

**New Hartford Planning and Zoning Commission
TOWN OF NEW HARTFORD, CONNECTICUT
REGULAR MEETING MINUTES
Wednesday, February 9, 2022 at 7:00 PM
Held Remotely Via ZOOM**

PRESENT: Chairman Ted Stoutenberg, Mike Misiorski, Marty Post Alternates, John Burdick and Robert Goodskey; Zoning Enforcement Officer Mike Lucas.

ABSENT: Dan LaPlante, Jim Steadman, and Alternate Jack Casey.

Chairman Ted Stoutenberg the meeting to order at 7:01PM. Mr. Burdick and Mr. Goodskey were seated for Mr. LaPlante and Mr. Steadman.

1. PUBLIC HEARINGS:

A. New Hartford Village/Applicant – Kerin & Kerin LLC/Owner – Special Exception - Map 044 – Block 013 – Lot 17B – 237 Main Street – 111 Units of Rental Apartments and Associated Appurtenances.

The legal notice for the public hearing was read into the record with it being reported as having been published the requisite two times, January 28, 2022 and February 4, 2022, in The Hartford Courant. Additionally, Mr. Lucas confirmed having the Certificate(s) of Mail, serving as evidence that notice of the public hearing having been provided to owners of abutting properties.

Mr. Stoutenberg noted that as the Inland Wetlands Commission will continue their review of the application at their March regular meeting, this board would also be continuing the public hearing and would not close it at this meeting.

Attorney Mark Ziogas, accompanied by Professional Engineer Wayne Zirolli, and Land Surveyor Todd Clark appeared before the Commission regarding this application. Attorney Ziogas reminded the Commission that this application was submitted under the newly adopted zoning regulation, Designed Community – Residential. He noted that the development was proposed as Age Targeted on a 50-acre parcel on Main Street. Attorney Ziogas indicated that one section, on the westerly side of the property, will be age-restricted while the units on the easterly side of the property will be age-targeted. He noted that age-targeted units will be designed for the elderly with wider doorways and handicapped accessible bathrooms and master bedrooms on the first floor.

Attorney Ziogas then reviewed the requirements as prescribed by the Zoning Regulations. In discussing utilities to the site, the development will include municipal water and sewer. He noted the project is expected to be completed within two to three years. The site development will likely last eight to twelve months with another year for each phase to be constructed, according to Attorney Ziogas. He reported that almost twenty acres on the southerly side of the property will be protected either through a conservation easement or open space. While that property will not be developed, his client was seeking to make that available for passive recreation such as walking trails. He noted the significant wetlands to the rear of the property along with a channeled wetlands on another section of the property not being developed.

Attorney Ziogas noted the units are not a condominium complex, explaining that the whole property will be owned by the developer. He noted that, as such, the developer will be responsible for all maintenance of the water and sewer, the roadways, and all common homes.

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Attorney Ziogas reported the planned development to include 27 residential buildings with a total of 111 units and 9 garage structures with 45 garages. The typical size of the residential units will be 1200 square feet with two bedrooms per unit.

Attorney Ziogas opined the application complied with the town's Plan of Conservation and Development in that it will promote economic development, it will allow senior housing in commercial zones, it will promote housing density, includes age-restricted housing, and allows housing density within sewer service areas.

The property will be accessed through a 100' right-of-way off of Route 44 and will be a boulevard style road (a median between entrance and exit), according to Attorney Ziogas. He explained the boulevard style was chosen at the request of the fire marshal. The required 600' sight line, as the access is on a state highway, is what necessitated the cutback of the part of the berm along Route 44, according to Attorney Ziogas. He indicated that there would be several cuts in that area.

Noting that it was an age-targeted complex, Attorney Ziogas reported that it should not tax the education system as the residents would not likely have school children.

Mr. Zioli noted that Mr. Clark has done much of the preparation of the plans while he has been tasked with primarily the drainage and the stormwater retention for the site. He noted the number of channels in the site and that his charge has been to make sure the water is treated through the site with water quality basins and water detention basins. Mr. Zioli reported Lenard Engineering, the town's consulting engineer, has been reviewing the plans and their initial review has provided the items for which they are requesting more information. He noted that he had just provided a response to Lenard's initial response just before this meeting to Mr. Lucas. He reviewed some of the comments and his responses, including whether there would be sidewalks along the boulevard. Mr. Zioli indicated he would need to confer with his client on this but that Route 44 was not a route conducive to walking. Additionally, Lenard Engineering had advised that a general permit will be necessary with the State of Connecticut Department of Energy and Environmental Protection for a Stormwater Pollution Prevention Plan was required, according to Mr. Zioli. He noted that he will also be submitting his detailed calculations for runoff for gutter flow and hydraulic calculations to Lenard Engineering.

Mr. Zioli reported that some borings had been completed on the property but that they will need to be reviewed again for the location of catch basins. He noted additional questions were received by Lenard Engineering, the consulting engineer, on the gutters and rain leaders. In some instances, those will flow to raingardens and in others, they will drain to basins.

Mr. Post questioned whether the basin will be LID (low impact development) or would be conventional basins. Mr. Zioli indicated that it would be conventional as he was constrained by area and size. He indicated he would be looking to employ more LID features.

Mr. Clark reported the project requiring 90,000 yards of cut and 50,000 yards of fill. As a result, there will be a need to find a location for 40,000 yards as all excess material will be removed from the site.

Mr. Stoutenberg reported this commission has historically sought to limit the number of curb cuts or driveways on Route 44. He questioned why the applicant was not utilizing the curb cut already in place at Waring. Mr. Clark explained that this had originally been perceived as a viable option with the former owner but that it was no longer an option. Mr. Stoutenberg noted

that the proposed location for the driveway for this proposal will eliminate the potential for development for the 300' front strip of the parcel. Mr. Clark concurred.

Mr. Post questioned the difference between age-targeted and age-restricted. Attorney Ziogas explained that age-restricted requires residents to be aged 65 or older whereas age-targeted does not bind the developer to limit the residents to that age and allows more flexibility with tenants. Mr. Post questioned the percentages of each. Mr. Clark noted that 40 of the 111 units would be age-restricted and 71 units would be age-targeted.

Mr. Post questioned the number of parking spaces per unit. Mr. Clark reported that there were at least two spaces per unit but that with the garages, there were more. He confirmed that he would have more detailed information at the next meeting. Mr. Post noted that with certain situations, he could envision a need for more parking. Mr. Burdick questioned whether there were sidewalks within the complex to gain access from remote parking to a particular unit. Mr. Clark indicated that most of the parking is directly in front of the units. He noted that there are sidewalks immediately adjacent to the parking areas. Mr. Burdick questioned whether there is a sidewalk along the entire stretch of road, from the first units to the end units. Mr. Clark confirmed. Mr. Burdick questioned whether there were sidewalks from the garage units to the residential units. Mr. Clark corrected and indicated that there were no walks between the garages and the residences. Mr. Burdick noted the emphasis on walkability, especially with the initiatives underway with Rails to Trails. Mr. Clark noted the 1200' driveway and explained the developer did not anticipate people wanting to walk down the boulevard to get anywhere.

Mr. Burdick questioned the fire hydrants included in the site. Mr. Clark reported Mr. Zioli having been communicating with the water representatives. Mr. Lucas reported that New Hartford Fire Rescue Chief Mark Worsmann and South End Fire Department Chief Bob Diorio, noting that additional hydrants have been requested in some identified locations.

Mr. Burdick questioned the location for snow removal, especially on the west side of the site. Mr. Clark indicated that the developer, Tim Brobosky, would be better suited to comment on this. It was noted that the plans did not appear to address the location for the piling of snow.

Mr. Burdick questioned whether elevation drawings on the garages were available. Mr. Clark indicated that he did not have those available but reported that Mr. Brobosky had an architectural team working on those and would have them for the next meeting.

Mr. Lucas noted that more detailed landscape plans were still being developed and elevation drawings including color schemes were being prepared. Following the availability of these, the Architectural Review Committee will meet to provide recommendations.

Mr. Misiorski agreed that more sidewalks should be added, especially on the western section of the proposed development.

The hearing was open to the public.

Marian Hanright of 220 Main Street questioned the cuts necessary at the site. Mr. Clark noted that there were several borings from previous attempts to develop the property revealing the likelihood of boulders and not bedrock. He noted that the plans include a "haul road", explaining that the activity will not be occurring on Route 44 but will instead include transporting the material through the woods to build up the area for East Village. Ms. Hanright asked if the material would be ground or broken up. Mr. Clark indicated that it did not appear that there was

solid rock that would be used for processing of road material. He noted that it was mostly sand and gravel material.

Denton Butler, speaking as the chairman of the Water Pollution Control Authority, shared that board's enthusiastic endorsement for the project as a developer agreement has been created as this project will connect to public water and sewer.

John Perzenski of 35 Heather Lane, North Granby, Connecticut, questioned whether the entity to take ownership of the proposed conservation easement has been discussed. He questioned whether a non-profit would assume ownership or whether the town would. Attorney Ziogas explained that the land will still be retained by the owner/developer but that the town would have an easement for walking paths. If the land is to be Open Space, then a discussion would need to ensue on whether the town owns it or the developer would own it, according Attorney Ziogas. Mr. Stoutenberg requested this question be followed up on for the next meeting. Mr. Lucas agreed, noting that Attorney Mark Branse will be consulted after discussion with First Selectman Dan Jerram.

Mr. Burdick recalled the developer discussing a gazebo and some common area for this project. A request was made that when Mr. Clark is reviewing the addition of sidewalks, that this also be discussed and reviewed.

MOTION: Mr. Burdick, Mr. Post second, to continue the public hearing to the March 9, 2022 regular; unanimously approved.

2. PENDING APPLICATIONS:

A. New Hartford Village/Applicant – Kerin & Kerin LLC/Owner – Special Exception - Map 044 – Block 013 – Lot 17B – 237 Main Street – 111 Units of Rental Apartments and Associated Appurtenances.

No business discussed.

3. NEW BUSINESS:

None.

4. OTHER BUSINESS TO COME BEFORE THE COMMISSION:

None.

5. APPROVAL OF MINUTES: January 12, 2022.

MOTION: Mr. Post, Mr. Goodskey second, to approve the January 12, 2022 meeting minutes; unanimously approved.

6. ZONING OFFICERS REPORT:

Mr. Lucas noted that a predevelopment meeting will likely occur at the March planning meeting with an architect over a possible subdivision on Southeast Road. He explained that there was 2-acre zoning in that area and while the parcel was only 4.8 acres, an interior lot was being considered. Mr. Lucas noted that there is flexibility within the Zoning Regulations for the double lot size requirement for interior lots if the applicant can demonstrate that there is a good reason to do so.

7. CORRESPONDENCE:

None.

MOTION: Mr. Post, Mr. Burdick second, to adjourn; unanimously approved.
The meeting adjourned at 7:57PM.

**Respectfully submitted,
Pamela A. Colombie
Recording Secretary**