

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, June 27, 2018 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Ted Stoutenberg, Dan LaPlante, Bob Moore, and Alternates Tom McLoughlin and Marty Post (7:07PM), Zoning Enforcement Officer Ruth Mulcahy and First Selectman Dan Jerram.

ABSENT: Dave Krimmel, Alternate Peter Ventre.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM.

Mr. McLoughlin was seated for Mr. Krimmel.

1. PUBLIC HEARINGS:

None.

2. PENDING APPLICATIONS:

A. EMB Realty LLC - Map 044 – Block 136 – Lot 24E – 144 Main Street - Special Exception/Site Plan Modification.

Ms. Mulcahy clarified that the application under review relates to 170 Main Street and not 144 Main Street as indicated on the agenda.

David Whitney, PE, appeared before the Commission regarding this application. He referred to a letter he submitted to Ms. Mulcahy dated June 27, 2018, in which a response was provided after conferring with his client regarding the six requested items from the previous Planning and Zoning Commission regular meeting. Noting the request to show driveways and parking on the plan, Mr. Whitney noted that 48 seasonal parking spaces have been shown as well as 8 spaces in the paved lot. Ms. Mulcahy questioned whether the parking spaces are in the Farmington River Protection Overlay District (FRPOD). Mr. Whitney confirmed that they are.

Mr. Whitney reviewed the cuts and fills in the flood plain as well as the final finish floor elevation. He estimated that approximately 300 to 400 yards of material had been placed on site in the area of the barn. Mr. Whitney noted that this is the area of the flood fringe and not the flood plain. Acknowledging that he is not a licensed land surveyor, Mr. Whitney reported that he took some elevations recently and noted that the finished floor elevation of the barn appears to be 354.77, which is 2.04 inches higher than the 100-year Base Flood Elevation (BFE) of 354.6.

The current location of the shed was reviewed. Mr. Whitney reported that his client would like to relocate the shed back to the original location on the approved 2006 site plan. Mr. Whitney reported that he was looking into what would be involved in floodproofing the barn building.

Mr. Whitney reported that he reviewed the storm drainage system and infiltration basin. He verified that it was installed according to the design and would provide a one-page report for the Town's records.

The February 21, 2018 recommendations of the Architectural Review Committee were discussed. Mr. Stoutenberg questioned the landscaping that is required according to the number of parking spaces and whether the plan that the ARC had reviewed had been designed

for that number. Mr. Whitney noted that the lot was not cleared of trees to provide for this parking, explaining that the parking is seasonal and that his client had requested a design to accommodate the maximum number of spots that could fit on the site.

It was noted that Mr. Whitney will need to work with his client to complete an application for a Special Permit and submit it in time for a public hearing on September 12, 2018.

MOTION: Mr. Moore, Mr. McLoughlin second, to schedule a public hearing for this matter on September 12, 2018; unanimously approved.

3. NEW APPLICATIONS:

A. The Bakersville Mall, LLC – Map 014 – Block 003 Lot 023 – 1165 Litchfield Tpke. – Special Exception – Pizza Restaurant.

It was noted that this application seeks approval for a pizza restaurant in the space formerly occupied by a package store.

MOTION: Mr. Steadman, Mr. McLoughlin second, to schedule a public hearing in the matter of The Bakersville Mall, LLC – Map 014 – Block 003 Lot 023 – 1165 Litchfield Tpke. – Special Exception – Pizza Restaurant for July 11, 2018; unanimously approved.

B. PNL Nutmeg, LLC – Map 044 – Block 013 – Lot 17A – 283 Main Street – Special Exception – 25% Parking Reduction, Change of Use to Expand the Self-Storage and a Modification of the Site Plan to Show the Pre-Existing Non-Conforming Parking on the Site.

Ms. Mulcahy provided a copy of the email dated June 26, 2018 from her to Dan Levitan, explaining the process and what it involves. She reported that the applicants had received a waiver from the First Selectmen for fees incurred beyond the \$160 site plan modification fee. Ms. Mulcahy explained that she was meeting with the Town Engineer to review the site plan and review the requirements of the Zoning Regulations.

MOTION: Mr. Steadman, Mr. McLoughlin second, to schedule a public hearing, in the matter of PNL Nutmeg, LLC – Map 044 – Block 013 – Lot 17A – 283 Main Street – Special Exception – 25% Parking Reduction, Change of Use to Expand the Self-Storage and a Modification of the Site Plan to Show the Pre-Existing Non-Conforming Parking on the Site, for July 11, 2018; unanimously approved.

4. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. Flanders Crossing Recommendation to Board of Selectmen for Road Acceptance.

Ms. Mulcahy explained that she met with Mr. Jerram regarding the only outstanding item at Flanders Crossing which is the planting of the trees as included in the original subdivision approval. She noted that the Town Engineer has signed off on the road and confirmed that the only remaining item are the trees.

Mr. Jerram confirmed that the Town will plant the trees and charge the developer's account for the cost of them.

MOTION: Mr. Steadman, Mr. McLoughlin second, to recommend to the Board of Selectmen that they accept the road once the trees are planted; unanimously approved.

B. Boundary Line Adjustment for 76 & 66 Harrison Road.

Ms. Mulcahy reminded the Commission that any boundary line adjustment must get approval from Farmington Valley Health District, according to the State Health Code.

MOTION: Mr. Steadman, Mr. McLoughlin second, to accept the boundary line adjustment between 76 Harrison Road and 66 Harrison Road; unanimously approved.

C. Food Truck Regulations.

The Commission reviewed an email from Land Use Attorney Mark Branse regarding the Food Truck Draft Regulations.

The Commission discussed how applications for food trucks could be filed in the form of a site plan modification and could possibly be done as a multi-occasion site plan.

Discussion ensued regarding writing a regulation, especially with how a food truck at the brewery should be done. Commissioners were urged to review Attorney Branse's email.

Regulating food trucks under Temporary Uses was one possibility discussed.

D. Mixed Use Regulations.

It was noted that the Mixed Use Regulations were previously sent to Attorney Mark Branse for review.

5. APPROVAL OF MINUTES – June 13, 2018:

MOTION: Mr. Moore, Mr. McLoughlin second, to approve the June 13, 2018 Minutes as amended; unanimously approved.

6. ZONING ENFORCEMENT OFFICER'S REPORT:

None.

7. CORRESPONDENCE:

Ms. Mulcahy noted that she had received an interesting communication from Skip Sly that another watershed protection group had put together breaking out how much carbon each lake activity translates to in terms of the phosphate factor. For instance, roof area is 1.3, lawn is 1.0 while a vegetable garden was only .03, according to Ms. Mulcahy. She noted that she would email a copy of this to the Commission.

MOTION: Mr. McLoughlin, Mr. Steadman second, to adjourn at 8:19PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**