

**PLANNING AND ZONING COMMISSION  
REGULAR MEETING – MINUTES  
JUNE 26, 2013 – 7:00 PM  
NEW HARTFORD TOWN HALL- 530 MAIN STREET**

**PRESENT:** Chairman James Steadman, David Krimmel, Daniel LaPlante, Gil Pratt, Ted Stoutenberg; Alternates Robert Moore, Martin Post, and Peter Ventre; Land Use staff Certified Zoning Enforcement Officer Rista Malanca and Recording Secretary Stacey Sefcik.

**ABSENT:** None.

Chairman Jim Steadman called the meeting to order at 7:00PM. All regular members present were seated for the evening. Alternate Peter Ventre was seated for Daniel LaPlante until his arrival at 7:15PM. The proceedings were recorded digitally and copies are available in the Land Use Office.

**1. APPROVAL OF MINUTES:**

**A. June 12, 2013 regular meeting.**

**MOTION** Mr. Stoutenberg, second Mr. Post, to approve the minutes of the June 12, 2013 regular meeting as written; unanimously approved.

**2. PENDING APPLICATIONS:**

**A. Town of New Hartford, Dings Road (Between Maple Hollow Road and Town Hill Road) – Flood Plain Permit to Replace Two Drainage Pipes.**

Roger Hurlbut, PE, of Lenard Engineering, Inc., the Town's engineering consultant, addressed the Commission regarding this matter. Mr. Hurlbut explained that the Town wanted to repair Dings Road between Maple Hollow Road and Town Hill Road. As a part of this repair, they wished to replace two drainage pipes, both of which were located in the flood plain. He then distributed maps and plans for the Commission's review.

Mr. Hurlbut explained that the Town currently had two 24-inch pipes with headwalls at the inlet and outlet. At the first crossing, he proposed changing to a 36-inch pipe and removing the headwalls. Instead, a sloped surface would be created at the sides of the road with flared ends and rip rap toward the bottom of the slope. This would require the addition of 8 cubic yards of fill on the upstream and downstream sides of the drainage pipe. At the second crossing, the existing 24-inch pipe would be replaced with a new 24-inch pipe. Again, the headwalls would be removed and a sloped surface would be created at the sides of the road with flared ends and rip rap toward the bottom of the slope. This crossing would require the addition of 7 yards of fill at the upstream side and 5 yards of fill at the downstream side. Compensatory storage to offset the addition of fill would be required. Four cubic yards would be available in part from the excavation necessary to install the larger pipe at crossing #1. Ten cubic yards would be available from roadside excavation on Dings Road near crossing #1, and 14 cubic yards would be available from roadside excavation on Dings Road near crossing #2. Combined, this offset all fill that would be added in both locations.

Mr. Pratt noted the presence of ponds in the area delineated as flood plain. Mr. Steadman questioned the condition of the existing culverts, and Mr. Hurlbut stated that the existing corrugated metal pipes were rusting out and would be replaced with reinforced concrete pipe. He explained that it was prudent to replace the pipes at the same time as any work to improve the road. Ms. Malanca informed the Commission that the proposed work was approved as a part of the Town's General Permit from the Inland Wetlands Commission. The Town would be required to follow all best management practices and implement appropriate sedimentation and erosion control measures. She briefly reviewed with the Commission the requirements of Section 5.2 of the Zoning Regulations regarding the Flood Plain Overlay District, noting that the Commission could approve the application this same night if they so chose.

Mr. Krimmel questioned what if any affect there would be on Dings Road property owners. Mr. Hurlbut stated that two cottonwood trees and some red maple would have to be removed along the roadway in front of 25 Dings Road; however, the property owner, Vincent Vogellus had stated he had no objections. Mr. Hurlbut said that Connecticut Light and Power had already trimmed and taken down a few trees in the location of the other crossing. Ms. Malanca explained that the Town would be planting a roadside wetlands grass mix as well as wildflowers once the work was complete.

**MOTION** Mr. Stoutenberg, second Mr. Pratt, to approve the application in the matter of **Town of New Hartford, Dings Road (Between Maple Hollow Road and Town Hill Road) – Flood Plain Permit to Replace Two Drainage Pipes**; unanimously approved.

**B. WFL Properties, Inc., owner/applicant, 81 Winchester Road – Special Exception per Section 3.5F of the Zoning Regulations for a Shared Driveway.**

Ms. Malanca explained that this lot had been created as a first cut in the 1980s. While the plans were designed for a shared driveway for both 65 Winchester Road and 81 Winchester Road, the shared driveway had never been formally approved by the Planning and Zoning Commission.

**MOTION** Mr. Stoutenberg, second Mr. Steadman, to accept the application in the matter of **WFL Properties, Inc., owner/applicant, 81 Winchester Road – Special Exception per Section 3.5F of the Zoning Regulations for a Shared Driveway** and to schedule a public hearing for July 24, 2013; unanimously approved.

**3. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:**

**A. Discussion of Section 5.6G - Public Service/Utility District Amendments.**

Ms. Malanca explained that the proposed amendments had been forwarded to the Commission's attorney; however, he had not yet sent back his comments.

The Commission agreed to table this matter to the July 10, 2013 regular meeting.

**B. Preliminary Discussion Regarding Incentive Housing Zone Grant Application.**

Ms. Malanca distributed to the Commission a memorandum from the Town's planning consultant, Martin Connor. She explained that Mr. Connor, as City Planner for Torrington, had obtained the \$50,000 grant from the State for creation of Incentive Housing Zone regulations, part of which had been used to do a feasibility study and create a concept plan for three locations in Torrington. Ms. Malanca suggested that this approach might be best for New Hartford, and she suggested that the Commission might want to have Mr. Connor work to complete the grant application so that it was ready by the time the next round of grants were offered by the State. The Commission reviewed the feasibility study, and they expressed approval for this suggestion.

Ms. Malanca then explained that she had put together a list of possible sites for the Incentive Housing Zone designation. She suggested that the Commission might want to review this list and pick those properties to focus on as a part of this effort. Ms. Malanca explained that all lots she listed were located within the sewer service area and the development area on the State Plan of Conservation and Development location map. Noting that there were limited areas for commercial development in Town, Ms. Malanca suggested that the Commission might not want to include those areas that were currently zoned Commercial. Ms. Malanca distributed a packet of information submitted by Karl Nilsen on behalf of Tom Briggs, explaining that Mr. Briggs requested that both of his properties be considered for the Incentive Housing Zone designation.

The Commission discussed the need for mixed use development. Mr. Post expressed concern that a unilateral commercial zone would not be as attractive visually as a mixed residential and commercial area. Mr. Stoutenberg expressed concern that the Bahre and Kerin and Kerin properties may very well have steep slopes as they were located at the base of Jones Mountain; therefore, this level of development might not even be possible. Mr. Pratt suggested a comparison of tax revenue from the various alternative uses might be helpful. Mr. Krimmel stressed the need for high density lower cost housing, particularly along Route 44, as way of attracting customers to Town businesses. Mr. Moore concurred, observing that it was difficult to attract retail business to Town when there were not enough people in Town to support them. The Board discussed that the median income for the Town of New Hartford was \$84,271; 80% of this would be \$67,417 and 30% of this would mean a mortgage payment of \$1685 per month. A house with this mortgage payment would still meet the affordability criteria of the Incentive Housing Zone program. Ms. Malanca informed the Commission that 20% of the housing units in the development would have to be deed-restricted to meet these affordability criteria.

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The Commission ultimately agreed that 283 Main Street, 237 Main Street, 183 Main Street, 37 Greenwoods Road, and 9 Greenwoods Road should be the priority properties for consideration as possible locations for Incentive Housing Zones. Mr. Stoutenberg noted that several of these lots were zoned Commercial at the front but R-2 at the back. Mr. Post questioned whether the sewer service area could be modified to allow connection in areas not specified, while still keeping the total overall usage the same. Ms. Malanca said that she would have to research this issue for the next meeting with the Department of Energy and Environmental Protection.

**C. Continued Discussion of the 2005 Town of New Hartford Plan of Conservation and Development, with emphasis on review of Chapter 4.**

The Commission agreed to table discussion of this matter to the July 24, 2013 regular meeting.

**MOTION** Mr. Stoutenberg, second Mr. Pratt, to adjourn at 8:10PM; unanimously approved.

**Respectfully submitted,  
Stacey M. Sefcik  
Recording Secretary**