

**SUFFIELD ZONING AND PLANNING COMMISSION
MINUTES OF REGULAR MEETING
March 17, 2014**

Present: **John Murphy, Vice Chairman**
 Chester Kuras, Secretary
 Mark O’Hara
 Mark Winne
 Charles Sheehan
 Ginny Bromage, Alternate
 Jacek Bucior, Alternate

Absent: **Frank Bauchiero, Jr., Chairman**
 Gina Pastula, Alternate

Also Present: **Bill Hawkins, AICP, Town Planner**
 Gerry Turbet, Town Engineer
 James Taylor, Zoning Enforcement Officer
 Eleanor Binns, Administrative Secretary

The proceedings of this meeting were voice recorded.

I. ROLL CALL

In the absence of Chairman Bauchiero, John Murphy was acting chairman for the meeting and called the meeting to order at 7:00 pm. He then asked Mrs. Binns to take a silent roll call. In the absence of Mr. Bauchiero, Mrs. Bromage was appointed as the alternate voting member.

II. PUBLIC HEARINGS

For the record, Secretary Kuras read aloud the legal notice that was published in the Hartford Courant on March 6, 2014 and March 13, 2014.

Acting chairman Murphy explained the format for the hearing process to those in attendance.

File #2014-2: Text Amendment to Zoning Regulations - Accessory Buildings, Section III.F.3

Mr. Hawkins reviewed the text amendment that the commission has been working on for the past several months. This would allow for one accessory building on a property to be used for residence purposes for family members, domestic employees and caregivers. This amendment limits the square footage which is not to exceed 35% of the primary dwelling or 900 square feet whichever is less. Property must remain owner occupied and buildings must meet all health and safety standards. No additional road or driveway cuts are allowed.

Ms. Bromage asked if this would impact existing uses and it was explained that this would legitimize the use of accessory buildings that are already being used in this manner. Mr. Murphy

commented that this goes a long way to address the demand to accommodate health care workers and extended family that can be housed in existing accessory buildings on a property.

Mr. O'Hara questioned the 35% limitation, wondering if the existing accessory building was larger than the limit would people be able to use it for residence purposes. Mr. Hawkins explained that it would be the dwelling unit within the structure that would need to meet the size restrictions, not the entire building. The members agreed that the wording should be amended to reflect that.

Mr. Murphy asked for public input and there was none.

With no other comments, a motion was made and seconded to close the public hearing. The motion was carried unanimously, 6-0-0.

File #2014-6: Request for a 2 lot resubdivision located at 3999 Mountain Road, Map 44, Block 3, Lot 4/5. Applicant – Reja Acquisition Corp.

Bob Messier of Messier Associates, Inc. gave the presentation for this application and the owner, John Wittenzellner, Jr. was present to answer any questions. Mr. Messier stated that the existing property is approximately thirty acres and that the purpose of the resubdivision is to enable the existing owner, West Service Corporation to create a stand-alone property of 13 acres surrounding well #3 designated as parcel A on the plans. Aquarion Water Company of Connecticut is in the process of buying this property. No construction is proposed for either parcel of the resubdivision.

Mr. Sheehan questioned if the Health Department Class I permit has been issued. Mr. Wittenzellner stated that the permit was issued and is up on their web site. Parcel A is Class I land and regulated by Public Utilities Regulatory Authority (PURA).

There were no further questions from the commission members and Mr. Murphy asked for the reports from the town planner and town engineer.

Mr. Hawkins read his report into the record. He described the parcel, and noted that Parcel B would be subdivided at a future time. Mr. Hawkins noted that the parcel at the corner of Mountain Road and Sunset Drive would be reconfigured to have a protective area around the well located on the property. He recommended that Parcel A and Parcel B be indicated as “not an approved lot” on the plans.

Mr. Hawkins stated that the proposed lots both meet the requirements of the regulations in terms of frontage and area. He recommended the applicable waivers since there is no building proposed.

Mr. Turbet read his report into the record. He recommended that all iron pins be installed prior to the commission signing the plan noting that on Parcel B, an iron pin should be added to the plan.

With nothing further, Mr. Murphy opened the hearing to the public.

Rick Deenihan, who is an abutter at 15 Sunset Drive was concerned that the applicant was not using the proper boundary line where the property abuts his. Mr. Murphy explained that the application before the commission did not involve any building and if there is any residential development proposed in the future, all these concerns will be addressed with a new application. Art Chiponey, who is an abutter at 45 Sunset Drive also had concerns about the development on parcel B. It was reiterated by the commission members that this proposal was only for subdividing the property with no building at this time.

With no other comments, a motion was made and seconded to close the public hearing. The motion was carried unanimously, 6-0-0.

File #2014-7: Request for a Special Permit and site plan approval for a light industrial building located at the corner of South St. and Austin St. Map 27H, Block 37, Lot 1/1A.
Applicant – PDS Engineering & Construction, Inc.

Dana Steele, P.E. of J.R. Russo & Associates presented the application. He described the proposed building for Trevisan USA as a 21,688 square foot building for assembly of machine tool parts and will employ approximately twenty people. There are 25 parking spaces on the plan and loading docks on the east and south sides of the building. There are already street trees on the parcel and the plan is to supplement these with evergreen plantings. The lighting planned for the building and site is all full cut-off which meets regulations. Mr. Steele explained the storm drain system which was designed with no increase in run off and the retention basin was designed to accommodate any future expansion of the building.

Chris Eseppi of PDS Engineering & Construction, Inc. described the exterior of the building and had a sample of the paneling to be used. The front of the building will have glass windows 22 feet high.

There were no questions from the commission members and Mr. Murphy asked for the reports from the town planner and town engineer.

Mr. Hawkins read his report into the record. He stated that the proposed business is considered a light industrial/manufacturing use permitted in the PDIP Zone. The building meets all setback requirements for the zone and lot coverage is at 37 percent which is well within the allowable limit of 60 percent. He recommended approval of the application.

Mr. Turbet read his report into the record and noted that the traffic impact of this proposal should be minimal. He recommended that the 24" drainage pipe shown on Sheet SP1 should have an easement added along the length of the pipe route. While this would not result in a formal easement and is off the property of the present site plan, it would point to the need for the easement for future subdivision applications. He saw no problems with the proposal that was presented.

Mr. Steele indicated that they would revise the drawing accordingly.

Mr. Winne asked if there was any outdoor storage planned and Mr. Steele said that there was none. There will be a dumpster on the outside that would be fenced and screened.

With nothing further, Mr. Murphy opened the hearing to the public.

There were no comments from the public. A motion was made and seconded to close the public hearing. The motion was carried unanimously, 6-0-0.

File #2014-8: Request for a Special Permit to create a rear lot located at 749 North Stone St. Map 13, Block 12, Lot 38. Applicant – John and Julie Berry.

File #2014-9: Request for a 2-lot resubdivision for a single family home located at 749 North Stone St. Map 13, Block 12, Lot 38. Applicant – John and Julie Berry.

Acting chairman Murphy indicated that these two applications would be heard concurrently, as they are for the same property.

David Palmberg of William R. Palmberg & Son presented the applications. He described the proposal to subdivide the approximately fifty acres in half to build one additional single family home. There is already an existing single family home on the property with private well and septic. This is in an R90 zone and the remainder of the property will remain in agricultural use. Since the property is owned by the applicant's mother, the open space requirement would be waived per the regulations.

There were no questions from the commission members and Mr. Murphy asked for the reports from the town planner and town engineer.

Mr. Turbet read his report into the record. He stated that sight distances for the proposed common driveway meet the requirements of the regulations. On the plan submitted, the driveway, being greater than 250-foot includes the required provisions for fire vehicle access with added width (18'), increased turning radii and emergency turn-around. The plans show a large circular turn-around where the common driveway splits toward the existing and proposed houses. He suggested that the driveway from the turn-around to the proposed house be widened to 18 feet and that a fire vehicle turn-around should be located near the proposed house. He recommended approval with subdivision standard conditions 1-4, 6, 7, 9 and 11. Also, the installation of iron pins should be completed prior to the Commission signing the mylars for filing.

Mr. Hawkins read his report into the record. He noted that the existing driveway will be used to service both lots and access easements are shown on the plans which allow each property owner use of the existing driveway. The access strip was granted a variance in 2011 from the required 50 foot access strip to 43 feet for both lots. He feels that the existing vegetation is adequate for screening and that the existing barn will also provide a screen for the property to the south of the driveway. In his report he recommended waivers for the commission to consider.

With nothing further, Mr. Murphy opened the hearing to the public. Abutters Paul Dowgewicz of 777 North Stone St. and Erica Fearne of 685 North Stone St. both spoke in favor of the application.

There were no other comments from the public and a motion was made and seconded to close the public hearing. The motion was carried unanimously, 6-0-0.

III. NEW BUSINESS

File #2014-10: Request for a site plan approval for an ADA addition to the Kent Memorial Library to allow for handicapped access.
Map 43H, Block 45, Lot 273. Applicant - Town of Suffield.

Patrick McMahon, Suffield Economic Director made the presentation of the design by Tecton Architects. This is an addition to the existing structure to allow for handicapped access and will allow walk in access at grade level with an elevator, stairway and handicapped accessible restrooms. The plan has ten parking spaces four of which would be handicapped across Bank Lane. Also included in the plan are speed bumps, and bollards in front of the addition. Mr. McMahon explained that there is a disagreement regarding the 12 head-in parking spaces off Bank Lane on the south side of the building but that the sidewalk connecting the library to Bridge Street and the Veteran's monument are a part of the plans.

Ginny Bromage asked if there is a requirement for the amount of parking spaces that the library should have? Discussion followed. There was further discussion about there not being enough parking especially during events and that other businesses allow library patrons to use their parking spaces.

Mr. Hawkins stated that all the setbacks meet our requirements and the Design Review Board (DRB) approved the project with a recommendation for the brick façade. He explained that the Historic District Commission will be reviewing the project with the DRB recommendation at their April meeting. Further discussion took place regarding the additional 12 parking spaces shown on the plan.

Mr. Murphy opened the discussion for public input.

Robert White, 995 Newgate Road, spoke in favor of the proposal. His primary concern is safety and his secondary concern is ease of use. He reviewed libraries in thirteen surrounding towns and all had a minimum of twenty-three parking spaces. He stated that the point of the addition is to make the building handicapped accessible and there needs to be parking on the west side of Bank Lane to meet that goal. The additional parking is within the proposed budget for the project.

Beth Chafetz, 803Mapleton Ave. also spoke in favor of the proposal and reiterated the need for additional parking. She said there is technically no access to the bank or Suffield Village parking spots during the day.

Mr. Winne had concerns that the Design Review Board would be involved in the final decision on the exterior façade material

Ms. Bromage moved to approve the application as presented with all of the parking spaces shown on the plan, and the Design Review Board consideration of exterior materials used on the addition.

Mr. O'Hara seconded and the motion was carried unanimously, 6-0-0.

File #2014-11: Request for a Special Permit for a garden center located near 40 Ffyer Place, Map 34H, Block 32, Lot 2. Applicant – Lee Corbert

Mr. Hawkins described the application for the commission. The applicant wants to set up a retail business selling mulch and other garden center materials. There would be no building involved. There was discussion regarding special permits running with the land.

Mr. Sheehan moved to accept the application and schedule the public hearing for the April 21st Meeting.

Ms. Bromage seconded and the motion was carried unanimously, 6-0-0.

IV. OLD BUSINESS

File # 2013-8 Request to extend the filing date for Brushwood Estates subdivision plans for 90 days from March 24 to June 22, 2014. Applicant Donna Blanchette, Krystal Woods Developers.

Mr. Hawkins advised that the current approval is set to expire on March 24, 2014 and there are two 90 day extensions available to the applicant. He sees no reason not to grant the extension.

Mr. Winne moved to approve a 90 day extension for the filing date to June 22, 2014.

Ms. Bromage seconded and the motion was carried unanimously, 6-0-0.

File # 678A1: Request for final bond release of \$1,000.00 for Rosewood Phase 1 Subdivision Applicant – Trademark Builders.

Mr. Turbet stated that this is an old bond put up about ten years ago and at the request of the developer, Mr. Hawkins spoke with Commission counsel and it was recommended that the bond be released.

Mr. Sheehan moved to release the bond according to the recommendation of commission's counsel.

Mr. O'Hara seconded and the motion was carried unanimously, 6-0-0.

File # 678A: Request for maintenance bond release of \$2,000.00 for Rosewood Subdivision Applicant – Trademark Builders.

Mr. Turbet stated this was a perpetual bond for the retention basin to guarantee that the homeowners' association would maintain this basin. The basin design is working and counsel has recommended that the bond be released.

Mr. Sheehan moved to release the maintenance bond according to the recommendation of commission's counsel.

Mr. O'Hara seconded and the motion was carried unanimously, 6-0-0.

File #2014-2: Text Amendment to Zoning Regulations - Accessory Buildings, Section III.F.3

Mr. Sheehan moved to approve the Text Amendment as presented with the added language "dwelling unit within the building" under sub paragraph B effective on April 4, 2014.

Mr. Winne seconded and the motion was carried unanimously, 6-0-0.

File #2014-6: Request for a 2 lot resubdivision located at 3999 Mountain Road, Map 44, Block 3, Lot 4/5. Applicant – Reja Acquisition Corp.

Mr. Sheehan moved to approve the waivers as recommended by the Town Planner and Town Engineer.

Mr. Winne seconded and the motion was carried unanimously, 6-0-0.

Mr. Sheehan moved to approve the application subject to the conditions enumerated in the Town Planner's report of 3/11/2014 and Town Engineer's report of 3/14/2014.

Mr. Winne seconded and the motion was carried unanimously, 6-0-0.

File #2014-7: Request for a Special Permit and site plan approval for a light industrial building located at the corner of South St. and Austin St. Map 27H, Block 37, Lot 1/1A.
Applicant – PDS Engineering & Construction, Inc.

Mr. Winne moved to approve the application subject to the SP-1 sheet being revised to show a drainage easement along the length of the 24 inch pipe and that there be no outdoor storage on the site.

Mr. Sheehan seconded and the motion was carried unanimously, 6-0-0.

File #2014-8: Request for a Special Permit to create a rear lot located at 749 North Stone St. Map 13, Block 12, Lot 38. Applicant – John and Julie Berry.

Mr. Sheehan moved to approve the waiver of the rear lot driveway access strip screening as recommended by the Town Planner.

Mr. Winne seconded and the motion was carried unanimously, 6-0-0.

Mr. Sheehan moved to approve the special permit to create a rear lot.

Mr. Winne seconded and the motion was carried unanimously, 6-0-0.

File #2014-9: Request for a 2-lot resubdivision for a single family home located at 749 North Stone St. Map 13, Block 12, Lot 38. Applicant – John and Julie Berry.

Mr. Sheehan moved to approve the waivers as enumerated on the Town Planner's report of 3/10/14.

Ms. Bromage seconded and the motion was carried unanimously, 6-0-0.

Mr. Sheehan moved to approve the subdivision application with the conditions as enumerated on the Town Planner's report of 3/10/14 and the Town Engineer's report of 3/14/14.

Mr. Winne seconded and the motion was carried unanimously, 6-0-0.

V. REPORTS

Chairman – Mr. Bauchiero was not in attendance and there was no report from the Chairman
Town Planner – Mr. Hawkins advised the Commission that he has been meeting with residents of the Greendale Village active adult community which is on East St. across from the intersection with Route 190. Some of the residents are concerned that a bond that was called for when the development was approved nine years ago was never posted with the town. Mr. Hawkins has been speaking with Attorney Landolina as well as the developer about meeting the expectations of the resident's because according to current statutes a bond could not be required.

Trademark Builders has agreed to post a \$50,000.00 bond and they have agreed to do some work once the weather breaks. Mr. Hawkins also explained that he will be meeting with the developer to explain the comments that he has heard from the residents and review the plans. Mr. Hawkins will keep the Commission updated.

Mr. Turbet and Mr. Hawkins suggested that the commission's regulations need to be reviewed and updated as they pertain to bonding.

VI. MINUTES

Mr. Winne made a motion to approve the February 24, 2014 regular meeting minutes as submitted, seconded by Mr. Kuras. The motion was carried, 6-0-0.

VII. CORRESPONDENCE

There was no correspondence to review.

VIII. ADJOURNMENT

Mr. Sheehan made a motion to adjourn at 9:10 p.m.; seconded by Ms. Bromage. Motion carried unanimously 6-0-0.

Submitted,

Chester Kuras, Secretary

cc: Assessor, Building Official, Conservation Commission, Economic Development Director, Selectmen, Town Clerk, Town Engineer, Zoning Enforcement Officer, Commission Counsel, File