

**PLANNING AND ZONING COMMISSION
REGULAR MEETING – AGENDA
WEDNESDAY, October 22, 2014 – 7:00PM
NEW HARTFORD TOWN HALL – 530 MAIN STREET
MINUTES**

PRESENT: Chairman James Steadman, David Krimmel, Dan LaPlante, Gil Pratt, Alternate Martin Post; Land Use staff Steven Sadlowski.

ALSO PRESENT: First Selectman Dan Jerram.

ABSENT: Ted Stoutenberg, Alternates Bob Moore and Peter Ventre.

Chairman Jim Steadman called the meeting to order at 7:00PM. All regular members present were seated as well as Mr. Martin Post for Mr. Ted Stoutenberg. The proceedings were recorded digitally and copies are available in the Land Use Office.

MOTION: Mr. David Krimmel, Mr. Post second, **to add to the agenda as item 3A, “8-24 Referral Requests for Antolini School and Carpenter Road Bridge”;** unanimously approved.

1. PUBLIC HEARINGS:

A. Christopher D. & Laura L. Roehl – 18 Buttercup Lane – Special Exception - Accessory Dwelling Unit.

The legal notice for the public hearing was read into the record. Proof of notice to abutting neighbors was submitted.

Applicant Laura Roehl presented a description to the board regarding the application and the proposed modifications to her home. She and her husband sought to add a second story above their existing attached garage to provide living space for her father.

Mr. Sadlowski reviewed the zoning regulations governing such an application and noted that the application does not conflict with them. Mr. Steadman inquired whether the improvements necessitated any type of septic system improvements. Ms. Roehl indicated that Farmington Valley Health District noted none.

First Selectman Dan Jerram spoke in support of the application, noting that the taking in and caring for an aging parent as an honorable deed.

MOTION: Mr. Post, Mr. Gil Pratt second, **to close the public hearing in the matter of Christopher D. & Laura L. Roehl – 18 Buttercup Lane – Special Exception - Accessory Dwelling Unit;** unanimously approved.

PENDING APPLICATIONS:

A. Christopher D. & Laura L. Roehl – 18 Buttercup Lane – Special Exception - Accessory Dwelling Unit.

MOTION: Mr. Krimmel, Mr. Post second, to approve the application in the matter of Christopher D. & Laura L. Roehl – 18 Buttercup Lane – Special Exception - Accessory Dwelling Unit subject to the following conditions: 1. Application is approved as per the submitted plans entitled, “Addition and Alterations at the Roehl Residence – 18 Buttercup Lane by Rodolfo Garcia, AIA dated 9-30-14”; and 2. The applicant shall follow the requirements set forth in section 3.6.C. of the Zoning Regulations including having the owners occupy one of the units at all times; unanimously approved.

3. NEW APPLICATIONS:

A. 8-24 Referral Requests for Antolini School and Carpenter Road Bridge

Mr. Denton Butler and Mr. Roy Litchfield, of the School Building Committee, provided to the board an informational document entitled, “Antolini Projects for Bonding Consideration” for review as they presented a brief topical overview of the project.

Mr. Butler utilized a schematic drawing of the building as a visual aid for the board and detailed the history of the original structure, constructed in 1969, and the subsequent additions to the school in 1991. He described the first and foremost priority of the current building project to be replacing the roof, having its last replacement in 1991. Replacement of the windows is the second element of the Antolini School project in that they are all single pane and some have operability issues, according to Mr. Butler. Lastly, Mr. Butler explained the project will be progressing toward becoming more ADA compliant in ramp additions, lavatory adjustments, and interior doors modifications.

Mr. Post inquired about the type of roof that will be replaced. Mr. Butler indicated that the roof will be a PVC roof with a slight pitch and will be “solar ready”. Mr. Butler indicated that while the current plans specify a PVC roof, the committee will also be seeking alternate prices as part of the bidding process in the submittals for at least four (4) other roof options, too.

Mr. Dan LaPlante inquired as to whether the committee expects any damage to the roof itself. Mr. Butler indicated that they do not, based on the invasive study that was done, which involved random sampling of different roof areas.

Mr. Post inquired about the source of the estimated costs that have been provided. Mr. Butler indicated that the estimates were provided by the architect, Kaestle Boos. Mr. Post opined that some of the various estimates as detailed from Kaestle Boos, such as replacement of urinals, appear very high. Mr. Litchfield responded that work performed as part of a school building project is often more costly than similar type commercial work.

MOTION: Mr. Post, Mr. Krimmel second, **to provide a positive endorsement of the Antolini School building project; unanimously approved.**

Mr. Jerram presented to the board a copy of Dave Battista's (Lenard Engineering) power point presentation entitled, "Town of New Hartford Carpenter Road Bridge Over Nepaug River". In the presentation, highlights of an inspection from January, 2013 were included as well as copies of the photographs of the bridge from January, 2013, March, 2013, and November, 2013. Mr. Jerram explained that in March, 2013, the Carpenter Road Bridge was closed due to a failed abutment. Mr. Jerram reported that he has consulted with Lenard Engineering who has provided different options, replace the existing bridge with a modern structure or eliminate the bridge and construct a cul de sac. Mr. Jerram explained that Lenard Engineering has indicated that they will continue to seek approval for a concrete box culvert from Connecticut Department of Energy and Environmental Protection (DEEP). However, Mr. Jerram indicated that more likely the alternative that will be ultimately approved by DEEP will result in an Integral Concrete Bridge, a somewhat more costly remediation. Mr. Jerram indicated that his office submitted a grant application for the bridge, which has been approved with funds granted in the sum of \$347,655 or 47% of the total.

Mr. Krimmel expressed his disappointment with the engineer that inspected the bridge in February, who had indicated the only necessary item for replacement is the deck and then in March, the abutment failed. Mr. Krimmel further stated that he questions the engineer's bridge knowledge. He noted that he opposes the bridge repair because of what he perceives as a reduction in traffic, since the closure, on the road in which he resides, Dings Road. Mr. Krimmel indicated that he would abstain from voting because of this but reserved his right to comment. Further, Mr. Krimmel opined that Mr. Steadman, too, should abstain from voting as Mr. Steadman's business is located on one of the roads that is easily accessed by the Carpenter Road Bridge. Further, Mr. Krimmel noted for the record that he does not approve the expenditure for repair, does not think it improves the safety of the neighborhood, nor does he think it improves the value of the properties that are in the area.

Mr. Steadman indicated that he, too, would be abstaining from the vote. Mr. Steadman stated that while it is nice to not have the traffic flow that may result from an operable bridge in this location, he is also of the opinion that the town has a responsibility to uphold its infrastructure whether it be a roof on a school or repairs on a bridge.

Mr. Butler addressed the board and concurred that it is the responsibility of a community to maintain its infrastructure. Mr. Jerram added that in previous presentations, the engineer has provided details on detour routes. Detour routes in the event of a closure on Route 202 could result in a very long alternative for emergency vehicles, according to Mr. Jerram.

Mr. LaPlante reminded the board that he has several different properties in town and with the closure of Steadman Road already, he noted that he would be supporting the

work to the Carpenter Road Bridge. Mr. LaPlante opined that the town cannot continue to close roads and that they should be repaired.

Mr. Pratt indicated his approval to the bridge work. He opined that rural town roads lend to a town's charm, not cul de sacs.

Mr. Sadlowski shared his experience at his former town of Canterbury, detailing problems that can develop through detours that arise out of storms and resulting road closures.

MOTION: Mr. Post, Mr. LaPlante second, **to provide a positive endorsement of the Carpenter Road Bridge project; unanimously approved by voting members: Mr. Post, Mr. LaPlante, and Mr. Pratt (Mr. Steadman and Mr. Krimmel abstained).**

4. APPROVAL OF MINUTES: October 8, 2014

MOTION: Mr. Post, Mr. Krimmel second, **to approve the October 8, 2014 minutes; unanimously approved.**

5. ZONING ENFORCEMENT OFFICER'S REPORT.

Mr. Jerram provided to the board an endorsement from the local Board of Education, as requested, from a conditional approval of a paved parking area behind Antolini School from a site plan review application on September 24, 2014. Mr. Jerram indicated that the project at this point is likely not going forward as the interim school superintendent has indicated that drainage problems along with several other maintenance problems at the school have been identified as more pressing issues and will take budgetary priority. Mr. Jerram inquired whether or not this board would still be seeking a modified site plan showing the relocation of the girls' softball field in light of the fact that the paved parking area is likely not going to occur. Consensus was that an area designated just for the girls to play softball should remain a priority at that field behind Antolini. Further consensus was that contracting Lenard Engineering for a formal modified site plan will wait until a new school superintendent is hired and respective priorities identified.

Mr. Jerram reported that the selectmen are running on a concurrent path with the Planning and Zoning Board as they update their Plan of Conservation and Development and would like to seek an audience with them at an upcoming planning and zoning meeting. He reported that the Board of Selectmen has engaged a planner to make recommendations on how to keep the town center viable for the next twenty years. As part of that plan, the Selectmen have requested the planner to review its "A Vision and Plan for the Future (dated March 23, 1994)", according to Mr. Jerram. Mr. Jerram noted that the Planning and Zoning Board shares the Board of Selectman's goals in developing a real comprehensive plan for the downtown area as evidenced by its recent work with the Hurley property.

Mr. Jerram acknowledged receipt of the recommendation letter from the Planning and Zoning Board regarding the Land Use Enforcement Official, Mr. Sadlowski, and shares the sentiment regarding the great job he is doing. Mr. Jerram reported that he is

working on the recommendation regarding salary and he and Mr. Sadlowski will be meeting soon to discuss.

Finally, Mr. Jerram reported that he has been working on a volunteer recognition initiative with Economic Development Commission Chairman David Childs. Mr. Jerram provided each board member with a New Hartford embroidered hat, with the slogan, "A Town for All Seasons", as a token of the town's gratitude for their service.

Mr. Sadlowski reminded board members that a Special Meeting is scheduled for next week, Wednesday, October 29, 2014, to meet with Planimetrics to go over demographics, which will be part of the revisions made to the Plan of Conservation and Development.

6. CORRESPONDENCE.

Mr. Steadman read into the record a correspondence dated October 16, 2014 from Zoning Board of Appeals member Scott Goff. Mr. Goff's letter was addressed to New Hartford's Board of Selectmen regarding development at West Hill Pond, specifically his notice of small seasonal cottages converted to much larger, year-round homes. Mr. Goff expressed concern with water quality and impacts of recent revised health code standards on septic systems, now deemed as repairs for these newer larger homes.

Mr. Jerram reported that upon receipt of Mr. Goff's letter, he submitted a correspondence to Ms. Jennifer Kertanis, Director, of Farmington Valley Health District. He sought clarification from Ms. Kertanis as to whether the health code has actually changed or whether the district is interpreting the old code differently now. He indicated that he had also inquired to her whether the water quality of the lake is being jeopardized by allowing these types of exceptions. Also, Mr. Jerram indicated he inquired of Ms. Kertanis whether the applications should be reviewed on a case by case basis with input sought from the town through one of its land use boards.

Mr. Pratt asked whether the homes up at West Hill Lake must get Farmington Valley Health septic system approval when building a home four times as big. Mr. Post indicated that he has done a number of surveys up at West Hill Lake and each one has had to adhere to present septic system requirements, bringing the system up to present code. Mr. Post noted that each of the sites has been held to a high standard and was curious as to what generated Mr. Goff's correspondence.

Mr. Jerram indicated that he has received acknowledgement of receipt of his correspondence from Ms. Kertanis but has not received a formal reply or response to the questions posed to her.

Mr. Sadlowski reported that he has had a conversation with Pat Gigliotti, a sanitarian at Farmington Valley Health, and that septic systems are engineered based on number of bedrooms and not determined by size of the home. If adding a bedroom, the health district may or may not direct a homeowner to replace the system, according to Mr. Sadlowski.

Mr. Sadlowski reported that residents from the lake area have approached him on what can be done to prevent property owners there from replacing small seasonal cottages with much larger homes. He suggested to them to come up with a lake overlay protection zone that extends five hundred (500') feet from the lake out and to include the restrictions they want in the lake overlay zone. Mr. Pratt recalled that when the regulations were being rewritten, the board spent quite a bit of time working on this zone and providing restrictions to maintain the quality of the water. Mr. Jerram noted that the quality of water has been and continues to be exceptional. Mr. Sadlowski explained that much of the concern is likely to be centered around aesthetics in that the residents up there do not like the looks of bigger, grander homes and prefer smaller cottages. He explained that the restrictions in FAR (Floor Area Ratio) are dependent on the size of the lot and may not always address this concern.

Mr. Sadlowski shared a conceptual plan of what the current owners of the Mobil Gas Station on Main Street provided to him. Mr. Sadlowski indicated that he has already detailed to them a few suggestions and necessary adjustments based on the preliminary plan. Mr. Sadlowski however highlighted a zoning issue that he has identified. Mr. Sadlowski indicated that the site itself is located in a B Zone, requiring a fifty (50') foot buffer area between the B zone and an R2 zone, the residential zone. Also included in this regulation, according to Mr. Sadlowski, is the requirement that the buffer area must be completely within the B zone. Mr. Sadlowski reported that in order for this business to conform to the buffer requirement, it would leave only twenty (20') feet of useable space, rendering it essentially useless. He reported that Town Clerk Donna LaPlante believes that the R2 zone bordering this subject property is owned by the town as it contains the old railway bed but she is not certain.

Mr. Sadlowski noted that if the Planning and Zoning Board were to rezone the fifty foot strip of the town owned property to a Public Service Utility District, a buffer would not be needed.

After ownership by the Town of this railway piece is confirmed, it was agreed that Mr. Sadlowski should continue with creating Public Service Utility District and plan the public hearing. It was agreed that this change in zones will likely benefit not only the gas station but the other various businesses located on the same side of the street along this area, i.e. the daycare and car service station.

7. OTHER BUSINESS PROPER TO COME BEFORE THE COMMISSION:

A. Discussion of Housing Options in the New Hartford Center Zone.

Mr. Sadlowski reported that housing options in the field of the Hurley's property on Greenwoods Road will likely be discussed at a future meeting.

B. Discussion of the Plan of Conservation and Development Update.

Signs that are erected throughout town were discussed. Mr. Sadlowski explained that most of the signs are illegal and suggested that a plan, similar to one that was adopted in Canterbury, be adopted.

MOTION: Mr. Post, Mr. LaPlante second, **to adjourn at 9:37PM; unanimously approved.**

Respectfully submitted,

**Pamela A. Colombie
Recording Clerk**

DRAFT