with white pines is a good idea. Any natural plantings would be great.

She asked about parking for visitors. Would overflow go on to Pacer Lane or Southfork? And, are kids under 18 allowed in this zone?

Mr. Bovino responded one person can be under 18 in this zone.

Discussion.

Mr. Bovino explained they would not be parking on Pacer Lane. There are two parking spaces for each unit plus in front of the unit there is room for at least two additional cars. They can park around the cul de sac or in the road. There is room for small party parking.

Ms. Albanese noted if college aged students are allowed, there would be more vehicles needing to park than what would be allowed.

Mr. Phillips referred to Section 3-09.3, permitted uses. No one under the age of 18.

Mr. Salka said we talked about the buffers and we can work through that. He is concerned about the parking. Are all the homes basically the same style? Do they vary? Is this a cookie-cutter style development. Mr. Bovino answered there are three styles of homes. But they are all colonial and all ranch with a two-car garage.

Discussion.

The Chair, as to the parking issue, encouraged the applicant to take a look at the regulations which talks specifically to the parking for when you come back at the next meeting.

Mark Lovley added there are three different styles. There are not two the same next to each other. There is not two of the same color next to each other. There are different style porches on the front of each unit and different doors on the front. The homes here are farther apart than at Kingsridge to give a little more space between them.

When we went for the zone change, the homes over by 10, 11 & 12, those were pushed up against the 20' setback and we moved those 35' away from the property line. That's to the patio, not the house. It's 25 feet to the houses.

Our plans are that any trees that are not there we are planning on putting in trees, white pines or arborvitaes, whichever one the commission would like. No problem doing that.

Kingsridge is actually 100% sold out right now and with people hearing about this, there is a list of about 11 people who would be interested in purchasing here if this is approved. So, there is a need.

(Those wishing to speak in favor of the application.)

No response.

(Those wishing to speak in opposition to the application.)

No response.

The Chair said the hearing would be kept open to receive the outcome of the wetland commission.

E. Proposed zoning regulation text amendment to repeal Section 18 – Redevelopment Overlay District (ROD), ZA #606)

The Chair advised we were asked to put this off until the next meeting in November. Mr. Phillips stated we are not prepared to discuss it at this point. There is no timeline on this.

Mr. Salka made a motion to table ZA #606 until the next meeting. Mr. Santago seconded. Motion passed unanimously on a voice vote.

#### BUSINESS MEETING

A. Special Permit Application of Eleni Real Estate, LLC for two buildings on one lot, property located at 1615 West Street, in the WSB zone, parcel size 2.13 acres (SPU #639) tabled from October 6, 2020

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

B. Eleni Real Estate, LLC, site plan modification application for a two-story office/retail building, property located at 1615 West Street, in the WSB zone, parcel size 2.13 acres (SPR #1802)

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

C. Robert Agro, Special Permit application to build a garage in excess of 3 spaces, property located at 30 Blueberry Lane, in an R-20/25 zone, parcel sizes .59 acres (SPU #640) continued from October 6

Mr. Salka made a motion to deny SPU #640. Ms. Albanese seconded. Mr. Salka felt that it is in excess of what he really needs at this point. And, I am concerned with the overall size and the location of it. I'd like to see that building attached. I don't think that the number of spaces and the size that he's asking for fits in with the character of the neighborhood.

Mr. Santago said from an administrative standpoint, if this is denied, the applicant can go to the planning department and get a smaller footprint garage approved without it going before us. And, regards to the materials being used for the addition that it would be in keeping with the materials on the house. IF the applicant came to planning seeking a smaller garage in keeping with the regulations, would you insist upon some degree of materials being consistent with the home? Mr. Phillips said

absent direction from the commission, we would have to conclude it would be brick treatment which is similar to the house. Mr. Santago said he would want anything put there to be of materials in keeping with the house and what it looked like.

Mr. Gworek pointed out if we deny this, we will lose our ability to stipulate what we want as far as drainage, gravel or crushed stone or that it be of the same construction. I am against denying it and I am for it.

Discussion.

Mr. Phillips wanted to be clear. Absent any direction from the PZC, we would require the applicant to use brick if the principle structure is brick.

Ms. Locks agreed with Mr. Gworek about not denying this. I like using the traprock that Mr. Grappone suggested for the drainage so it does not affect the neighbor's property. I feel that the applicant has a right to use his property the way he wants to.

Mr. Santago wanted stipulations on the material, crushed rock and things like that. My idea was to say here are our stipulations, if you want to have a special permit for this, we want materials that look like this, traprock drainage, et cetera. If he doesn't want to do that, he can have a smaller footprint and given that we have given those stipulations on a special approval, would those follow through if he came for just a permit, Rob? Procedurally?

Mr. Phillips answered the materials are supposed to match the principle structure and that's what we go by. If it is brick, it will be brick. If it is vinyl, it will be vinyl. The drainage we could probably handle under a zone permit level. We routinely do things like that.

Discussion.

The Chair said he was concerned about the attachment of the structure to the main unit which didn't show on the plan before us. I agree with a lot of what was said. I understand Mr. Salka's intent but I am wondering if we are just better off stipulating this to meet what we'd like to see rather than straight out denying the application.

Mr. Salka offered he agreed with everything that has been said pretty much, as long as we can stipulate enough items that will make it acceptable to me. We talked about the driveway, the runoff, the size of the garage, the construction and the material. I'd love to see that attached to the existing home. If we can stipulate that kind of stuff, I will withdraw my motion. If we can't stipulate enough of t, then I would leave my motion in play.

Discussion.

After discussion with Mr. Salka, the Chair put the motion to a vote.

Roll Call Vote:	Gworek:	No
	Locks:	No
	Volpe:	No
	Albanese:	Yes
	Santago:	No
	Salka:	Yes
	Chair:	No

Motion fails 2 to 5.

Mr. Santago made a motion to approve the application with the following stipulations:

- exterior materials need to be consistent with the main structure, the house.
- The driveway meet the engineering recommendation with regards to gravel and stone and proper drainage.

Ms. Locks seconded.

The Chair said he was concerned about the attachment of the building to the primary structure.

Mr. Santago felt that was a slippery slope only because it's kind of inconsistent with other things we've done in regards to other people's garages and for a commission to tell a private homeowner they must or must not have something attached. I get what you said, but I would hate to set a precedent by always saying that.

Mr. Salka asked about the size of the garage. If we approve it, we're approving a 24 by 26 garage which is oversized.

Mr. Santago said the applicant had said that he was willing to reduce the size. Mr. Gworek said he revised the drawing to show 24 by 26 and then he stated he would be fine with 22 by 26. It's up to us to decide what to do. Mr. Santago would include in his motion the reduce footprint by 22 by 26 per the applicant. Ms. Locks was agreeable.

- The size of the garage to be 22 by 26 feet.

Roll Call Vote:	Gworek:	Yes
	Locks:	Yes
	Volpe:	Yes
	Albanese:	No
	Santago:	Yes
	Salka:	No
	Chair:	Yes

Motion passes 5 to 2.

D. Brian Eldridge, Home Occupation application for Cottage Food Industry Operator License, property located at 49 Parkview Road, owned by Paula M. Hatje, in an R-12 zone (HO #76)

Ms. Volpe made a motion to approve this application. Ms. Locks seconded.

Mr. Gworek asked about stipulating delivery only and no signage on the residence.

Ms. Volpe amended her motion and resubmitted the motion with the stipulation that there be no pickups and only deliveries. And, there is no sign on the exterior of the property indicating the business. Ms. Locks amended her to second to second that motion.

Motion passed 7 to 0 on a roll call vote.

E. Lovley Development, Inc., Special Permit Application for proposed 15 units age-restricted development, property located at 45 Pacer Lane, owned by Dennis Crispino, in an ARCHZ zone, parcel size 5.75 acres (SPU #641)

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

F. Lovley Development, Inc., site plan application for proposed 15 units age restricted development, property located at 45 Pacer Lane, owned by Dennis Crispino, in an ARACHZ zone, parcel size 5.75 acres (SPR #1804)

Mr. Salka made a motion to table. Ms. Albanese seconded. Motion passed unanimously on a voice vote.

G. Sign Pro, Inc., site plan application to construct an industrial building and associated parking area, property located at 161 Canal Street, owned by Pro Realty, LLC, in an I-2 zone, parcel Size 1.09 acres.

Stephen Giudice, with Harry Cole & Son, 876 South Main Street presented on behalf of the applicant. This property is located at 161 Canal Street. It is a 1.09-acre parcel. Located in an I-1 industrial zone. The property currently has an existing home on it with a garage. Pretty open, grassy site. It does back up to the rails to trails and to J.J. Rau, just opposite Westfield Drive and the New Penn trucking terminal on Canal Street.

The proposal is to construct a 15,000-sf building and associated parking. (Shared site plan on the screen.)

He noted Canal Street to the west, rails to trails to the east, JJ Rau to the north and another residential property to the south.

Our proposal is to construct a building as shown. We have garage bay doors along the front of the property with a small loading dock on the north end. We have an office on the southwest corner of the building. There is another overhead door on the north side of the building for a proposed wash bay.

There is some parking along the road. We have a landscaped berm with street trees. We have public water and public sewer connections. Storm water is controlled through catch basins, one on the north end of the property and one on the south end of the property that discharge into a subsurface gully system that runs along the property line and along the back of the property. This design meets ZIRO. No adverse effects on abutting properties.

We added some driveway to the north and the south of the building to allow for fire access as requested by the fire department to allow the trucks to get down on either side of the building.

The building has a walkout on the backside. Explained the grade drops off around the building.

We have good sight distances from the driveways. Two curb cuts. One on the north and one on the south of the site to allow for access for vehicles coming in/out of the site. Sign Pro does vehicle

wrapping and we'll have different types of vehicles coming in and we felt this provided the best turning movements for his vehicles and the emergency vehicles to the property.

We are proposing fencing around the perimeter of the site. We have a berm proposed along the southerly boundary to keep the water from flowing on to abutters properties. We'll make some minor revisions to the plan based on engineering review. We will be adding a berm to the north side, as well.

We did address the fire department's comments and we did provide a response letter for engineering. Explained the comments would be easily addressed. We did provide a response to comments today.

I think we're in pretty good shape with this, but I'd be happy to answer any questions.

Mr. Santiago said this is a permitted use. We are talking about site plan. I am pleased Sign Pro is expanding in Southington. My question is since it is adjacent to the rails to trails, are you doing anything site plan wise to incorporate the rails to trails in the site plan? Mr. Giudice answered they are not proposing anything. We are proposing to provide a fence around the property from a safety perspective. This operation doesn't fall in line with the activities on the rails to trails. We're trying to keep our property separate. There is quite a slope between the rails to trails and this property. I want to say it drops down close to 10 feet. It is not easily accessible. I don't know what we could do.

Maybe on the trail maybe we could do something media wise. But I am not sure on the site.

Mr. Santiago mentioned plantings or something cool in the way of a sign.  
Discussion.

Mr. Giudice said he got word that we will do something cool.

(Chuckles)

Mr. Salka asked about the fencing. Mr. Giudice said they proposed chain link with slats in it. It would be a light proof fence. It was detailed on the plan. Mr. Salka commented that was ugly compared to what Mr. Santiago was looking for on the sign. Mr. Giudice explained now we use a black painted fence with black slats and it blends in with the environment more than the galvanized chain link fence. Maybe along the rails to trails we can do something a little different. Or a fabric mesh. They can do a sign type of thing on the fabric mesh. Mr. Salka was looking for something attractive to the rails to trails versus just a chain link fence to go along with the sign.

Ms. Volpe mentioned this is part of an essential heritage tourism destination area of town I try to advocate for because this sets us apart from other towns. People come here for the "millennial" vibe of the trail. Talking about putting something cool there a couple of things would be to tie something about your land historically to the rails to trails.

I agree that putting the fence there is not really the conceptualization of this heritage trail. We want to ensure a sort of cohesive feel for the people who walk the trail. Being so close to such a historic area in our town, we should have something like that over here and not a fence. It celebrates the new industrial business going in a historically industrial area.

Mr. Giudice added Sign Pro has a vast array of tools to do pretty cool stuff. Discussion about a fabric mesh with a print over it with historic informational stuff. I will ask the applicant to do something you will be proud of.

Discussion.

Ms. Albanese mentioned the elevation of land. How tall is the proposed building? Mr. Giudice said it is a 14-foot building. Ms. Albanese said even if the fences goes up for visibility and lighting you are going to see this building from the trail. Then I ask is this a forested lot? Mr. Giudice said it is lawn mostly. There is some brush along the slope. Ms. Albanese agreed if we can do something special in that location --- a green fence of some sort, if possible.

Discussion.

The pollinator pathways were brought up along the trail. It would be nice if we could coordinate the advancement of the pollinator pathway along there.

Stormwater management on site was discussed.

Landscaping was discussed. Landscaping can be added along the trail area if the commission feels it would soften it up and be beneficial. But there is no specific requirement for it.

Mr. Grappone spoke about his comments. I think the plan would have addressed most of the comments. The fire marshal wanted access around the building at the 11<sup>th</sup> hour, so now we have milled surfaces on both sides of the building and that'll affect the drainage calculations. Mr. Giudice will have his PE address that comment. I won't call it a major comment, but that's the biggest comment open at this time.

Mr. Phillips stated the commission has the ability to require more additional buffering as long as the applicant is agreeable to that. Certainly, if the site plan application meets the regulations, you have a duty to approve it. But if the applicant is willing to augment that with some additional buffering, certainly it is within your wheelhouse.

The Chair added we can stipulation as well the comments that were made by the engineering department to be sure they are resolved administratively.

Mr. Giudice stated we can address engineering comments. I know what we need to do and we will take care of that.

We'll definitely add some landscaping along the trail to make it prettier and even put some street trees down in that area. I don't see that as an issue.

We'll do something cool along the fence line and make it something everybody is proud of.

The Chair noted Sign Pro is a great business we have here and everybody appreciates all they do for our community and it is a great representative of a business within our town.

Mr. Salka made a motion to approve SPR 1805 with the stipulations that we add the additional buffering on the east side which would be the rear of the building along the rails to trails as well as add the comments in from the engineering department made by Mr. Grappone.

Mr. Gworek seconded. Motion passed 7 to 0 on a roll call vote.

H. Savino and Mirka Melluzzo, site plan application for multiple buildings on one lot, property located at 36 Queen Street, in a B zone, parcel size 3.32 acres (SPR #1806)

Mr. Phillips advised that this was an approval back in 2011. And, they're just looking to have the exact same approval reinstated. There has been some regulation changes since then specific to the parking requirements and they'll have to address that. But their original expiration is November of next year and they're trying to get ahead of the game here.

Stephen Giudice, Harry Cole & Son, 876 South Main Street, presented on behalf of the applicants. The applicants are also on the line with us to answer questions, as well.

This site has been vacant for a long time. The owner at the time, Dennis Repoli, came in with this plan of three buildings with medical and professional offices. It was vetted pretty hard through planning and engineering at the time. We went also to the DOT and they had some requirements for improvements to Queen Street. We also went through wetlands.

I liked the concept of the three buildings on this site. They had a good look and the parking was kind of spread out. I think it'd be a great addition to Queen Street.

Unfortunately, Mr. Repoli at the time didn't have any traction on it. People looked at the site and wanted to change it around and it's never gone anywhere.

The applicants saw it, wanted to make an investment in town and ran with it. I advised the commission may look favorably upon it and get a piece of property that hasn't really been much of a tax base and make it something useable and something we'd be proud of.

As far as Rob's comments on the parking, most likely we can reduce some of the parking on the site. We'd probably just do a small modification to the parking. But they may want to change some of the uses as permitted in the B zone. If you look favorably on this, we'll meet with Rob and talk about what spaces to eliminate and how we move forward from there.

I'll answer questions on this.

Discussion on the sidewalks. Mr. Giudice pointed out it is included in the site plan.

Ms. Albanese asked if a new traffic study would be required and is there going to be limited access exiting, right turn only, no left turn? The Chair noted this is Route 10, a state road. The STC has ultimate say over what kind of design that is. Mr. Phillips said this is a new bite of the apple. It is a reapproval of an existing application approved. We apply all of the regulations and if there is a compelling reason to revisit the traffic it is something that the commission would entertain.

Mr. Giudice argued the regulations are actually reducing the parking on the site. I don't think it is necessary for a traffic study, in my opinion. This was vetted out up to 2014 based on the state approvals. It is going to have to go back to the state for their okay. There are an extensive set of improvements to Route 10. A dedicated turn lane into the site. The exit only on the south end was originally proposed as a two-way in.

I don't think a new study is warranted based on us reducing the parking and cars coming out of the site. Mr. Grappone concurred with Mr. Giudice. DOT vetted it. I don't believe a traffic study will be needed, but they will have to reapply to DOT for an encroachment permit.

A lengthy discussion was had between Ms. Volpe and Mr. Giudice about whether a historic archaeological assessment was warranted to be done on this area as this is the former line of the trolley that ran across Oak Hill Cemetery. Oak Hill Cemetery is on the National Register of Historic Places and it is less than 500' from this location. She also noted proximity to the Quinnipiac River. (Please refer to the on line posting to hear the full commentary.)

Cross easements on the property to the north were discussed.

Mr. Salka made a motion to approve SPR #1806. Ms. Locks seconded.

The Chair asked about a stipulation to provide an accessway in the event the property to the north gets further development which requires PZC action.

Mr. Salka amended his motion to include that stipulation. Ms. Locks seconded. Motion passed 7 to 0 on a roll call vote.

I. Proposed zoning regulation text amendment to repeal Section 18 – Redevelopment Overlay District (ROD), ZA #606)

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

J. 8-24 referral for the purchase of 553 Laning Street in the amount of \$110,000 (MR #555)

Mr. Salka made a motion to approve MR #555 with a favorable report back to the town council. Ms. Locks seconded.

Mr. Salka explained we are looking at a 2-acre piece of property that is part of the horse farm on Laning Street owned by Richard & Paul Greenleaf. There are two acres at the rear of that property that is underutilized by the horse farm that is currently there. It is directly connected to the Novick Orchard which is owned by the town for open space. We have the ability to use it for passive recreation. It is an outstanding piece of property. Certainly, a great addition to our open space program. I highly recommend we approve it.

(Connection to Webex lost)

Motion passed 7 to 0 on a roll call vote.

K. 8-24 referral for the purchase of development rights, 553 Laning Street in the amount of \$225,000 (MR #556)

Mr. Salka made a motion to approve MR #556 for a favorable report back to the town council. Ms. Albanese seconded.

Mr. Salka advised he read through the contract. The previous application allows for passive recreation, on this item we're buying the development rights. There is no passive recreation on this

piece of property. The owner of the property will retain ownership. They signed the contract on October 9, 2020. The contract allows the owner to expand the home that's on the property up to 3370 square feet. It cannot be moved. It must maintain as a horse farm or related business. The owner continues to pay the taxes, et cetera.

This is the referral back to the town council that the land cannot be developed and it can be used as it currently is being used as.

Mr. Santago pointed out we need to use all the tools we have in town to preserve places like this. It is essential to preserve this piece and development rights is another tool we have.

Motion passed 7 to 0 on a roll call vote.

L. Release of \$5,300 E & S Bond, 36 Triano Drive (SPR #1587)

Ready for action. Motion to approve SPR #1587 by Mr. Salka. Mr. Gworek seconded. Motion passed unanimously on a voice vote.

M. Release of \$15,000 maintenance bond, Golden Russet Way, Old Orchard Estates (S#1296)

Ready for action. Mr. Salka made a motion to approve S#1296. Mr. Gworek seconded. Motion passed unanimously on a voice vote.

The Chair asked for a motion to open the agenda to add an item.

Mr. Salka made a motion to open the agenda to add an item. Ms. Albanese seconded. Motion passed unanimously on a voice vote.

Mr. Salka made a motion to add Item 8-N. Mr. Santago seconded. Motion passed unanimously on a voice vote.

**N. Release of \$10,200 E & S bond for 200 Executive Boulevard, SPR #1772.**

Mr. Salka made a motion to approve SPR #1772. Mr. Gworek seconded. Motion passed unanimously on a voice vote.

#### ADMINISTRATIVE ITEMS

Nothing this evening per Mr. Phillips.

ITEMS TO SCHEDULE FOR PUBLIC HEARING

- Christine Plourde, Home Occupation application for Cottage Food Industry, property located at 17 Alyssa Court, in an R-20/25 zone (HO#77), November 3

RECEIPT OF NEW APPLICATIONS

None this evening.

Discussion was had on moving the next meeting from Election Day evening, November 3<sup>rd</sup>, to November 4<sup>th</sup>. After discussion, a consensus was reached to move the meeting to Wednesday, November 4<sup>th</sup>, 2020 at 7:00 pm.

Mr. Phillips advised he would take care of the necessary paperwork.

ADJOURNMENT

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

(Whereupon, the meeting was adjourned at 10:06 o'clock, p.m.)