

**SUFFIELD ZONING AND PLANNING COMMISSION
MINUTES OF REGULAR MEETING
March 16, 2015**

Present: Frank Bauchiero, Jr., Chairman
Charles Sheehan, Vice Chairman
Chester Kuras, Secretary
Mark O’Hara
Mark Winne
Jacek Bucior
Ginny Bromage, Alternate
Brendan Malone, Alternate

Absent: Gina Pastula, Alternate

Also Present: Bill Hawkins, AICP, Town Planner
Eleanor Binns, Administrative Secretary
Gerry Turbet, Town Engineer
Carl Landolina, Esq., Commission Counsel

The proceedings of this meeting were voice recorded.

I. ROLL CALL

Chairman Bauchiero called the meeting to order at 7:00 pm. He then asked Mrs. Binns to take a silent roll call.

For the record, Secretary Kuras read aloud the legal notice that was published in the Hartford Courant on March 12, 2015 and March 19, 2015.

II. INFORMAL DISCUSSION

Jordan Belknap of Lodestar Energy and Tim Coon of J.R. Russo and Associates presented preliminary plans for a two megawatt solar farm installation on 28 acres of a 50 acre parcel of land off of North Street and Halladay Avenue West, which is part of 1005 North. This application would ultimately come before the Connecticut Siting Council because of its size but they would like the input from the Suffield zoning and planning commission and to keep the ZPC informed of the plan. The solar panels would not be seen from North St. or Halladay Ave. and they would be screened with existing trees and additional plantings. The topography of the land would also make the panels hidden from view. They addressed, erosion controls, stormwater runoff (which would not change) security fencing, and access roads.

Utility poles would connect the power to the utility company and would be coming off of North St. Commission members suggested that the project developers investigate having the wires buried rather than above ground if possible. Mr. Belknap explained that there would be a twenty year lease on the property for the solar array. Mr. Sheehan asked if there would be an aviation glare issue and suggested that they investigate that. Mr. Belknap indicated that they have not yet submitted the plan to the Siting Council and would address all issues going forward.

Commission members thanked them for the presentation and stated that it looked like a good location for a project of that type.

III. PUBLIC HEARING

File # 2015-2A, B & C: Application pursuant to Connecticut General Statute 8-30g for 171 multifamily housing units located at 898 East Street South with the nearest intersection being Boston Neck Road. Map 69H, Block 55, Lot 83. Applicant –Hamlet Homes, LLC

Applications include:

A – Zoning Regulation Text Amendment Application

B – Zone Map Amendment Application

C – Site Plan Application

Chairman Bauchiero called on Attorney Landolina to review the Commission's scope of review for this application that is made pursuant to State Statute Section 8-30g application. These applications are specific to affordable housing and are not required to comply with local zoning regulations. Attorney Landolina stressed that the only reasons to deny an application would be to protect a substantial interest in public health and safety. These concerns would have to be specific and quantifiable and would have to clearly outweigh the need for affordable housing. Suffield has less than 10% of its' housing stock as being considered affordable which means the Town needs more affordable housing in the eyes of the State. The risk to public health and safety also needs to be shown that these risks cannot be mitigated in changes to the plan. Attorney Landolina noted that, in this application, 30% of the units would have to be set aside as affordable. He explained that the applicant is applying for a text amendment which would create a Housing Opportunity District (HOD) and this would be the standard that their application will have to meet.

Mr. Kuras asked about the Water Pollution Control Authorities' concerns and Mr. Landolina explained that those issues would have to be addressed by that commission not the ZPC.

Chairman Bauchiero then asked the applicant to present the application.

Mr. Mark O'Neill of Hamlet Homes, LLC introduced himself and explained his reason for developing this type of project. He stated his motivation was to have affordable housing for moderate income people with a mix of options of rental and single family town houses. He wanted to keep the density below what would be allowed, to keep the open space surrounding the property and has taken care to have the housing in character with the town of Suffield. He also noted that in addition to the 30% set aside for affordable he will be having 10% set aside for those with restricted mobility including wounded war veterans.

He then introduced land use attorney, Robin Pearson of Alter & Pearson, LLC who began the power point presentation and introduced the other members of the design team.

Note: this power point is on the Zoning and Planning Department page of Town of Suffield Web site Ms. Pearson gave an overview of the site and talked about the process with an affordable housing development. She mentioned that some of the plans are being reworked to incorporate suggestions of ZPC staff and would be ready by the next meeting.

This is a 30.75 acre site and there are 171 units planned, 96 of which will be rental and 75 would be for home ownership. This is a three application process; they are applying for a text amendment to create the HOD zone, then they are seeking to have this project accepted in that

zone and lastly they are seeking approval of the specific site plan which would contain all the details of the project.

Ms. Pearson explained that 30% of the units (52) would be income restricted with 15% of these for persons eligible who make 80% of the average median income (AMI) and 15% reserved for people who make 60% of the AMI. The current AMI for a family of four in Suffield is \$85,700.00. These affordable units would have a forty year deed or lease restriction to keep them affordable. The remaining 119 units would be sold or rented at market value. The affordable units will be interspersed evenly throughout the development and would not be discernable from the market value units. There would be an affordability plan administrator which is a requirement of this type of development. Ms. Pearson then reviewed the examples of income levels that would qualify for the affordable units and the rent ranges that of all the units would be in based on size of the unit.

Chris Ferraro of Fuss & O'Neill continued with the presentation describing how the plan related to the Suffield Plan of Conservation and Development which addresses affordable housing as needed and desirable. He went on to describe the location of the property and the physical characteristics. The site slopes to the east which mitigates the visual impact from neighboring properties. He indicated that the rental units would be at the farthest point south on the property and there would be 49% open space with buffering vegetation, much of which is existing around the perimeter of the site. Slides were shown indicating the existing conditions as well as the locations of all proposed rental units and townhouse units which are planned to be constructed in five phases. Additional slides were shown indicating proximity to existing houses, the closest being 220', how these would be buffered and the view from the entrance on East St. Architectural renderings of the proposed town houses and apartments and the plan for the five phases of development were also shown in the slides.

Mark Vertucci of Fuss & O'Neill continued the presentation and described the traffic conditions as they exist currently and how the proposed project would impact traffic based on the study that they did giving details on the specifics of the study. They found that the project would have no significant impact on the traffic operations within the area. F.A.Hesketh and Associates reviewed their analysis and concurred. If the project is approved, the Department of Transportation and Office of the State Traffic Administration will also have to review the project and approve any curb cut into East St.

Ron Bomengen of Fuss & O'Neill presented the slides on erosion control and storm water management. He described in detail the erosion controls during construction and the storm water management plan which includes rain gardens, catch basins, level spreaders and subsurface infiltration systems. The storm water pipe network design will be for a 50 year storm which meets the commission standard. He stated that there are adequate utilities to serve the site.

Ms. Pearson noted that they had met with assessors office and the estimated tax revenue from this project would be \$498,016.00 annually and all the roads and the trash removal and recycling would be privately maintained. She concluded saying that they would continue to address concerns of the staff and they would reserve the right to make additional comments and answer questions in the continued public hearing.

The chairman then opened up the meeting to questions from the commission members.

Mr. Sheehan asked about the WPCA access road and was concerned about the detention basin and its proximity to the buildings. He asked about having a maintenance schedule for the sediment traps and the time that it would take for the basins to empty. He asked that these details be given to the town engineer.

Mr. O'Hara asked about why the applicant had chosen to go with a text amendment and asked for examples of health and safety issues that would constitute the denial of a project.

Ms. Pearson and Mr. Landolina gave examples and explained the choice of text amendment application. Mr. O'Hara asked about concerns regarding odors from the WPCA. Discussion ensued and Mr. Landolina stated that this would be addressed by the WPCA and there would have to be expert testimony stating that the proximity to the sewage treatment would be a health and safety concern.

Ms. Bromage was concerned about the catch basins as a hazard and wondered if they should be fenced. Mr. Bomengen stated that they met the guidelines without fencing and therefore was not planned. He also noted the proximity to Stony Brook and the Connecticut River in the area.

Mr. Landolina inquired about the affordability plan administrator and Ms. Pearson said at this time it would be Hamlet Homes, LLC.

Mr. Bauchiero then asked for reports from staff.

Note: Staff reports are on the Town of Suffield Web site

Mr. Hawkins summarized his reports. The first report addresses files 2A & 2B which details the request for a text amendment to establish an HOD district and then to change the zone of this property from R-25 to the HOD district zone. The report gives an analysis of the HOD and compares it to the existing PDA regulations. It explains hearing the applications and the decision to have them done at one hearing.

Mr. Hawkins summarized his second report which addresses the site plan 2015-2C. The report has a detailed description of existing conditions and the proposed conditions. He stated that the applicant had been given a list of comments by staff and that those comments are being addressed in revised drawings that will be forth coming. He also noted that due to snow conditions, he and the town engineer have not been able to physically walk the site to determine other recommendations that they might have as a result.

Mr. Hawkins's report also has a density chart comparing other developments in town to this proposal. He recommended that the deeds to these properties and the rental contracts have some type of caveat stating that noise and odors from the sewage treatment plant might be experienced.

Mr. Turbet then summarized his report which he noted was a preliminary review. He expressed concern about the number of parking spaces, the lack of road names, crossing of the treatment plant access road, additional sidewalks needed and the need for temporary turnarounds for emergency vehicles. He noted that he expected that the applicant would be addressing many of these issues with revised plans. He made comments on the drainage and noted that the drainage plans were still under review and needed more detail.

Mr. Turbet's report indicated concerns about the steep slopes in the vicinity of buildings 22 and 25 and he stated that he would need to visit the site to see this first hand.

Commission then discussed hiring a geotechnical expert independent from the applicant's team to assess the stability of slopes on the property. The applicant was asked to put stakes on the property to indicate where the proposed buildings would be on the north side that was of particular concern.

Chairman Baucherio then opened the hearing to the public for comments.

The following people made comments in opposition:

Maura Mahalsky, 864 East St. S. Had concerns about the noise that will be coming from the units and proximity of the development to her property.

Brennan White, 1040 Paper St.

Presented a map with radii showing certain distances from the sewer treatment plant and the cell phone tower on adjacent property. He had concern about eliminating the buffer from these and that this should not be built in proximity to the treatment plant and cell tower. He felt that this was a health issue due to biological and chemical emissions from plant and was concerned about response time in emergencies because of layout.

Thomas Doane, 1039 Paper St. concerns about the buffer. Stated that smells do come from the treatment plant in the summer.

Ryan Lateano, 810 East St. S. stated that there is not enough of a buffer.

Resident at 884 East St. S. concerned about impact on the school system.

Brennan White, 1040 Paper St. submitted information on the cell tower for the file.

Deena Rollet, 1066 Paper St. concerned about slopes on north side by Stony Brook and the safety issue of being by the canal on the east.

John Egan, 773 East St. S. concern about adding more students to the schools, crime problems, sewer plant proximity.

Deborah Agrafojo, 8 LaFountain Rd. concerned about added traffic, additional children to schools, and property values.

Wayne Gustafson, 970 Boston Neck Rd. concerned about the sidewalk ending at the main road as a safety issue and concerned with rushing water in Stony Brook during storms.

With no further comments the chairman asked for a motion to continue the public hearing.

Mr. Sheehan moved to continue the public hearing to the April 20th meeting.

Motion seconded by Mr. Bucior and approved unanimously, 6-0-0.

IV. OLD BUSINESS

File # 2014-21: Request for a 2 lot resubdivision on the north side of Spruce Street nearest intersection being North Grand Street. Map 20, Block 17, Lot 26 – Applicant – Elizabeth & Joseph D’Amico

The public hearing for this application was closed at the February 23rd meeting, but action had been tabled for staff to get clarification from the North Central Health District on concerns of coliform in area wells. Mr. Turbet spoke to Mike Corona at the NCHD, and he indicated that there were no current complaints in the vicinity of this property and that coliform problems with wells would be on a case by case basis to individual wells not in an entire area. He stated that the letter dated July 29, 2014, approving the proposed lot for a well and septic system was still valid and in order.

The Chairman called for a vote and Mr. Kuras moved to approve the following waivers:

- Sidewalks per Section 308a.
- Curbs and Gutters 308.c.
- Scale of subdivision plan from 40 Scale to 100 Scale per Section 308.d
- Streetlights per Section 918
- Open Space per Section 800 – Fee-in-lieu of open space of \$3,000

The motion was seconded by Ms. Bromage and was approved unanimously by the four members who had been in attendance for the February 23rd hearing. (Malone, Bromage, Kuras, Sheehan)

Mr. Kuras then moved to approve the application with the following conditions:

- On the resubdivision plan, replace the note “rebar to be set” on the front line with “merestone to be set”.
- Standard Approval Conditions 1-4, 6, 7, 9, and 11.

The motion was seconded by Ms. Bromage and was approved unanimously by the four members who had been in attendance for the February 23rd hearing. (Mallone, Bromage, Kuras, Sheehan)

V. REPORTS

Chairman – no report

Town Planner – Mr. Hawkins advised the commission that the First Selectman has appointed a committee to review regulations for keeping chickens and make recommendations to the commission for a text amendment. The first meeting is scheduled for March 24th and commission members, Mark O’Hara and Mark Winne have been asked to serve on the committee.

VI. MINUTES

Mr. Sheehan made a motion to approve the February 23, 2015 regular meeting minutes as submitted, seconded by Mr. Kuras. Motion carried 4-0-4 with Mr. Bauchiero, Mr. Winne, Mr. O’Hara and Mr. Bucior abstaining because they were not in attendance at that meeting.

VII. CORRESPONDENCE

Chairman Bauchiero advised commission members of the Connecticut Federation of Planning & Zoning Agencies (CFPZA) correspondence about their annual conference on March 26, 2015 if any of the members would like to attend.

ADJOURNMENT

With nothing further to come before the commission, Mr. Sheehan made a motion to adjourn at 10:45 pm; 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