`Planning & Zoning Commission
Approved Minutes
April 15, 2015

Chairman Graveline called the meeting to order at 7:00 p.m. The meeting was recorded.

Members Present: G. Graveline, A. Havican, J. Crumb, G. Ploski and D. Santoro
Alternates Present: K. Kemp, Pat McKinney
Absent: None
Others Present: Rosalyn Moffo, Clerk

Approval of Minutes: Motion made by D. Santoro, seconded by G. Ploski to approve the Regular meeting minutes of April 1, 2015. **Unanimous.**

Motion made by A. Havican, seconded by J. Crumb to approve the Special meeting minutes of April 8, 2015. **Unanimous.**

Correspondence: None

Public Participation: None

Motion made by A. Havican, seconded by D. Santoro to add to the Agenda under New Business an application for a Home Occupation for Jiayuh (Rosa) Chyan, 34 Talmadge Hill Rd. **Unanimous.**

New Business:
a. Jiayuh (Rosa) Chyan, 34 Talmadge Hill Rd. – Home Occupation Application: Energy Therapy & Spiritual Counseling Sessions. Ms. Chyan appeared and presented the Commission with a Home Occupation Application to use a portion of her home for her business for Energy Therapy & Spiritual Healing sessions. Ms. Chyan stated that she is a 'Certified' teacher of healing therapy and she would like to meet with clients for private therapy sessions. Ms. Chyan stated that she has a healing room that she will use to meet with clients, by appointment only, between the hours of 6:00 p.m. to 8:00 p.m. Ms. Chyan stated that upon retiring, she would like to increase the hours from 10:00 a.m. to 4:00 p.m. daily. Ms. Chyan reviewed her plot plan with the commission and stated that she has ample parking for both herself and clients. Ms. Chyan stated that she will be the only employee. Commission members asked that Ms. Chyan supply a copy of her 'Certification' for the file. The Commission discussed their option to hold a public hearing and agreed they did not feel that a public hearing was necessary. After discussion, **Motion** made by A. Havican, seconded by G. Ploski to accept and approve the Home Occupation Application of Jiayuh (Rosa) Chyan, 34 Talmadge Hill Rd. for Energy Therapy and Spiritual Healing sessions. **Unanimous.**

Public Hearing:
7:15 p.m. - Lombard Group Prospect LLC, 26 Waterbury Road & 4 Summit Road: Special Permit Application for a proposed Retail/Pharmacy/Development. Chairman Graveline stated that the previous Public Hearing had been postponed until this evening. Chairman Graveline continued by reading into the record the "Notice of Public Hearing" for this special permit application as it appeared in the Republican American on April 3rd & 10th, 2015. K. Shannon Rutherford, P.E., Director of Land Development and Project Manager of VHB, and Attorney Franklin Pilicy appeared before the Commission with the applicant, John Lombard of The Lombard Group Prospect LLC. Ms. Rutherford also introduced the Traffic Engineer for VHB Charlie Baker and Architect, Bryce Hillman. Chairman

Graveline advised that Ms. Rutherford had previously provided the commission with the Site plan entitled 'CVS/Pharmacy' #01244, prepared by VHB, dated 2/27/15. Ms. Rutherford had previously presented the following documents: Special Permit Application, Stormwater Management Report, a Traffic Impact and Access Study and the Site Photolog. Ms. Rutherford had also submitted Sheet C-2 dated 2/27/15 which was received on 3/9/15, showing a Layout and Materials Plan of existing conditions removed within limits of the property line. Attorney Pilicy presented the Commission with the certificate of mailing receipts for the letters mailed to the abutting property owners. Chairman Graveline referenced letters from Lt. Nelson Abarzua, Prospect Police Department's Director of Public Safety, dated 4/6/15, Connecticut Consulting Engineers, LLC dated 4/11/15 and Robert V. Baltramaitis P.E. dated 4/14/15. Ms. Rutherford stated that the property is situated on 2.9 acres, at the corner lot of 4 Summit Rd. and 26 Waterbury Rd. and has an existing vacant funeral home and fire damaged office building. Ms. Rutherford stated that the office building at 4 Summit Rd. has its own septic system as does the property at 26 Waterbury Rd. The property has parking and paving, with a mix of landscaping tress and shrubs. Both the fire damaged building and the funeral home will be demolished. Ms. Rutherford continued that the proposal is for a 13,250 sq ft CVS/Retail Pharmacy/Development with a single drive-thru in the southeast quadrant of the property. There will be 65 parking spaces for customers. The existing office building will be reduced to 2,240 sq ft. with 10 exterior parking spaces. CVS will have two full access driveways, one entering from Waterbury Road and one from Summit Road. There are currently 5 curb cuts that will be reduced down to 2. Ms. Rutherford advised that the driveway out to Merriman Lane will continue to be used for the 2,240 sq ft. office building. The carport that is part of the office building will remain along with a garage. Ms. Rutherford stated that the plans are Zoning compliant with regard to lot coverage, setbacks and landscaping. Ms. Rutherford continued that there will be landscaping and stockade fencing along property lines. A chain link fence will enclose the dumpsters; the cardboard refuse compactor will be within the building and refuse will be disposed of once a month. The containers for general garbage and refuse will be in the rear of the building. Tractor trailer access for deliveries will be from Waterbury Road. There is ADA accessibility adjacent to the front entrance and sidewalks have been included on the side of Waterbury Road. Ms. Rutherford stated that there will be a transfer from well to public water for the office building coming off of Summit Road at the north edge of the property. Ms. Rutherford stated that a full drainage study was conducted, showing three distinct outlet points: 1) 4 Summit Road, some flow into lawn area with sheet flow out to Merriman Lane, 2) Funeral Home, out to Chandler Drive and 3) the Northwest quadrant, drains to a catch basin out to Summit Road that flows into drainage system in Waterbury Road. There will be a change in runoff out to Merriman Lane and Summit Road. Ms. Rutherford explained that there will be a detention field underground with no discharge onto Summit Road. There will be two strong deep sump pumps and two CVS water quality units to remove solids and silts. Ms. Rutherford continued that there is an erosion control plan in place following Connecticut DEEP regulations which include silt fencing, hail bails and straw. A gravel traction pad will be in place to catch debris before tracking onto local roads. The construction entrance and exit will come off of Summit Road. Ms. Rutherford continued that the proposed plan for landscaping would include, maintaining some existing trees, adding over 25 deciduous trees, 90 evergreens, 10 flowering trees near Waterbury Road and 500 shrubs and ground cover. *Don Pomeroy, 10 Rolling Ridge*, questioned if this plan was compliant with Prospect's Plan of Conservation and Development. A. Havican advised that it was very much the intention of the Commission for this project to be in compliance with Prospect's Plan of Conservation and Development. Concerns were raised regarding tractor-trailer deliveries. Ms. Rutherford advised that the amount of tractor-trailer deliveries would be reduced to one per week with possibly two before holidays or at the beginning of school; vendor access will have smaller trucks. *John VanVlack, 8 Summit Road*, stated his concern over the increase of traffic into the existing driveway on Merriman Lane for the office building. Mr. VanVlack stated concern that there is a school bus stop at the top of Merriman Lane. Mr. VanVlack also stated concern over the possible future use of the office

building. *Nancy Via, 31 Chandler Drive* inquired as to the hours of operation and if the store would be open 24 hours. Ms. Rutherford stated that the hours of operation will be standard operating hours opening approximately from 7:00 a.m. to 9:00 a.m. and closing between 9:00 p.m. and 11:00 p.m. Ms. Via also inquired as to the lighting. Ms. Rutherford stated that the outside lightning will be low trespass and other than security lighting, the lights will be turned off 1 hour after the employees close the store. *Rich Merly, 11 Chandler Dr.* questioned if after two years CVS wanted to change the hours from the initial approval for standard hours, could it be changed to 24 hours. Ms. Rutherford stated that she believed the approval could say that it would be for standard hours; if CVS wanted to change the hours to 24, they would need to come before the Planning and Zoning Commission. Questions were raised as to what type of delivery trucks would be entering at 4 Summit Road. Ms. Rutherford advised smaller vehicles such as UPS and Fedex. A question was also raised as to signage for 4 Summit Rd. Chairman Graveline advised just a number at the end of the road, no signage. Mr. VanVlack raised a question as to making another exit onto the CVS parking lot from 4 Summit Rd. Ms. Rutherford stated that the comments were heard this evening and could be discussed with Mr. Lombard and CVS. Ms. Rutherford also stated that the intent was for two separate uses and that the office space would have less usage. Ms. Rutherford introduced Charlie Baker, licensed professional Traffic Engineer with VHB. Mr. Baker advised that the proposed site has two full access driveways into CVS. Mr. Baker explained that there has been a traffic study performed at the peak hours for counts at Waterbury Rd. and Chandler Dr.; at Waterbury Rd. and Summit Rd.; and at Merriman Lane and Summit Rd. The traffic study projects 1 year into the future and includes the traffic that will be generated by the new Prospect Elementary School, 75 Waterbury Rd. The projection is per industry standard and revealed 110 trips per hour during weekday peak periods and 87 trips per hour during Saturday peak periods. Mr. Baker stated that the study was very conservative projected into the future with analyses of a letter grade A lowest, F the highest. The study showed at Waterbury Rd and Summit, the traffic operates at a C or better, no expectation of delays. During weekday peak hours, the traffic study gauged that the Waterbury Rd. driveway is expected to be at a grade of F for weekday peak traffic periods. At those periods the motorist will have to wait for a signal to turn green or for another motorist to yield the right of way. The driveway operated much more efficiently at off peak periods. Mr. Baker advised that motorists do have the option of going out onto Summit Rd. *Mayor Robert Chatfield, 25 Cornwall Ave.*, stated that he was advised there would be a 3rd lane so that vehicles could go down Summit Rd. and asked when the studies were performed and at what time of year. Mayor Chatfield advised that at 5 p.m. the traffic backs up to the Firehouse. Mayor Chatfield asked Mr. Baker if he had sat at the property during peak times of 7:45 a.m. to 9:00 a.m. or 3:00 p.m. to 6:00 p.m. Mr. Baker stated that someone was sitting and manual counting turning movements from 7:00 a.m. to 9:00 a.m. and from 4:00 to 6:00 p.m. with no increase as to traffic. Mayor Chatfield advised that a 3rd lane would help with the traffic adding that something better needs to be done. Mayor Chatfield advised that delivery trucks usually arrive in the morning and need to back out into the road to gain access. Ms. Rutherford advised that the access for trucks would be from Waterbury Road and trucks would exit onto Summit Rd. Mayor Chatfield advised that with the construction of I-84 the traffic will be worse. Mr. Baker advised that the level of service during the day would be at level C, with a wait time of 25 to 35 seconds. Mr. Baker stated that there would be some improvement if a right hand turn lane was installed on Rte 69 to Summit Rd. Chairman Graveline advised that the traffic information was sent to the Town's Engineer, Scott Poryanda, P.E. and their traffic engineer, Robert V. Baltramaitis, P.E. both of Connecticut Consulting Engineers LLC. Scott addressed both traffic and drainage. Robert addressed traffic. Chairman Graveline advised that both referenced a right hand turn lane on Rte 69. D. Santoro questioned if an accident impact study was performed. Mr. Baker reviewed the accident study. *Bill Sereduck, 35 Summit Rd.* asked if there was an alternative to the traffic pattern stating only 2 entrances and exits are not sufficient. Mr. Sereduck advised this is a major problem at Summit Rd for medical emergencies and the direct connection to Summit Rd with congestion growing daily. Mr. Sereduck stated that he is concerned that the entrances

and exits will cause more of a problem especially onto Summit Rd. Mr. Sereduck advised that an additional light and a left turn lane is necessary from Chandler Dr. *Roger Allen, 30 Summit Rd.* raised his concern that there is a traffic lane coming into the property but no control of traffic coming out. Ms. Rutherford stated that the D.O.T. in Newington has the traffic pattern and they are waiting for a report from their review. *Tom Galvin, 27 Rockridge Terrace,* questioned if the right turn lane on Rte 69 was installed would this interfere with the addition of a sidewalk. Ms. Rutherford advised that it would not necessarily do so. *Helen Plante, 5 Rosewood Dr.,* raised a concern regarding what the community could do to have Rte 69 widened. Mayor Chatfield said that the Town has made a request to the State. Attorney Pilicy advised that everyone has heard the recommendations of 'bypass lanes' and the applicants have agreed to this recommendation, but the final say is with the State D.O.T. Don Pomeroy stated that he is aware that the property is zoned commercial, but stated that everyone is here for the best deal for the Town and the abutting property owners. *Mark Milutis, 7 Pinecrest Dr.* stated that major improvements are necessary on Rte 69 with exclusive walkways. *Yvette Collette, 20 Maria Hotchkiss* commented that because it is right for the applicant and for CVS that it does not mean that it is right for the community. Ms. Rutherford advised that the property is Business property and conforms to all Zoning Regulations. Ms. Rutherford explained that the architecture, drainage and traffic have all been taken into consideration. The project is waiting for DOT evaluation and approval. *Nancy Via* stated that to exit onto Waterbury Rd. from Chandler Dr. is difficult, with more than a 30 sec. delay, but up to 60 sec. delay. Ms. Via requested to leave a very large tree that is in the front of the property as many residents sit under this tree during parades. The Commission held discussion with Bryce Hillman, of BKA Architects Inc., regarding the design of the proposed CVS stating that they would like a residential colonial type building. Chairman Graveline continued the Public Hearing until Wednesday, May 6, 2015 at 7:15 p.m.

Old Business: None

Land Use Inspector's Report: None

Public Participation: None

Adjournment: **Motion** made by A. Havican, seconded by G. Ploski to adjourn the meeting. **Unanimous**. The meeting adjourned at 9:38 p.m.

E. Gil Graveline RBM
E. Gil Graveline
Chairman

PROSPECT, CONN
TOWN CLERK'S OFFICE
RECEIVED FOR RECORD
2015 MAY -7 AM 9:02
Marjorie A. Ordway
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