

**SUFFIELD ZONING AND PLANNING COMMISSION
MINUTES OF REGULAR MEETING
June 16, 2014**

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

Absent: **Frank Bauchiero, Jr., Chairman**
 Mark O’Hara

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 and Mr. O’Hara, Mrs. Bromage and Mr. Bucior were appointed as alternate voting members.

II. PUBLIC HEARINGS

For the record, Secretary Kuras read aloud the legal notice that was published in the Hartford Courant on June 5, 2014 and June 12, 2014.

File #2014-12: Request for a Special Permit Renewal for a Sand & Gravel Pit located at Griffin Road. Map 7H, Block 3, Lot 22. Applicant – Lakeroad Materials, LLC.

Chairman Murphy reopened the public hearing that was continued from May 19, 2014. Attorney Joseph Flynn represented the applicant along with Marek Kement, P.E. of Anchor Engineering. Mr. Flynn stated that they have met with the staff and revised their drawings with the concerns expressed at the last meeting. The applicant submitted a revised plan dated June 5th. Mr. Flynn also submitted a letter to the commission dated June 16, 2014, which stated that the applicant is not planning to store equipment or refuel the machines at the site, but will keep the details for the equipment storage pad on the plans. The letter stated that they will not be building the pad if there will be no equipment storage or refueling on the site. Mr. Flynn

deferred to the town planner and town engineer reports and would address any questions that resulted from these reports.

Mr. Hawkins then reviewed the revisions to his report as of June 10, 2014. He detailed the changes made by the applicant on the June 5th plan as well as a letter from Anchor Engineering and Attorney Flynn addressing the staff and commission comments. The plans now include an equipment storage area with an impervious surface graded to collect any spilled fuel or oil. The two phases for excavation shown in the previous plan have been eliminated and the active area is limited to 5 acres, which will move with the excavation activities. Truck traffic is anticipated to be no more than a maximum of 70 loaded trips per day of operation. Signage has been proposed at the entrance of Lake Road off of Copperhill Road to warn of the one lane road ahead and work being done. He suggested that the Commission might want to require signage indicating the bus pick-up/drop-off area and times. Mr. Hawkins also noted that the plans include measures to be taken to control dust. His report listed 26 recommended conditions of approval.

Mr. Turbet then read his report into the record, noting that this new report was based on the revisions submitted on the plan of June 5th and the accompanying letter from Anchor Engineering. He indicated that the plans contain a small number of minor discrepancies, which can be addressed through review with staff. He noted that the new road planned through the base of the existing excavation area should be better than its current location, being wider, and straighter, with better drainage. Mr. Turbet stated that the applicant will have to exert control of both the initial construction and ongoing excavation and restoration work with the Town overseeing these activities. He noted that the proposed bond of \$3,500 per acre would need to be increased in consultation with the applicant and staff.

Mr. Murphy asked if there was an agreement on how many loaders would be on site. Mr. Flynn responded that the applicant would be operating based on contracts received and weather conditions so this would fluctuate. Two loaders would be the maximum and the anticipated loaded truck trips would work out to be 30 trips per day averaged out over the period of a year.

Mr. Murphy then opened up the hearing for public input.
The following people spoke:

Alan Baer, 434 Lakeview Dr., read a letter from the Congamond Lake Shore Association detailing six specific areas of concern, legal avenues to pursue, safety, health, property values, environmental concerns and road access. They asked that the name of the project be changed from Griffin Road to Lake Road and that there be consideration that this property be changed to open space.

Fran Milliken, 135 Jackson Dr., asked if equipment is not stored on site where would it be stored. He was concerned with traffic of the equipment and safety of school children for bus stops.

Cindy Nicholson, 385 Lakeview Dr., asked if trunk stumps were going to be ground up on site.

She noted that the restoration had not been done previously and there are still piles of soil on the site.

Hank Brownstein, 231 Griffin Rd. Concerned about equipment storage on site, the possible deterioration of Copper Hill Rd. and the dust that will be generated by the operation.

Justin Ayotte, 451 Lake Rd. questioned why this is a permitted use. Mr. Ayotte also stated how the initial quarter mile entrance road was narrow and wondered if that could be improved. He has been maintaining this although the ownership is unknown.

Nancy Gegesky, 171 Jackson Dr. stated the surrounding roads were not built for this type of use and traffic and the wear and tear on the roads should not be borne by the taxpayers.

Bill Jenkins, 440 Lake Rd., asked if repairs to this road could be incorporated into a performance bond.

Shannon Watson, 333 Griffin Rd, had concerns about fuel leakage and the impact environmentally. Who will be overseeing this to be sure that this is not happening. Suggested that there should be signage on Copper Hill Rd. She asked if Mr. Bauchiero had recused himself and noted why he had not been present at the meetings.

Attorney Flynn commented that the scope of the commission was very narrow particularly because this is a renewal application.

Ms. Watson also asked if the town had explored any option to oppose the application.

Richard Najaka, 445 Lake Road. Expressed concern that the commission members had not viewed the property and did not understand the neighborhood concerns.

Tom Straite, 407 Lakeview Dr., expressed concerns about the heavy use and truck traffic and its impact on residents.

Christine Pepka, 451 Lake Rd. asked about involvement by the DEEP and if the town or the applicant would be required to file a NDDB review.

Doug Burho, 316 Griffin Rd, questioned who they could go to after this process.

With nothing further Mr. Murphy called for a motion to close the public hearing.

Mr. Sheehan moved to close the public hearing. The motion was seconded by Mr. Winne and carried unanimously, 6-0-0.

File #2014-13: Request for Special Permit/Site Plan approval for a CVS retail building and associated site work located at 157 Mountain Road. Map 34H, Block 32, Lot 2.
Applicant - TMC New England 2, LLC.

Attorney Daniel Kleinman with Hinckly Allen represented the client and the presentation was made by Don Caron with T.N. Crowley & Associates, Shannon Rutherford with VHB, Kevin Paton BKA Architects, Gary McCoy with Poyant Sign Company and property owner, Mike Laureno was present to answer any questions.

Mr. Kleinman noted that the design and planning for this project began in October of 2013 and the team representing CVS has been working closely with town staff to comply with all regulations and design the building. The application was passed by the Conservation Commission on May 27th and the Design Review Board (DRB) on June 5th of this year.

Ms. Rutherford reviewed all aspects of the site plan and described the 13,600 square foot building and the 72 parking spaces. There is a wetland buffer with Muddy Brook and the driveways will be off of Mountain Road as well as Ffyer Place. They are requesting a waiver from the regulation requiring 250 feet of separation for the driveway on Mountain Road to the Ffyer Place intersection to 210 feet to allow for better visibility and to maintain the buffer.

Ms. Rutherford also reviewed the traffic study and the drainage plan. There are extensive sidewalks and there will be benches and site lighting in keeping with the Town Center standard. They are planning on 350 shrubs, 1000 plants and 20 trees.

Mr. Winne asked about outside storage and she explained that there will be no outside storage, the dumpster and compactor will be located on the southern end of the property and will be screened. The receiving area will be ground level with no loading dock.

Architect, Kevin Paton presented the plan for the building and noted the colonial residential style gables on the building which will be a signature building for the town and for CVS. They have achieved their goal of making this bicycle and pedestrian friendly as well as interesting to look at. The majority of the façade will be taken up by windows and will have shutters on the inside. Gary McCoy reviewed the signage which will be colonial with carved letters and goose neck lighting. The signs have been reviewed and approved by the DRB.

Town Planner, Bill Hawkins then read his report into the record, noting that the latest revision of the plan dated May 15, 2014 included a storm water management report, traffic impact study. There is a capacity letter from the WPCA dated May 13, 2014. The Conservation Commission approved the site plan at their May 27, 2014 meeting, issuing Permit #1620. The Design Review Board (DRB) approved the building elevations and site design features on June 5, 2014. He stated that the proposed CVS retail store with a drive through pharmacy are permitted uses in the Town Center Village District (TVCD) and also noted that the applicant has agreed to provide a 30' wide emergency vehicle access lane and easement across their property from Mountain Road to the south property line which is entirely paved and is critical to the future development of the rest of the Ffyer Place parcel as there is only one main access point for the rest of the property. This easement will be filed on the land records. Mr. Hawkins recommended the requested waiver from 250 feet to 210 feet for the Mountain Road driveway to the intersection with Ffyer Place is recommended as the location will provide for greater site distance to the west for vehicles exiting the site. He also stated that the ornamental and parking lot lights details should be added to the plans.

Mr. Turbet then read his report into the record. He stated that the traffic impact of this proposal should be minimal and the drainage is proper and should have minimal impact on the receiving brook.

Mr. Sheehan asked if a drainage easement should be incorporated into the conditions and Mr. Turbet concurred that it would be appropriate.

Mr. Murphy then opened up the hearing for public input.
The following people spoke:

Enrique Alvarez, 463 South Main St, had concern about traffic and signage.

John Morgan, 123 Mountain Road, had concern that the entrance was not on Mountain Road, and the windows would not be transparent.

Mr. Kleinman responded that the entrance on Fyler place complies with the spirit and intent of the regulations. In summary, he stated that there are five standards of approval all of which have been met along with the approval of the DRB for the TCVD.

With nothing further Mr. Murphy called for a motion to close the public hearing.

Mr. Sheehan moved to close the public hearing. The motion was seconded by Ms. Bromage and carried unanimously, 6-0-0.

File #2014-14: Request for Special Permit/Site Plan approval for a Package Store located at 14 South Grand St. Map 16H, Block 24, Lot58.
Applicant - Frank Grillo

The applicant, Frank Grillo stated that the building used to have a package store and he would like to continue that use. He will be applying for a state liquor permit.

Mr. Hawkins read his report into the record. He stated that the Conservation Commission approved the plans on May 29, 2014 and The North Central District Health Department submitted a letter dated March 6, 2014 approving the use of the septic system for a package store with conditions. The applicant has sufficient parking and lighting and has met the criteria for a package store permit. He also noted that any signage would have to meet the West Suffield Design Review Board approval.

Mr. Turbet read his report into the record. He found that the minimal site changes shown on the plan were adequate for the proposed use.

There were not comments from the public.

With nothing further Mr. Murphy called for a motion to close the public hearing.

Mr. Winne moved to close the public hearing. The motion was seconded by Mr. Sheehan and carried unanimously, 6-0-0.

III. NEW BUSINESS

File # 2014-15: Request for 8-24 Report for Land Acquisition and Construction Easement for Branch Road cul-de-sac. Applicant – Board of Selectmen

Mr. Turbet gave a description of the project. There was a request from the property owners to put in a cul-de-sac which would necessitate acquiring property from two land owners. This will need to go to the Board of Selectmen and the town meeting. There was a survey done and this will initiate the process.

Mr. Sheehan moved to approve the 8-24 report. The motion was seconded by Mr. Kuras and carried unanimously, 6-0-0.

File # 2014-16: Request for Special Permit for Suffield Commons, Continuing Care Facility, to include Restaurant and Modification to Parking. Map 43H, Block 45, Lot 275
Applicant – Frank DeMarinis

Mr. Sheehan moved to accept the application and schedule the public hearing for the July 21st meeting. Mr. Winne seconded and the motion was carried unanimously, 6-0-0.

File # 2014-17: Request for a 2 Lot Subdivision, 422 South Main St. Map 35H, Block 48, Lot 96. Applicant – Matthew Zaczynski

Ms. Bromage moved to accept the application and schedule the public hearing for the July 21st meeting. Mr. Bucior seconded and the motion was carried unanimously, 6-0-0.

IV. OLD BUSINESS

File #7-05 – Request from Trademark Builders to reduce the recommended bond from \$384,000 to \$122,000 for the Greendale Village Active Adult Development located off of East Street North. Map 76 H, Block 45, Lot 134A

This discussion was continued from last month's meeting

Mr. Murphy stated that although this is not a public hearing, he would allow the residents in attendance to comment on the application.

Mr. Turbet read his report into the record. He reviewed the performance bond purpose and criteria for condominium developments and reviewed the various approaches that the commission could take. He also commented on past experience of the town calling bonds on various projects. Mr. Turbet revised his previous bond estimate and increased the recommended amount from \$114,000 to \$122,000 based on increases in pavement work. He strongly recommended that the Developer properly complete base course pavement repairs and install the surface course road pavement to prevent large scale deterioration with heavy vehicle use associated with building units.

Mr. Hawkins read a letter he received from the developer, Matthew Falkowski of Trademark Builders into the report. The letter detailed their commitment to the project and that estimates

for work they have received are consistent with the estimates of the town engineer. He stated that they are willing to increase their bond accordingly to \$122,000.00.

Mr. Murphy opened up the meeting for comment from the public.

Walter Paulekas, 50 Greendale Dr. Stated that he would like to have notice in the future of meetings on this.

Michael Katz, 40 Greendale Dr. questioned if the new amount is adequate. The intent of the residents is to be sure there is a bond posted that will help them finish the project if needed.

Mr. Sheehan had concerns about the base course of the road and that it would be important to put the final course on the road before the end of the construction season.

There was discussion that the development is up for renewal in 2015 which will be an opportunity to review the progress at that time.

Mr. Sheehan moved to approve the performance bond of \$122,000.00 as detailed by the town engineer in his June 13, 2014 report with the condition that adequate repairs to the base course of the road be made and the surface course be done in this construction season. Seconded by Mr. Winne.

There was further discussion on the motion and Mr. Sheehan amended his motion to state that if the developer fails to make the repairs and do the final course in time frame indicated he faces additional inspection and possible significant increases to the bond amount. This amendment was seconded by Mr. Winne and was carried unanimously, 6-0-0.

The amended motion was carried unanimously, 6-0-0.

File #2013-8A– Request from Krystal Woods Developers for a second 90 day extension of the filing date for Brushwood Estates Subdivision located off of Bridge Street Map 55 H, Block 47, Lot 14C

Mr. Winne moved to approve a ninety day extension for the filing date of this subdivision to September 20, 1914. Mr. Kuras seconded and the motion was carried unanimously, 6-0-0.

File #2014-12: Request for a Special Permit Renewal for a Sand & Gravel Pit located at Griffin Road. Map 7H, Block 3, Lot 22. Applicant – Lakeroad Materials, LLC.

There was discussion on including comments from town engineer's report in the conditions and it was stated that the level of the road and drainage could be worked out administratively with staff and the applicant. Also to be addressed with the applicant and staff would be the amount of the bond required. Mr. Hawkins stated that the condition that trucks queuing waiting to be filled should happen in the active area of the site, not on Lake Road. He also mentioned that the commission may want to require signage about the bus pick up and drop off area and times. There was additional discussion about the town improving the approach road if possible. That was not an issue that the commission could address but the selectmen might be able to take it under consideration.

The commission discussed the amount of truck trips and felt they did not have the authority to regulate the trips or the number of loaders further. There was discussion on the calcium chloride being used with water to keep dust under control and that it is used by the department of transportation and would be good to use as an option so it should not be excluded. There were questions about fuel storage on site and it was noted that that was not allowed. They will have to put in the equipment storage pad that is shown on the plan if they store equipment on site and/or refuel on site.

Ms. Bromage asked about ground water monitoring. Mr. Hawkins stated that the applicant would need to hire their own engineer to monitor ground water and submit the results to the Town Engineer annually. Ms. Bromage also asked about inspections of the property and if they would be at any time and Mr. Taylor stated that he could make inspections at any time without prior notice to the property owner. Dust control will be monitored by the site operator and staff will react to complaints on conditions.

With no further discussion, Mr. Murphy called for a motion on the application.

Mr. Sheehan stated that the applicant had met the conditions for a permit renewal and he moved to approve the application subject to the conditions enumerated in the memorandum of the town planner dated May 16, 2014, revised June 10, 2014 and also to include recommendations of the Town Engineer in his report of June 15, 2014.

Also to be incorporated in the conditions is a condition that the trucks would have to queue on the active five acres of the site and not on the road and a condition that signage be installed indicating the school bus area and times.

The motion was seconded by Mr. Bucior and carried unanimously, 6-0-0.

File #2014-13: Request for Special Permit/Site Plan approval for a CVS retail building and associated site work located at 157 Mountain Road. Map 34H, Block 32, Lot 2.
Applicant - TMC New England 2, LLC.

Mr. Sheehan moved to grant the waiver from Section III.H.3.b of the Zoning Regulations permitting the Mountain Road driveway entrance/exit location to be 210 feet from the Ff Tyler Place intersection as opposed to 250 feet. The motion was seconded by Mr. Bucior and carried unanimously, 6-0-0.

Mr. Sheehan stated that the applicant had met the conditions for a special permit and site plan and he moved to approve the application subject to the conditions enumerated in the memorandum of the town planner dated June 9, 2014, and also to include recommendations of the town engineer in his report of June 16, 2014 with the additional condition that an easement for the drainage pipe located on the property south of the site be added to the plans and filed with the Town Clerk's Office. The motion was seconded by Ms. Bromage and carried unanimously, 6-0-0.

File #2014-14: Request for Special Permit/Site Plan approval for a Package Store located at 14 South Grand St. Map 16H, Block 24, Lot 58.

Mr. Sheehan stated that the applicant had met the conditions for a special permit and site plan approval and he moved to approve the application subject to the terms and conditions in the town planner's report dated June 12, 2014 and the town engineer's report of June 14, 2014. The motion was seconded by Mr. Kuras and carried unanimously, 6-0-0.

V. REPORTS

Town Planner – Mr. Hawkins advised the commission that there is interest expressed by a solar company to install a solar array on 5-6 acres off of Mountain Road. There is nothing currently in the regulations to address this. Mr. Hawkins will investigate regulations in other towns. Mr. Sheehan offered to contact Capitol Region Council of Government (CROG) about this topic to see if they have recommendations.

VI. MINUTES

Mr. Sheehan made a motion to approve the May 19, 2014 regular meeting minutes as submitted, seconded by Mr. Bucior. 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 10:40 p.m.; seconded by Mr. Bucior. 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