

**SUFFIELD ZONING AND PLANNING COMMISSION
MINUTES OF REGULAR MEETING
JANUARY 24, 2011**

Present: Frank E. Bauchiero, Jr., Chairman
Frank Ravenola, Secretary
Glen Vincent
John Murphy
Ellie Binns
Mark Winne, Alternate
Gina Pastula, Alternate

Absent: Chester Kuras, Vice Chairman
Charles Sheehan, Alternate

Also Present: Bill Hawkins, AICP, Town Planner
Jim Taylor, Zoning Enforcement Officer
Gerry Turbet, Town Engineer
Karen Doyon, Administrative Secretary
Carl Landolina, Commission's Counsel

The proceedings from the meeting were voice recorded.

I. ROLL CALL

Chairman Bauchiero called the meeting to order at 7:00 pm and asked the Administrative Secretary to take a silent roll call. There was no legal notice to read into the record.

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. Chairman Bauchiero announced that staff has not received a signed letter from the landowner(s) giving permission for Suffield Little League to install outdoor lights; therefore the public hearing would not be opened.

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. This Public Hearing is continued from the December 20, 2010 regular meeting. These files were heard concurrently. Present were Robert J. Arsenault, P.E. of East Hartford, Attorney David Hoops of Hartford, and applicant Kirk MacNaughton of Blue Sky Builders, LLC. The applicant is requesting a seven [7] lot Flexible Residential Development {FRD} on thirty-seven [37] acres within an R90 zone. The applicant is seeking approval for an eleven hundred [1,100] linear foot private road. The applicant

is proposing 21.35 acres of open space with an area dedicated to the Suffield Land Conservancy [totaling 14.24 acres]. The applicant has received approvals from North Central District Health Department, and the Conservation Commission. The applicant is seeking a waiver for sidewalks, streetlights and a waiver regarding the subdivision plan scale to be 1 inch = 100 feet versus 1 inch = 40 feet.

Mr. MacNaughton reported that his Attorney Mr. Svonkin reviewed changes made by Commission's Counsel regarding Deercliff's Homeowners Association [HOA] Declaration, and that his Engineer revised the plans per the ZPC's comments at the meeting in December. Mr. MacNaughton reported that he referred to REMA Ecological Services, LLC to respond to a letter from CT Department of Environmental Protection [DEP] dated 1.6.2011 regarding records of Eastern Box Turtle [*Terrapene c. carolina*] from the vicinity of the proposed site. Mr. MacNaughton stated that the report from REMA dated 1.18.2011 was given to staff. With nothing further Chairman Bauchiero asked Mr. Hawkins to read his report.

Mr. Hawkins read his updated report dated 1.20.2011 addressed to the Zoning and Planning Commission with the following comments:

Per Mr. Hawkins recommendation at the December meeting, the updated plans [dated 1.17.2011] include an additional streetlight for a total of three. Mr. Hawkins briefly discussed the three [3] recommendations proposed by REMA to prevent harm to the Eastern Box Turtle if they are found at the proposed site during construction. Mr. Hawkins briefly discussed waivers, the Connecticut Light and Power Agreement, and the added five [5] additional considerations to the conditions of approval. With nothing further, Chairman Bauchiero asked if there were any questions. With none, Chairman Bauchiero asked Mr. Turbet to read his report.

Mr. Turbet read his updated report [noted by highlights] dated 1.20.2011, addressed to the Zoning and Planning Commission with the following comments:

Mr. Turbet reported that his comments regarding maintenance responsibility for the private road have been incorporated into notes on sheets four and five of the plans. Mr. Turbet reported that the recorded sight distance on sheet six needs to be revised to read "475 feet south and 425 feet north" in each direction to eliminate conflict. Mr. Turbet reported that the first twenty feet of each driveway will be paved and there is now a note stating such on sheets four and five of the plans. Mr. Turbet reported that a streetlight was added to the subdivision plan for added safety and the waiver request was made for the scale of plans from 40 scale to 100 scale. Mr. Turbet reported that Robert J. Arsenault submitted a recommended bond estimate dated 1.24.2011 [and made part of the file]. Mr. Turbet reported that under the "Plan Review Comments" of his report, all eight items have been addressed. With nothing further, Chairman Bauchiero asked if there were any questions. There were none.

Mr. Taylor stated that if there is a motion to approve, the responsibilities of the Association in this HOA agreement should also be noted in the conditions of approval. Chairman Bauchiero asked Attorney Landolina to report on the HOA Declaration and issues with Northeast Utilities.

Attorney Landolina reviewed all documents/letters from Northeast Utilities Service Company [NU] regarding an encroachment request from a subsidiary company Connecticut Light and Power [CL&P] to

construct a road crossing near the North Bloomfield-Franconia, 115KV right-of-way. Attorney Landolina reported that the letter from NU dated 11.17.2003 could be added to the plans and would not inhibit the closing of the Public Hearing. Attorney Landolina reported that he and Attorney Svonkin would work out any logistics. Attorney Landolina investigated language on all documents dating back to 1960 from NU, including documents from the First Selectmen, and a complete review of documents and application to the Zoning Board of Appeals. Attorney Landolina reiterated that his practical concern should be that the NU letter dated 11.17.2003 be made part of the record and recorded in the Town Clerks office. Attorney Landolina briefly discussed the responsibility of maintenance for the private road and suggested that the Town Engineer put together a Maintenance Schedule to be made part of the record.

Mr. MacNaughton reported that he would not have a problem adding a Maintenance Schedule to the plans. Mr. MacNaughton gave a synopsis of what transpired between the First Selectmen, the applicant and CL&P during the 2007 application. He stated that the letter from NU dated 11.17.2003 was the last correspondence agreed upon between NU and himself. Attorney Hoops agreed that the Town Engineer could be part of putting a Maintenance Schedule together. Mr. Taylor agreed that there is a need for a Maintenance Schedule and it should be added to the conditions of approval; which would allow enforcement actions if a problem arises. Chairman Bauchiero prompted a brief discussion regarding the capital reserve fund for the HOA Declaration at which Attorney Landolina and Mr. MacNaughton responded. Mr. Ravenola asked what the estimated cost would be for asphaltting the private road and curbs. There was a lengthy discussion regarding drainage; what is proposed in the plans, any possibility of drainage impact to the neighbors, and discussions regarding the creation of a periodic drainage report. Mr. Turbet reported that the bond in a form acceptable to the Town Treasures office needs to be in place prior to the Commission signing approved plans. Chairman Bauchiero asked Attorney Landolina if he had any concerns, Attorney Landolina responded “No”.

With nothing further Chairman Bauchiero opened it up to the public for those who wished to speak in favor of the application. With none, the Chair asked for those who wished to speak in opposition to the application. They were as follows:

Bobbie C. Kling – 1120 Newgate Road, had concerns about maintenance of drainage systems, concerns regarding proposed maintenance schedule for drainage, and any long term effect it may have on the neighbors.

Bruce Millick – 1170 Newgate Road, asked whom he would contact in the Town to assist him with drainage problems [He would contact the Town Engineer]. Concerns with Town response if drainage system problems cause flooding of his property. [Attorney Landolina responded that the Town may respond, but is not required to respond. Mr. Millick has legal remedies.] Concerns with responsibility of maintenance of the roads and drainage.

Clarence Wrenn – 1048 Newgate Road, had concerns with water and drainage, and parked cars waiting for the school bus at the end of the private road and onto Newgate Road.

With no additional comments from the public or the applicant, Chairman Bauchiero closed the public hearing at 8:12 p.m.

III. NEW BUSINESS

File # 85-2011: Request from 343 Boston Neck Road, LLC for a four [4] lot subdivision “Meadow Lane” located at 343 Boston Neck Road; Map 45H, Block 48, Lot# 8. Mr. Hawkins gave a location on Boston Neck Road where the applicant is proposing the subdivision, and reported that the application is complete. Mr. Hawkins briefly discussed what the applicant is proposing, and recommended setting a public hearing date. Secretary Ravenola made the motion to accept File # 85-2011, request from 343 Boston Neck Road, LLC for a four [4] lot subdivision “Meadow Lane” and set the public hearing date for February 28, 2011, seconded by Mr. Vincent. Motion carried unanimously 5-0-0.

IV. OLD BUSINESS

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. After a brief discussion it was decided to table File # 82-2010 and File # 83-2010 to the February 28, 2011 regular meeting in order to put together information regarding a maintenance schedule.

V. REPORTS

Chairman – Based on a letter received from Somerset Companies regarding the cash bond for Stony Brook Farm II [File # 25-03A], the Chair asked Mr. Turbet if he had any comments. Mr. Turbet gave a brief report regarding his inspection (s). Mr. Turbet reported that he had numerous items that need to be dealt with before reducing their cash bond to the maintenance level.

Town Planner

Appointments to CRCoG Regional Planning Commission - Mr. Hawkins reported that Mr. Sheehan is the Commissions current representative to CRCoG and has served for the last year. CRCoG is asking for appointments once again. Mr. Hawkins reported that CRCoG meets every other month with the next meeting being on March 17, 2011, and asked if anyone was interested in being appointed to relieve Mr. Sheehan if he should choose not to continue. Mr. Hawkins stated that anyone interested can email or contact him by phone.

AT&T – At the December’s meeting, Mr. Hawkins reported that the Town staff met with representatives of AT&T regarding the installation of VRAD cabinets in town to support their U-verse service. Mr. Hawkins reported that letters have been received stating where they want to install the VRAD cabinets and that he and Mr. Taylor have been looking at those locations. Mr. Hawkins reported that a cabinet is proposed in the Historic District on Mapleton Avenue and said that he sent that letter to the Historic District Commission. Mr. Hawkins told the ZPC that some cabinets are being proposed on existing telephone poles mounted approximately two [2] feet off the ground. Mr. Hawkins reiterated that he made it clear to the AT&T representatives that Main Street and the Historic District should be avoided.

82 North Main Street Windows –At the request of the ZPC Mr. Taylor and Mr. Hawkins contacted the property owner to inform him that he was not in compliance with the approval and was asked to contact Historic District Commission [HDC]. Mr. Hawkins reported that at on January 11, 2011 the Design Review Board met to discuss a compromise [two members of the HDC were present], proposing twelve over twelve windows on the original home, eight over eight on the west side of the addition facing Main

Street and the remaining windows would stay the same. He reported that the proposed compromise was going to be considered at the HDC meeting in February. Mrs. Binns asked why something approved at the DRB meeting [twelve over twelve in the house and eight over eight in the addition], and also approved during the special permit process did the property owner put in different windows. This prompted a lengthy discussion regarding what transpired between the DRB and the HDC. The Commission instructed Mr. Taylor to draft a letter to the property owner stating that he is not in compliance with the approval of the special permit. Attorney Landolina agreed that such a letter should be drafted. Mr. Taylor agreed to do as the Commission requested.

Open Space – Mr. Hawkins reported that the open space plan is still in the preliminary information gathering stage.

VI. MINUTES- December 20, 2010, Regular Meeting Minutes

Chairman Bauchiero asked if there were any changes to be made to the minutes of the December 20, 2010 regular meeting. With none, Mr. Murphy made the motion to approve the December 20, 2010 meeting minutes without any changes, seconded by Secretary Ravenola. Motion carried unanimously 5-0-0.

VII. ADJOURNMENT

Secretary Ravenola made the motion to adjourn the January 24, 2011 regular meeting at 8:58 p.m., seconded by Mr. Vincent. 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