

PLANNING AND ZONING COMMISSION  
PLAINVILLE, CONNECTICUT

MINUTES  
PLANNING AND ZONING COMMISSION  
February 26, 2019

REGULAR MEETING AT 7:30 P.M.

MUNICIPAL CENTER  
ROOM 304

**PRESENT:** A. Chapman, P. Saucier, G. Petit, A. Sarra, J. Bartiss-Earley

**STAFF PRESENT:** Garrett Daigle, Deb Tompkins, Town Council Liaison

**ALTERNATES PRESENT:** W. Ricci

**ABSENT:** W. Davison, M. Weimer

**I. ROLL CALL**

**A motion was made by:** A. Sarra to elevate W. Ricci to full member.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

**A motion was made by:** G. Petit to make W. Ricci temporary secretary.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

**II. PUBLIC HEARING**

1. **PZ 11/18 #040 – Special Exception – 311 NB Plainville LLC – Subdivide 349 New Britain Avenue into two (2) lots with shared parking (public hearing must close by 4/18/19).**

311 NB Plainville is proposing to subdivide the former Chung property, the Goodwill building will be subdivided into a separate parcel with cross access and parking easements on the proposed parcels. The required parking could not be contained on the single parcel, so the applicant is applying for a special exception for shared parking, up to 25%.

J. Bartiss-Earley opened the public hearing. There were people to speak.

Attorney Andrea Gomes, Shipman & Goodwin LLP - Opposed, applicant did not enter into the easement agreement with SEP Enterprises that was part of his original approval. It is a zoning violation.

Peter Perakos 6 Salisbury Way, Farmington CT-opposed, his brother owns SEP and the easement access agreement needs to be completed first.

2. **PZ 01/19 #01 & #02 – Site Plan and Special Exception - Maple Avenue Repair Services – Automotive use at 191-193 East Street in a GC Zone (Public Hearing must close by 4/2/19)**

The applicant is seeking to open a limited towing operation to the rear of 191-193 East Street. The former use of the property as a concrete yard has been discontinued for several years. The applicant received a DMV approval from ZBA but requires a special exception from the PZC. The storage area will be screened from neighboring properties via fencing. New lighting is proposed, and the applicant has submitted a photometric plan with the application. Attorney James Ziogas presented on the application. Saleem Khan provided background on Maple Avenue Repair Services and what services will be conducted on the property.

There were people present to speak.

Denise Mongillo, 344 Andrews Street, Southington – in favor, current owner of property.

Eric Kucharczyk, 307 East Street - opposed, his property is located 10 feet from the proposed location. Concerns over noise and traffic.

A letter was received and read into the record from Maple Leaf Condominiums, opposed because of noise concerns.

No other people were present to speak so J. Bartiss-Earley closed the public hearing.

### III. UNFINISHED BUSINESS

1. **2019 Plan of Conservation and Development Work Session – Scheduled for March 13, 2019.**
2. **PZ 10/18 #036 – Subdivision – Oak Land Developers – 3 lot Subdivision at 0 Stillwell Drive (MBL 38-F-05).** The applicant received approval from Inland / Wetlands.

Oak Land Developers is proposing to subdivide property on Stillwell Drive to create 3 new residential homes. The subdivision will result in the creation of a fourth lot that is proposed to be deeded to the Town. The will be raised ranches on slab with private septic and connection to public water with roof leaders discharging to underground infiltration chambers. The properties exceed the minimum lot requirements for the R-11 zone, the smallest lot will be 13,600 square feet and the largest being 16,900 square feet. A conservation easement is show in the rear yard of two of the properties that would prevent any owners from installing fences or sheds on the conservation area.

Stephen Guidice from Harry Cole & Sons was present for the applicant. He presented the proposal.

**A motion was made by:** G. Petit to approve application PZ 10/18 #036 for Oak Land Developers for 4 lot subdivision with 3 new residential homes at 0 Stillwell Drive (MBL 38-F-05) in an R-11 Zone.

**Seconded by:** A. Chapman

**All in Favor 6 to 0**

**Motion Passes**

3. **PZ11/18 #039 & 040 – Subdivision & Special Exception – 311 NB Plainville LLC – subdivide 349 New Britain Avenue into two (2) lots with shared parking allowed via special exception.**

**A motion was made by:** G. Petit to continue the public hearing to March 26, 2019 to give the applicant and the other business owner time to negotiate the access easement.

**Seconded by:** W. Ricci

**All in Favor 6 to 0**

**Motion Passes**

4. **PZ 01/19 #01 & #02 – Site Plan and Special Exception - Maple Avenue Repair Services – Automotive use at 191-193 East Street in a GC Zone**

**A motion was made by:** G. Petit to approve with modification application PZ 01/19 #02 for Maple Avenue Repair Services with conditions.

**Seconded by:** W. Ricci

**Modifications:**

1. Screening with arborvitae between the storage area and the residential areas.
2. Area to the south of the building to be used for storage and shown on final plan.
3. Add lighting fixture detail to plan.

**All in Favor 6 to 0**

**Motion Passes**

**A motion was made by:** G. Petit to approve with conditions application PZ 01/19#01 for Maple Avenue Repair Service for a tow company located at 191-193 East Street.

**Seconded by:** A. Chapman

**Conditions:**

1. No display of vehicles
2. No repair of vehicles
3. Storage only of towed vehicles
4. No storage of commercial vehicles unless necessary due to inclement weather for a period not to exceed 48 hours.
5. Emergency area will be designated in the front of the bldg.

**All in Favor 6 to 0**

**Motion Passes**

## **V. NEW BUSINESS**

**1. PZ 01/19 #04 – Site Plan Modification – McDonalds - Various Site Improvements at 260 New Britain Avenue.**

McDonalds seeks to make changes to their existing site in the Connecticut commons plaza similar to the changes made at the Maple Avenue location. There will be a small realignment of the Drive through, removal of some pavement, and creation of an additional parking space. The building will also be remodeled as part of the site renovations. Matt Tyler presented on the application.

**A motion was made by:** A. Chapman to application PZ 01/19 #04 for McDonalds for site improvements at 260 New Britain Avenue in a GC Zone.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

**2. PZ 01/19 #05 – Site Plan Modification – Tilcon Inc. – 30,000-gallon liquid asphalt storage tank at 300 Woodford Avenue.**

Tilcon is seeking to add a 30,000-gallon liquid asphalt storage tank adjacent to 3 existing tanks on the site. The tank including necessary equipment will fall just short of 54' tall however will match the 3 existing tanks there are no height restrictions in the QI zone. A new foundation will be built to support the tank; however, it will be located in the existing secondary containment as required by the APA. Tilcon's APA certificate is handled by the State DEEP. Chris Costello of Tilcon presented on the application.

**A motion was made by:** A. Sarra to approve application PZ 01/19 #05 for Tilcon Inc for a 30,000-gallon liquid asphalt storage tank at 300 Woodford Avenue in a QI Zone.

**Seconded by:** A. Chapman

**All in Favor 6 to 0**

**Motion Passes**

**3. PZ 02/19 #06 – Quarry Review – Tilcon inc. – North and South Quarries –**

For 2019 Tilcon is proposing to remove 7,500 tons of rock from North Mountain quarry and 1,100,000 tons of rock from the South Mountain quarry. Tilcon must appear yearly in front of the commission to continue their quarry operations. The amounts are similar to last year's quarry plans. Chris Costello of Tilcon presented on the application.

**A motion was made by:** G. Petit to approve annual quarry review for Tilcon, Inc. for North and South Mountain Quarries in a QI Zone.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

**4. PZ 02/19 #07 – Subdivision – JNS Development – 5 Lot subdivision as Phase 1 of Camp Meadows Open Space Subdivision at 25 Bradley Street and 161 Camp Street.**

JNS development is applying for the first phase of the Camp Meadows Open Space subdivision. The first subdivision will comprise of 5 new homes, as well as dividing the open space properties to be donated to the town, as well as maintained by the development near the entrances of the development. The first phase will construct 5 new homes ending in a temporary cul-de-sac, the street name is yet to be determined. The applicant has opted for a "Final Approval – No Financial Guarantee provided" which would require that no homes be sold until the road and drainage structures are accepted by the Town. Michael Lambert presented on the proposal on behalf of the applicant.

**A motion was made by:** W. Ricci to approve a subdivision for PZ 02/19 #07 for JNS Development for 5 new residential homes on a public road with no financial guarantee requires at 161 Camp & 25 Bradley street in an R-11/R-20 Zone.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

**5. PZ 02/19 #08 – Informal Discussion – Atty. Barry Thompson – Accessory apartments in detached common interest communities.**

Atty. Thompson has requested an informal discussion with the commission regarding a perceived inconsistency in the Zoning Regulations, his discussion points are attached. Staff met with Atty. Thompson to review potential changes to the regulation to modify the section of the regulations. (please see the attached memo for the specific changes). Essentially, the problem is that the Samuels Crossing is a common interest community comprised of detached units and the current regulations would not allow any accessory use on the properties, including roof mounted solar panels (which several homes in the development have). Staff agrees with Atty. Thompson and he will be providing a regulation change in the near future based upon the discussion. The language proposed in the attached memo will need to be clarified before becoming part of the regulations. Staff primary concern with change the regulations would open the door for many condo developments in town to have accessory units, while they may work well in Samuels crossing, they may not work as well in other developments.

Attorney Thompson talked about his proposal. The commissioners talked about the regulations and gave feedback. Will be addressed at a future meeting.

**6. PZ 01/19 #03 – Site Plan – Jeff Perzan & Norman Landry – Various site improvements at 110-112 New Britain Avenue.**

The applicant was unable to make it to the meeting

**A motion was made by:** A. Sarra to table until the March 12, 2019 meeting.

**Seconded by:** P. Saucier

**All in Favor 6 to 0**

**Motion Passes**

**VI. BILLS AND COMMUNICATION**

None

**VII. MINUTES**

**A motion was made by:** P. Saucier to approve the Regular Meeting Minutes of January 22, 2019 as written.

**Seconded by:** W. Ricci

**All in Favor 6 to 0**

**Minutes Approved**

**VIII. REPORTS**

Garrett went over what he is working on in his office.

**IX. ADJOURNMENT**

**A motion was made by:** P. Saucier to adjourn the meeting at 10:15 pm.

**Seconded by:** A. Sarra

**Vote: 6-0 in favor**

**Meeting adjourned at 10:15 pm**

Respectfully Submitted,

*Jennifer Dahlstrom*

Jennifer Dahlstrom

Recording Secretary

Planning and Zoning 2-26-19