

**PLANNING AND ZONING COMMISSION  
PLAINVILLE, CONNECTICUT**

**MINUTES  
PLANNING AND ZONING COMMISSION  
June 26, 2018**

**REGULAR MEETING AT 7:30 P.M.**

**Room 304  
Municipal Center**

**PRESENT:** G. Petit, P. Saucier, M. Weimer, J. Bartiss-Earley (arrived late),

A. Chapman

**STAFF PRESENT:** Garrett Daigle, Assistant Planner, Mark Devoe, Town Planner

**ALTERNATES PRESENT:** W. Ricci

**ABSENT:** W. Davison, A. Sarra

**I. ROLL CALL**

W. Davison, A. Sarra had excused absences.

W. Ricci sat for W. Davison

**A motion was made to elevate the alternate by:** M. Weimer

**Seconded by:** A. Chapman

**All in Favor 4 to 0**

**Motion Passes**

**II. PUBLIC HEARING**

1. **PZ 05/18 #018 – Special Exception – Oak Land Developers – 0 Camp Street (MBL 13-H-01-1) – Construct 3 detached condo units in an R-11 Zone.**

Oak Land Developers is proposing to construct 3 detached condo units with a shared driveway. The homes will have attached patios or decks under 18" in height, detached sheds are shown as an option, and solid waste and recycling will be handled by a private contractor.

2 residents were present to speak for and against the application.

Art Screen, 5 Cornell Street, opposed to complexes like this one because there can be issues with up keep of the property.

Charlie Nyberg, 37 Northwest Drive, in favor of application. His wife is the person selling the property. He looked at plans and it conforms, from what he can see, to the regulations.

The commissioners asked questions. Steven Giudice, Harry Cole & Sons answered the questions.

J. Bartiss-Earley closed the public hearing.

### III. UNFINISHED BUSINESS

1. **2019 Plan of Conservation and Development Work Session** – First meeting of every month.
2. **PZ 05/18 #018 – Special Exception – Oak Land Developers – 0 Camp Street (MBL 13-H-01-1) – Construct 3 detached condo units in an R-11 Zone.**

**A motion was made by:** G. Petit to approve a Special Exception for PZ 05/18 #018 for Oak Land Developers for 3 Condominium Units, at 0 Camp Street (MBL 13-H-01-1) in an R-11 Zone.

**Seconded by:** A. Chapman

G. Petit stated that this request meets the zone requirements and fits in with the neighborhood.

**All in Favor 6 to 0**

**Motion Passes**

3. **PZ 05/18 #017 – Site Plan – Oak Land Developers – 0 Camp Street (MBL 13-H-01-1) – Construct 3 detached condo units in an R-11 Zone (See PZ 05/18 #18)**

**A motion was made by:** A. Chapman to approve with conditions a Site Plan for PZ 05/18 #017 for Oak Land Developers for 3 Condominium Units, at 0 Camp Street (MBL 13-H-01-1) in an R-11 Zone.

**Seconded by:** W. Ricci

**Conditions:**

1. Continue silt fence on the perimeter of disturbed area.

**All in Favor**

**6 to 0**

**Motion Passes**

### V. NEW BUSINESS

1. **Informal Discussion – John Bossi, P.E., Town Engineer/Zoning Enforcement Officer – Home Occupation/Commercial Vehicles in Residential Zones.**

John Bossi was present to request some direction from the commission pertaining to commercial vehicles in residential zones. John talked about a recent complaint he received in regards to a commercial vehicle and items that were sticking out of the truck, pertaining to the owner's business.

John talked about possibly changing the verbiage for more clarity to help enforcement staff when there is a complaint. Mark and John to work on some proposed changes and report at the next meeting.

**2. PZ 05/18 #021 – Site Plan – BTF Realty LLC – 354 East Street - Construct 9,070 square foot retail building with associated site improvements in a GC Zone (Decision required by 8/30)**

The site was previously used for a vacant single-family home, and storage parking for box trucks for the old Taylor/Budget Truck Rental business. The applicant has purchased the property and demolished the existing structures to make way for a new 9,070 square foot retail building. The applicant also owns the abutting Taylor Rental Property and has plans for future redevelopment of that property. The applicant has proposed that the two properties will share a single driveway on the site. The application went before the Wetlands Commission and was approved on June 25, 2018.

Steven Giudice, Harry Cole & Sons presented the application and the commissioners asked questions.

**A motion was made by:** A. Chapman to approve a Site Plan for PZ 05/18 #021 for BTF Realty LLC for a 9,070 square foot retail building with associated site improvements, at 354 East Street (MBL 42-E-1) in a GC/R-11 Zone.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

**3. PZ 06/18 #022 – Accessory Apartment – Oak Land Developers – 125 Ledge Road – Proposed accessory apartment for new home in an R-20 Zone (Decision required by 8/30)**

Oak Land Developers is currently constructing a raised ranch and would like to include an accessory apartment for the buyer. The total habitable square footage of the new home is 2,494 square feet, of which 677 will be for the accessory apartment. The Apartment will comprise a total of 27.1% of the total living area, well below the maximum allowed 35%. There is a two-car attached garage with additional space for 2 cars on a part of the proposed driveway.

Steven Giudice, Harry Cole & Sons presented the application and the commissioners asked questions.

**A motion was made by:** M. Weimer to approve an accessory apartment for PZ 06/18 #022 for Oak Land Developers for Accessory Apartment, at 125 Ledge Road in an R-20 Zone.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

4. **PZ 06/18 #025 – Site Plan Modification – Clear Horizon Eye Care Center – 112 & 116 West Main Street – Proposed 2500 sq. ft. addition to medical office, and new parking lot (Decision required by 8/30)**

The applicant is proposing to join 112 and 116 West Main Street to allow for construction of a 2,500 square foot addition to the south of the existing medical office, and construct a parking lot. The proposed plan would convert the entirety of 116 West Main Street (currently a multi-family home) into a parking lot to accommodate the required parking for a medical office. Due to a portion of the lot being located in an R Zone, as well as abutting residential properties, the plan is designed to reduce conflict with the abutting properties, while still using the site to the best of their ability. Along the residential properties to the East and South, there will a 6' privacy fence, as well as plantings to shield the parking lot and reduce noise.

Steven Giudice, Harry Cole & Sons presented the application and the commissioners asked questions.

**A motion was made by:** G. Petit to approve a site plan modification with conditions for PZ 06/18 #025 for Clear Horizon Eyecare, LLC for addition to a medical office with associated site improvements, at 112 West Main Street (MBL 28-C-05) in a CC Zone.

**Seconded by:** A. Chapman

**Conditions:**

1. Remove detail for light pole
2. Wall packs should be labeled

**All in Favor 6 to 0**

**Motion Passes**

5. **PZ 06/18 #023 – 8-24 Referral – Town of Plainville – 125 Ledge Road – Proposed donation of land.**

Oakland Developers currently owns a parcel of land on Ledge Road, the parcel was originally 6.8 Acres, and Oak Land performed a free split to create 2 building lots. Oak Land is now looking to perform a conservation subdivision and donate the undevelopable portion of the land to the town, approximately 3.28 acres. The land comprises of wetlands and steep slopes and is adjacent to 12 existing acres of Town, and 16 existing acres of State-owned open space land.

Steven Giudice, Harry Cole & Sons presented the request and the commissioners asked questions.

Mark DeVoe explained that the land is adjacent to 12 acres of existing town owned open space and links to over 16 acres of State open space. All of this land provides excellent linkage along the lower Metacomet Ridge and is within a State Designated Natural Diversity Area (confirmed presence of two endangered species).

**A motion was made by:** G. Petit to find that the proposed donation of a portion or land at 125 Ledge Road **does not** conflict with the Plan of Conservation and Development.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

**6. PZ 06/18 #024 – 8-24 Referral – Town of Plainville – 0 Northwest Drive (MBL 07-A-17, 07-A-17A, and 08-A-35) – Proposed donation of land**

The Trustee of Roger Toffolon's Estate would like to donate 33.9 acres of undevelopable wetlands, watercourses, and Flood Hazard Area to the Town, including 1 parcel north and 2 parcels South of Northwest Drive. The parcels about 80.25 acres of existing town owned open space land to the south and would create almost 1 mile of continuous wetlands complex that contains portions of the Pequabuck River. The total contiguous open space acreage created if this donation is accepted is 114.15 acres.

Through grants and donations like this, the Town continues to take ownership of area within the Pequabuck River floodplain to steward the land as is, thus avoiding development in flood prone areas. It was reported that the value of the land was \$61,000.00, although taxes are delinquent.

**A motion was made by:** M. Weimer to find that the proposed donation of land at 0 Northwest Drive (MBL 07-A-17, 07-A-17A, 08-A-35) **does not** conflict with the Plan of Conservation and Development.

**Seconded by:** A. Chapman

**All in Favor 6 to 0**

**Motion Passes**

**V. BILLS AND COMMUNICATIONS**

1. CFPZA Volume XXII Issue 2
2. Zoning Practice June 2019 issue Number 6 Practice Coastal Adaptation
3. Eleven Ways to Lose an Appeal: Legal Issues All P&Z Commissions and Legal Staff Should be Aware of

**VI. MINUTES**

**A motion was made by:** W. Ricci to approve the Regular Meeting Minutes of June 12, 2018 as written.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Minutes Approved**

**VII. REPORTS**

None

## VIII. ADJOURNMENT

**A motion was made by:** G. Petit to adjourn the meeting at 9:12 pm.

**Seconded by:** W. Ricci

**All in Favor          6 to 0**

**Meeting adjourned at 9:12 pm**

Respectfully Submitted,

*Jennifer Dahlstrom*

Jennifer Dahlstrom

Recording Secretary