

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, September 14, 2016 at 7:00 PM
New Hartford Town Hall
530 Main Street, New Hartford, Connecticut**

PRESENT: Ted Stoutenberg, Jim Steadman, Bob Moore, Dan LaPlante (7:01PM) Alternates Tom McLoughlin, Marty Post and Peter Ventre, and Zoning Enforcement Officer Ruth Mulcahy.

ABSENT: David Krimmel and Peter Ventre.

Chairman Ted Stoutenberg called the meeting to order at 7:00PM. The entire proceedings were recorded digitally and are available in the Town Hall.

The Chairman noted that discussion and possible action on the Amendment to the Town of New Hartford Zoning Regulations would occur at the end of the meeting.

Mr. Post was seated for Mr. Krimmel.

1. PUBLIC HEARINGS:

A. Craig Maiolo/Applicant – PNL Nutmeg LLC/Owner – Map 044-Block 013-Lot 17A – 283 Main Street – Special Exception/Site Plan Approval – Construct Gymnastics Studio in Existing Building.

The legal notice for the public hearing was read into the record and was indicated as having run the requisite two times, on September 2, 2016 and September 9, 2016, in a local newspaper within the required statutory time. Proof of notice to abutting neighbors was verified.

Craig Maiolo of 8 Millbrook Road, Colebrook appeared before the Commission regarding this application. Mr. Maiolo explained that the applicants are seeking to construct a 12,000 square foot gymnastics studio in the old Waring building located at 283 Main Street. He noted that there is some slight demolition that needs to be completed but that as there is plenty of parking at this site, it should not impact traffic. Mr. Stoutenberg noted to the applicant that one sign would be allowed on the building in addition to the one on the pylon out front and no other signs. Mr. Maiolo confirmed his understanding of this. Mr. Stoutenberg questioned whether the gymnastics studio has any company vehicles bearing the logo or studio identification. Mr. Maiolo indicated there was not.

Mr. Post questioned how many people will likely be serviced at this location. Mr. Keith Huran, accompanied by his wife Jennifer Huran, identifying as the owner and operator of Northwest Gymnastics, reported that while their business currently services about 100± people per day, this location would allow them to service 780 per day. He noted that they do not anticipate this amount, but instead expect that in twenty-four months, the goal is to have as many as 500 active members per week. Mr. Post questioned whether this location would have lockers. Mr. Huran indicate the facility will have cubbies. Mr. Post questioned whether showers would be part of this location. Mr. Huran indicated that there would not be showers. Mr. Moore noted that the drawings indicated bathrooms that could accommodate 250 participants per day. Mr. Maiolo confirmed, with the drawings indicating accommodations for up to 75 users per day. Mr. Post questioned whether the Farmington Valley Health District has been contacted. Mr. Maiolo indicated that they have been and that there was no concern there because there is no food being served.

Mr. Stoutenberg questioned whether the applicants will now be occupying the rest of the building space. Mr. Maiolo indicated that the applicants are only assuming the rest of the frontage space of the building, noting the large size of the building.

Mr. Moore questioned whether the Party Room as depicted on the drawings is just for a gathering space since the applicant's representative indicated that there will be no food served. Mr. Maiolo indicated that it will be utilized for awards after competitions.

David Boyajen of 791 West Hill Road spoke in favor of the application, noting that he has two daughters who belong to Northwest Gymnastics and opined that this would be a great asset to the Town.

MOTION: Mr. Steadman, Mr. Post second, **to close the public hearing in the matter of Craig Maiolo/Applicant – PNL Nutmeg LLC/Owner – Map 044-Block 013-Lot 17A – 283 Main Street – Special Exception/Site Plan Approval – Construct Gymnastics Studio in Existing Building; unanimously approved.**

2. PENDING APPLICATIONS:

A. Town of New Hartford – Amendment to Town of New Hartford Zoning Regulations – Add Section 5.7 West Hill Pond Protection Overlay District.

This agenda item was moved and discussed just after the Zoning Enforcement Officer's Report.

B. Craig Maiolo/Applicant – PNL Nutmeg LLC/Owner – Map 044 Block 013 Lot 17A – 283 Main Street – Special Exception/Site Plan Approval – Change of Use – Construct Gymnastics Studio in existing building.

MOTION: Mr. Steadman, Mr. Moore second, **to approve the application in the matter of Craig Maiolo/Applicant – PNL Nutmeg LLC/Owner – Map 044 Block 013 Lot 17A – 283 Main Street – Special Exception/Site Plan Approval – Change of Use – Construct Gymnastics Studio in existing building subject to the following conditions: 1. No ground signs permitted other than the pylon sign out front; and 2. No vehicles advertising the business are permitted to be parked in the front at this location; unanimously approved.**

Prior to the vote on the preceding motion, discussion ensued and a straw vote (4-1) was taken with Mr. Post opposing, regarding the second condition regarding whether vehicles bearing the business logo and markings should be permitted to be parked at the subject location.

3. NEW APPLICATIONS:

A. Jensen Mechanical Equipment, Inc./Applicant – Prestige Buildings LLC/Owner – Map 044 Block 137 Lot 221A – 280 Main Street – Site Plan Approval – Change of Use – From a Retail Laundry to a Business Office.

Mr. Scott Jensen of 95 Beeney Road appeared before the Commission on behalf of the applicant. He noted that his company is seeking to move from Building 280C to Building 280A at 280 Main Street and to turn the former retail laundromat into a general office site.

An updated site plan with parking included was reviewed by the Commission. It was noted that there are forty-five available parking spaces but Mr. Jensen anticipates the need for thirty-two of them. Mr. Steadman questioned whether there would be any change in signage. Mr. Jensen indicated that there are no plans for additional signage, and that his business sign would be a new one and be relocated to the new building.

Mr. Stoutenberg questioned whether the apartment upstairs would remain. Mr. Jensen reported that Mr. Santoro would retain that apartment that he currently uses as an office.

MOTION: Mr. Steadman, Mr. LaPlante second, **to approve the change of use at 280 Main Street from retail laundry to a business office; unanimously approved.**

B. William Seitz/Applicant – Jeffrey Buyak/Owner – Map 014 Block 018 Lot 005 – 1120 Litchfield Turnpike – Special Exception/Site Plan Approval – Change of Use from 2 Bay Garage to Retail.

Ms. Mulcahy noted that this application will require a public hearing, explaining that it involves the proposal to change an existing garage to retail use. Ms. Mulcahy noted that in this the Special Exception application, the applicant has not yet met with the Architectural Review Committee.

The applicant, William Seitz, was present along with the owner, Jeffrey Buyak. Mr. Seitz questioned the history of the Architectural Review Committee, noting that the approval for the package store did not receive this type of review. It was explained that there was no change with the exterior for that application. Mr. Seitz noted that there are no plans to change the exterior with the 2 bay garage. Mr. Stoutenberg indicated that the Commission would like a drawing as part of the proposal. Mr. Seitz indicated that the proposal involves interior work only, with framing the inside of the building.

Ms. Mulcahy recommended that the proposal be referred to the Town Engineer.

MOTION: Mr. Steadman, Mr. Stoutenberg second, **to schedule a public hearing for the next regular meeting of October 12, 2016 in the matter of William Seitz/Applicant – Jeffrey Buyak/Owner – Map 014 Block 018 Lot 005 – 1120 Litchfield Turnpike – Special Exception/Site Plan Approval – Change of Use from 2 Bay Garage to Retail; unanimously approved.**

C. Steven Stang/Applicant – Steven C. Stang & Gregory J. Gartner/Owners – Map 044 Block 137 Lot 017 – 202 Main Street – Special Permit/Site Plan Application – Convert Two Family Dwelling to Three Family Dwelling – Multi Family Special Permit/Site Plan Application.

Steven Stang appeared before the Commission regarding this application. In response to a question from Mr. Post regarding drainage, Mr. Stang reported that he has no plans to do anything to the parking or building, explaining that this dwelling has always been a three-family but that the town's records do not reflect it as such. Pursuant to a request made by Mr. Post, Ms. Mulcahy indicated that she would seek review comments from the Town Engineer on this application.

MOTION: Mr. Steadman, Mr. Moore second, **to schedule a public hearing for the next regular meeting of October 12, 2016 in the matter of Steven Stang/Applicant – Steven C. Stang & Gregory J. Gartner/Owners – Map 044 Block 137 Lot 017 – 202 Main Street – Special Permit/Site Plan Application – Convert Two Family Dwelling to Three Family Dwelling – Multi Family Special Permit/Site Plan Application; unanimously approved.**

4. APPROVAL OF MINUTES: July 27, 2016

MOTION: Mr. Steadman, Mr. Moore second, **to approve the July 27, 2016 Minutes; unanimously approved.**

5. ZONING ENFORCEMENT OFFICER'S REPORT:

Ms. Mulcahy reported that the Brewery provided a rendering of the fence that they will be installing around their tanks. The Commission indicated that they would like a Site Plan of the location of the sign for the Borghesi storage location after the Architecture Review Committee performs its review. In response to an inquiry from Mr. Moore regarding the Incentive Housing, Ms. Mulcahy indicated that she has talked with Marty Conner's office last week and that it is still on the radar.

Town of New Hartford – Amendment to Town of New Hartford Zoning Regulations – Add Section 5.7 West Hill Pond Protection Overlay District.

Mr. Stoutenberg indicated that Mr. Post would not be seated for this discussion and possible action as he had not been present at the first public hearing for the Amendment. Mr. McLoughlin was seated for Mr. Krimmel.

MOTION: Mr. Steadman to approve the Town of New Hartford – Amendment to Town of New Hartford Zoning Regulations – Add Section 5.7 West Hill Pond Protection Overlay District with the removal of the dock portion, Motion withdrawn.

Mr. Moore explained that he would like to review the proposed Amendment but would like to review it in greater detail. Mr. Stoutenberg suggested that a review be made section by section.

The Commission recessed at 7:43PM and reconvened at 7:56PM.

The Proposed Amendment to Town of New Hartford Zoning Regulations, Section 5.7 West Hill Pond Protection Overlay District had the following adjustments made and agreed to by the Commission:

Under **A. Purpose**, #7 “...preserve aesthetic values of the pond area...” should be removed.

Under **F. Activities Requiring a Site Plan**, the first line should read, “*Any application involving the disturbance of more than 2,000 square feet shall require a Site Plan approval by the Commission under the standards of Section 8.4 of these Regulations and in addition, the standards of this Section 5.7.*”

Under **G. Standards and Requirements**, #3 Docks, the first subsection should read, “*a. All new docks shall be floating docks and all new docks shall be no longer than fifty feet.*”

Under **G. Standards and Requirements**, #3 Docks, the fourth subsection should read, “*d. All docks shall be removable structures and shall not be permanently affixed to the lake-bottom.*”

Under **G. Standards and Requirements**, #4 Stormwater Quality, the first subsection should read, “*a. A stormwater quality plan shall be submitted with every application for any site disturbance or construction on a lot following the standards of Article 6 Section 6.8 Stormwater Management Standards.*”

MOTION: Mr. Steadman, Mr. McLoughlin second, to approve with the adjustments noted Town of New Hartford – Amendment to Town of New Hartford Zoning Regulations – Add Section 5.7 West Hill Pond Protection Overlay District with an effective date of October 1, 2016; unanimously approved.

6. CORRESPONDENCE:

None noted.

7. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

No business discussed.

MOTION: Mr. Steadman, Mr. McLoughlin second, to adjourn at 8:24PM; unanimously approved.

Respectfully submitted,

**Pamela A. Colombie
Recording Secretary**