

**SUFFIELD ZONING AND PLANNING COMMISSION
MINUTES OF REGULAR MEETING
DECEMBER 20, 2010**

Present: Chester Kuras, Vice Chairman
Frank Ravenola, Secretary
Glen Vincent
John Murphy
Ellie Binns

Absent: Frank E. Bauchiero, Jr., Chairman
Gina Pastula, Alternate
Charles Sheehan, Alternate
Mark Winne, Alternate

Also Present: Bill Hawkins, Town Planner
Jim Taylor, Zoning Enforcement Officer
Gerry Turbet, Town Engineer
Karen Doyon, Administrative Secretary

The proceedings from the meeting were voice recorded.

I. ROLL CALL

Vice Chairman Kuras served as Chairman. Acting Vice Chairman Kuras called the meeting to order at 7:00 pm and asked the Administrative Secretary to take a silent roll call. Secretary Ravenola read the legal notice that was published in the Hartford Courant on December 9, 2010 and December 16, 2010.

II. PUBLIC HEARINGS

File # 82-2010: Special Permit request from Blue Sky Builders/Kirk McNaughton for a Flexible Residential Development [FRD] “Deer Cliff”, located off Newgate Road, Map 6, Block 11, Lot # 58B & 58B-1.

File # 83-2010: Request for 7-lot resubdivision “Deer Cliff”, from Blue Sky Builders/Kirk McNaughton located off Newgate Road, Map 6, Block 11, Lot # 58B & 58B-1. These files were heard concurrently. Representing Kirk MacNaughton of Blue Sky Builders, LLC was Robert J. Arsenault, P.E. of East Hartford, and Attorney David Hoops of Hartford. Applicant Kirk MacNaughton was also present. Mr. Arsenault reported that the applicant is requesting a seven [7] lot Flexible Residential Development [FRD] on thirty-seven [37] acres within an R90 zone. Mr. Arsenault proposes that the seven [7] lots will include an eleven hundred [1,100] linear foot roadway and each lot will contain at least ten-thousand [10,000] square feet developable area. He reported that the individual driveways will be less than two hundred-fifty [250] feet in length.

Mr. Arsenault reported that they exceed the required acreage for open space. The applicant is proposing 21.35 acres of open space divided into areas A, B and C. Area A would be dedicated to the Suffield

Land Conservancy, totaling 14.24 acres. Areas B and C would be dedicated to Metacomet Lane Homeowners Association.

Mr. Arsenault reported receiving approval from North Central District Health Department on August 20, 2010 for the wells and septic systems. Mr. Arsenault reported receiving approval from the Conservation Commission on December 14, 2010. Mr. Arsenault reported that the applicant is seeking a waiver for sidewalks, and a partial waiver for street lights as they are proposing only two [2], one at the intersection of Metacomet Lane and Newgate Road and one at the end of the proposed cul-de-sac.

Mr. Arsenault discussed drainage regarding the three [3] water sheds and described the design points numbered one, two and three as follows;

1. A portion drains into the detention basin while the remainder drains to the wetland area.
2. No change to water shed as it is now open space.
3. Remainder of flow-into a pipe detention area which drains to Newgate Road.

Secretary Ravenola asked Mr. Arsenault to explain in more detail the waiver request. Secretary Ravenola asked if the path leading to the Metacomet Trail was removed, Mr. Arsenault said yes. There was a brief discussion regarding the two [2] catch basins at the Newgate Road intersection mentioned in the Conservation Commissions approval letter. Secretary Ravenola expressed his concerns about drainage and maintenance of drainage structures; this prompted a brief discussion by Mr. Turbet explaining areas that may be of concern. Mrs. Binns asked if the Town would become involved with drainage if the Homeowners Association breaks their agreement, Mr. Turbet responded. Mr. MacNaughton stated that a declaration of the Homeowners Association would be modified so the burden is not on the neighbors, giving the Zoning and Planning Commission authority to force the Association to pay any fees that may be incurred if the Town would need to intervene.

Mrs. Binns asked why one of the street lights were eliminated, Mr. MacNaughton responded. Mr. Hawkins explained that there is note on the plans stating that the parcel is subject to two pole line easements. Vice Chairman Kuras asked that the applicant explain why and where the alternate driveway will be incorporated in the plans, Mr. MacNaughton responded. With nothing further, Acting Vice Chairman Kuras asked Mr. Hawkins to read his report.

Mr. Hawkins read his report dated December 14, 2010, addressed to the Zoning and Planning Commission. Mr. Hawkins reported that he has read the application in its entirety, and that it includes the following:

- a. Statement of purpose dated 11.11.2010.
- b. Approval letter from NCDHD dated 8.20.2010.
- c. Waiver request dated 11.30.2010.
- d. Seventeen sheet set of plans [latest revision of 12.7.2010].
- e. Letter from Suffield Land Conservancy
- f. Deer Cliff Estates Declaration for the Homeowners Association.

Mr. Hawkins reported that staff walked the property on 11.30.2010 and reported on the following:

- 1. Existing Conditions**
- 2. Proposed Conditions**

- Lot Configuration
- Utilities
- Open Space
- Waivers
- Street Tree Plantings and Screening
- Homeowners Association [HOA]
- Drainage & Sight Distance

3. Analysis

- Lot Configuration
- Utilities
- Open Space
- Waivers
- Tree Plantings & Screening
- Homeowners Association
- Plan of Conservation and Development [POCD]

4. Considerations

- 5. *Attached: Subdivision Standard Approval Conditions-Town of Suffield*

Mr. Hawkins reported that Attorney Landolina is currently working on the Homeowners Association Declaration and is not ready to submit his comments at this time. Mr. Hawkins reported that the Conservation Commission approval letter dated 11.16.2010 had some recommendations for the Commission to consider regarding tree clearing and drainage easements.

Secretary Ravenola asked if the homeowners or the builder would be responsible for the installation of sidewalks. Mr. Hawkins said that if the Commission does not want to grant the waiver request for sidewalks, changes may need to be made to the Homeowners Association Declaration. With nothing further Acting Vice Chairman Kuras asked Mr. Turbet to read his report.

Mr. Turbet read his report dated December 16, 2010, addressed to the Zoning and Planning Commission. Mr. Turbet reported that he reviewed the 17 page set of plans [latest revision date of 12.7.201] in its entirety. Mr. Turbet reported that the change from public to private road means that the maintenance responsibility for public facilities related to the road will be the responsibility of the Homeowners Association. Mr. Turbet continued his report with the following:

- 1. Traffic and Sight Distance**
- 2. Roads and Driveways**
- 3. Drainage**
 - Existing [predevelopment] drainage areas
 - Post Development drainage areas and facilities
- 4. Underdrains**
- 5. Drainage Calculations and Maps**
- 6. Drainage impacts on the subdivision lots**
- 7. Utilities**
- 8. Waivers**
- 9. Plan Review Comments**

10. Approval Recommendations

Secretary Ravenola asked Mr. Turbet to explain site distance, Mr. Turbet responded. Mr. MacNaughton reported that he had a submission for the Commission to update the plans in response to Mr. Turbet's comment. Mrs. Binns asked Mr. Turbet why he only requested one sidewalk versus two, Mr. Turbet gave an explanation.

With nothing further Acting Vice Chairman Kuras opened up the public hearing to those who wished to speak in favor of the application. With none, the Acting Chair opened up the public hearing to those who wished to speak in opposition to the application, they were as follows:

1. Bobbie C. Kling – 1120 Newgate Road, had concerns with private road, maintenance, Homeowners Association, Department of Environmental Protection [endangered species] Natural Diversity Database, waiver for sidewalks and drainage.
2. Bruce Millick – 1170 Newgate Road, [not for or against application] had concerns about drainage, legally binding document for the homeowners, emergency vehicle access, CL&P easement, streetlights.
3. Clarence Wrenn – 1048 Newgate Road, had concerns with open space and Homeowners Association.
4. Alan Lamas – 1181 Newgate Road, had concerns about drainage and Homeowners Association.

These concerns prompted a brief discussion regarding the Homeowners Association document. Mr. Taylor recommended that Attorney Carl Landolina should come to the January 24th meeting to answer any questions regarding the document.

Attorney Dave Hoops addressed Acting Vice Chairman Kuras to discuss the Homeowners Association document. He reported that the Commission could make items of concern a condition of the approval and he reported that the applicant would have no problems with scheduling maintenance as part of the condition of approval.

Mr. Vincent asked the abutter to the south if he farms his land, the abutter responded no. With nothing further, Acting Vice Chairman Kuras continued the Public hearing for File # 82-2010 and File # 83-2010 to January 24, 2011 regular meeting date.

III. NEW BUSINESS

File # 84-2010: Request from Suffield Little League for approval under Section III.M.3.b. to install outdoor lights at Christian Fields, Hale Street, Map 30, Block 25, Lot # 55. Applicant: Chip Dyer. Mr. Hawkins reported that the applicant submitted an abutter's list [date stamped 12.20.2010]. Mr. Hawkins reported that he informed the applicant to check with Bradley Airport and the Federal Aviation Administration to find out if there are any requirements they need to comply with given the proposed height of the lights in proximity to the airport. Secretary Ravenola made the motion to accept File # 84-2010 request from Suffield Little League for approval under Section III.M.3.b to install outdoor lights at Christian Fields, and set the public hearing date to January 24, 2011, seconded by Mr. Vincent. Motion carried unanimously 5-0-0.

IV. OLD BUSINESS

File # 17-05A: Request from Blue Sky Builders, LLC to release road improvement bond for Deep Woods Subdivision, located off Thrall Avenue, Map 65H, Block 45, Lot # 247. Applicant Kirk MacNaughton. Mr. Turbet gave a report on the driveways in close proximity to slopes and high points, and sight distance according to the plans. Mr. Turbet reported that as of 12.20.2010 soil was added to back-up the curbing which completed the work to be done. Mr. Turbet reported that paving and sight distance verification for driveways on Thrall Avenue was completed and he recommended to the Commission that the \$10,000 bond for driveways be released. Secretary Ravenola made the motion to approve the request from Blue Sky Builders, LLC to release road improvement bond for Deep Woods Subdivision, located off Thrall Avenue, File # 17-05A, seconded by Mr. Murphy. Motion carried unanimously 5-0-0.

V. REPORTS

Acting Chairman Kuras did not have anything to report to the ZPC. He asked Mr. Hawkins if he had something to discuss. Mr. Hawkins began to explain several items which included the following;

Open Space Plan – Mr. Hawkins explained that a couple of items that were discussed to be done once the Plan of Conservation and Development had been completed. These items include the need to update our Subdivision Regulations and the need for an Open Space Plan. He mentioned that he would prefer to start on an open space plan rather than the subdivision regulations at this point. Mr. Hawkins felt that while the subdivision regulations are a bit dated and in need of revision, they are still functional. Mr. Hawkins further opined that having an open space plan in place prior to revising regulations will be helpful when they are worked on.

Alternative Energy Regulations – Mr. Hawkins explained that he met with John Donahue P.E. of the Alternate Energy Committee in which they discussed several items. Mr. Hawkins told the ZPC that he would like to propose draft regulations regarding wind towers, solar panels, and geothermal heating and cooling systems for residential use. He said he would work closely with Mr. Donahue and the Alternate Energy Committee when drafting any regulations regarding these issues. Mr. Vincent cautioned the ZPC that these technologies are changing quickly and a regulation now may need to be changed in the near future.

AT&T – Town staff met with representatives of AT&T regarding the installation of VRAD cabinets in town to support their U-verse service. AT&T said they have approximately 14 sites in Suffield they would like to install these cabinets and that they would send staff a map or list of the locations as soon as possible. Mr. Hawkins told the commission that AT&T's preference is to mount the cabinets on their own telephone poles but that some would need to be installed on a concrete pad. AT&T will send letters to the town and abutters 30 days before they would like to install the equipment. During these 30 days is when the town and/or abutter can suggest screening or their preference for a different location. Mr. Hawkins told the ZPC that he made it clear to the AT&T representatives that Main Street and the Historic District should be avoided.

Bridge Street School Property – Mr. Hawkins spoke about the Board of Selectmen’s wish to present a bonding package to the Town for several projects. One of the projects would be the use of the field next to Bridge Street School for a new library and that he was looking for the ZPC to offer their opinion’s regarding the used of this land for a library. There was a brief discussion regarding the current library, Bridge Street School, and the projects proposed for bonding. Mr. Hawkins also mentioned that there will be a town meeting on January 4th regarding the projects proposed for bonding and to vote on the purchase of development rights for the Leahey Farm on Taintor Street.

Mr. Hawkins also told the Commission that he was approached by the new owner of the post office building in the West Suffield Village District. He mentioned the new owner will be coming to the ZPC for approval to put a building in the grassed area in front of the building and that he would be looking to make some improvements to the current building. Mr. Hawkins explained the West Suffield Design Review Board process and that he was available to help in any way he can.

VI. MINUTES

Acting Vice Chairman Kuras asked the Commission if they had any changes to be made to the November minutes. With none, he asked for a motion. Secretary Ravenola made the motion to approve the November 15, 2010 regular meeting minutes with no changes, seconded by Mr. Vincent. Motion carried unanimously 5-0-0.

VII. CORRESPONDENCE

Approval of the Suffield Zoning and Planning Commission – 2011 Meeting Schedule. Secretary Ravenola made the motion to approve the 2011 Meeting Schedule, seconded by Mr. Vincent. Motion carried unanimously 5-0-0.

Discuss emails regarding windows installed at 82 North Main Street.

Acting Chairman Kuras asked Mr. Hawkins to explain what is happening with the windows installed at the Continuing Care Retirement Community located at 82 North Main Street. Mr. Hawkins began explaining the timeline of events as he understood them regarding the approval of the project. Mr. Hawkins said on March 1, 2010 the Historic District Commission (HDC) met with the applicant to discuss the design of the proposed building for 82 North Main Street. He explained that the HDC approved of the building including the windows to be installed in the original house and proposed addition. On March 9, 2010, the applicant met with the Design Review Board (DRB) to discuss the proposed building. The DRB approved of the project but made a motion that the windows to be installed in the original house be replaced with twelve over twelve divided light windows. The motion was passed with a vote of 4-1 with a dissenting vote by the Chairman of the HDC (who is also a member of the DRB). Mr. Hawkins explained that as he understands it, the HDC met again in early April to discuss the windows and the recommendation from the DRB that the windows in the original house be replaced with twelve over twelve windows. The HDC did not agree with the DRB recommendation which has led to the recent emails regarding the windows now that they have been installed into the building.

Commission member John J. Murphy expressed his opinion regarding the windows and felt that the ZPC approved of the project which included the DRB recommendations. Mr. Murphy questioned the applicant's installation of the windows that the HDC approved without consideration of the ZPC approval. Mrs. Binns asked for clarification of what HDC approved. Mr. Ravenola asked what the approval process involves regarding the HDC and DRB. There was a brief discussion regarding the timeline of events regarding the window approval. William Hansen – Member of the DRB - questioned the timeline of events and the applicant's disregard of DRB and ZPC approvals. Mr. Hansen told the ZPC that he was at the DRB meeting and the applicant was completely on board with the twelve over twelve windows and that at some point after the DRB meeting the applicant either acted on his own or was advised to follow the HDC approval. A brief discussion of next steps ensued and the ZPC felt that the applicant needs to be told there is a disagreement over the windows and something needs to be done.

Mr. Murphy made a motion that the Zoning Enforcement Officer notify the owner of 82 North Main Street that they are in violation of the ZPC approval, specifically the DRB approval for the historic home and the addition which was incorporated into ZPC approval and to have the owner inform the ZPC as to how this can be corrected. Seconded by Glen Vincent. Motion carried unanimously.

VIII. ADJOURNMENT

With nothing further, Mr. Vincent made the motion to adjourn the December 20, 2010 regular meeting at 9:00 p.m., seconded by Secretary Ravenola. Motion carried unanimously 5-0-0.

Respectfully Submitted,

Francis Ravenola, Secretary

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