

Planning & Zoning Commission
UN-Approved Minutes
June 17, 2015

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

Members Present: G. Graveline, J. Crumb, G. Ploski, D. Santoro

Alternates Present: K. Kemp

Absent: Al Havican and P. McKinney

Others Present: Tammy DeLoia, Land Use Inspector

Chairman Graveline sat Ken Kemp for Al Havican.

Motion made by G. Ploski, seconded by K. Kemp to approve the minutes of June 3, 2015 as submitted. **Unanimous.**

Correspondence: None

Public Participation: *Bob Skrip* commented that it is a ‘nice addition’ to see the landscaping work presently occurring at St. Anthony’s Church. Mayor Robert J. Chatfield, 36 Center Street addressed a comment regarding the road reconstruction of Scott Road. Mayor Chatfield advised the work will begin soon. The construction company had advised the CT DOT that the work will be completed by the end of the year and begin with drains and milling. The paving will be done on Fridays.

New Business:

a) Donna Marlak, 8 Maria Hotchkiss Road: Home Occupation – Art Prints. Ms. Donna Marlak appeared and presented the Commission with a Home Occupation Application to use a portion of her home to create and sell “Art Prints” online. Ms. Marlak stated that she will be the only employee without patronage to her home. Commission members questioned the use of caustic materials and Ms. Marlak advised that the prints are pen and ink drawings. Ms. Marlak advised that due to her online clientele, she would be mailing her goods. 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 J. Crumb, seconded by G. Ploski to accept and approve the application submitted by Donna Marlak, 8 Maria Hotchkiss Road for a Home Occupation to create and sell Art Prints. **Unanimous.**

Land Use Inspector’s Report: Tammy DeLoia, Land Use Inspector, advised the commission that the Land Use Department has been receiving many calls regarding unregistered vehicles. Ms. DeLoia also noted that 56 Williams Drive, a concern of the Anti-Blight Commission, is showing cleanup. Chairman Graveline questioned if new blight complaints were received. Ms. DeLoia stated that the Blight complaints are sent to the Mayor’s Office where a form is filed and given to the Anti-Blight Committee. **Motion** made by D. Santoro, seconded by G. Ploski to accept the Land Use Inspector’s Report. **Unanimous.**

Public Hearing:

7:15 p.m. Lombard Group Prospect, LLC, 26 Waterbury Road & 4 Summit Road – Special Permit Application for proposed Retail/Pharmacy/Development (CVS). Chairman Graveline reopened the Public Hearing which was continued from 6/3/15. 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. The following documents were provided to the commission by Ms. Rutherford: Letter dated 6/12/15 from Jason P. Mikrut, P.E. Senior Project Manager of VHB Project #42083.00; Site Plans for CVS/pharmacy #01244, Waterbury Road (Rte 69) & Summit Road, prepared by VHB, dated 2/27/15 and revised 6/12/15; the Storm Water Management Report dated February 2015 and revised June 2015; Updated Site Lighting Plan dated 6/16/15; and Building Signage Site Plan revised to 6/16/15. Mayor Chatfield suggested that in lieu of the proposed “transportation fund” of a \$75,000.00 donation for traffic mitigation, that the applicants consider deeding the Town a portion of the land along Summit Road, which would allow the Town to widen the top of Summit Road near its intersection with Rte 69 and that the proposed Chandler Drive access be an entrance only. Ms. Rutherford stated that the Chandler Drive driveway has been shifted approximately 14 ft to the east allowing better tractor trailer access from Rte 69. Ms. Rutherford also stated that the door position was changed and ADA spaces were increased. The emergency access door was repositioned to the sidewalk side and the steel door will be painted to match the brick façade design. Ms. Rutherford continued that the CT DOT was contacted for suggestions for signage. Ms. Rutherford explained that Rte 69 would be painted and striped per CT DOT specifications and two signs would be placed at the Chandler Drive and Rte 69 intersection that would read: “Do Not Block Intersection” and “Subject to Fine”. G. Ploski referred to CT State Statute Sec. 14-250B “Obstructing Intersection” and questioned if a Town Ordinance would need to be in place to enforce the fines and could Rte 69 be painted without such an ordinance. Ms. Rutherford stated that it was her understanding that the road could be painted without the ordinance. Ms. Rutherford stated that the applicant is willing to present a proposed ordinance to the Town Council to allow for fines to be enforced for people who are given an infraction for blocking the intersection. *Nancy Via, 31 Chandler Drive* voiced her concern that the majority of people block the intersection. *Theresa Graveline, 20 Corinne Drive* asked if Ms. Rutherford contacted the CT DOT regarding the timing of the lights that she had previously requested to be done. Ms. Graveline also stated that she is the Chair of the Ordinance sub-committee and she would present the Town Council, at their next meeting on July 7th, with a proposed ordinance for the enactment of an ordinance to allow the enforcement of fines for people who are cited with “Blocking the Intersection”. Ms. Rutherford stated that the concern for the timing of the lights could be addressed at a future date as the construction of the building would take approximately six (6) months. *Donna Marlak, 8 Maria Hotchkiss* raised her concern regarding traffic. *Easton Sullivan, 24 Chandler Drive* raised concerns regarding widening for right and left turns into Chandler Drive. Ms. Rutherford addressed signage and stated that the height of the sign had been decreased by 3 ft for a total height of 12 ft on one pedestal pole. Ms. Rutherford explained that lighting and photo-metrics had been changed to downcast lighting with under canopy lighting on the building. G. Ploski stated his concern for truck traffic coming into the CVS entrance on Summit Road instead of Chandler Drive causing potential traffic back-up. Ms. Rutherford explained that CVS would give instructions to their tractor-trailer dispatch regarding entering and exiting. *Nancy Via, 31 Chandler Drive* questioned if parking spaces were along Chandler Drive. Ms. Rutherford stated “no” explaining that the parking is in front of the building. *Mr. Miller, 14 Chandler Drive* questioned the sightline due to the bank’s driveway being just opposite of the proposed CVS driveway. D. Santoro questioned

the delivery times of the CVS tractor trailers and the traffic pattern. Ms. Rutherford stated that the probability of deliveries between 3 p.m. and 6 p.m. is highly unlikely as that is the peak time for the store. *Crystal Guerrara, 28 Chandler Drive* questioned the back-up onto Chandler Drive from deliveries and people in the Drive-thru queue at the same time. Ms. Rutherford advised that there is a loading space for delivery trucks to park to off-load to not interfere with the queue. *Theresa Graveline, 20 Corinne Drive* remarked on the line of sight coming out of Ion Bank and asked that Planning and Zoning contact Ion Bank so that some of the trees could be trimmed for more visibility. Ms. Graveline also commented that the sign height was still too high and found it to be obtrusive. Ms. Graveline stated that she would like the sign to be more comparable to the “Ion Bank” signage. Ms. Graveline also commented that she felt the 9” pitch was too high and not proportionate for the building. *Mr. Jasarevic, 3 Chandler Drive* stated concern regarding the 6 ft high stockade fencing. Mr. Jasarevic advised that he had fencing to the end of his property but took part of it down. Mr. Jasarevic also advised that he would like more privacy and would like for the fence to be higher. After discussion, Ms. Rutherford stated that an additional 40 ft of stockade fencing would be added extending south toward Chandler Drive without interfering with the sightline. *Cynthia Royale, 27 Chandler Drive* questioned if the driveway on Chandler Drive could be entrance only. Attorney Franklin Pilicy advised that it was not acceptable by CVS nor recommended by the CT DOT to have the driveway on Chandler Drive only as an entrance. Mr. Pilicy explained that the applicant was agreeable to the modification requested by Mayor Chatfield for the applicant to deed a portion of Summit Road for traffic mitigation and to submit an ordinance to the Prospect Town Council, regarding fines for people who are cited with “Blocking the Intersection”, though the applicant has no control over the Town Council. G. Ploski requested a retraction for the previous proposed donation for “traffic mitigation” and asked to include the modification for the “deeding” of a portion of Summit Road for additional site work. Mr. Pilicy stated that he would not be submitting a letter of retraction, but tonight would be his verbal retraction. With no further comments, **Motion** made by J. Crumb, seconded by K. Kemp to close the Public Hearing on the Special Permit Application submitted by Lombard Group Prospect LLC, 26 Waterbury Road and 4 Summit Road for a proposed Retail/Pharmacy/Development (CVS). **Unanimous.**

7:30 p.m. - Harris Corp., 100 Union City Road – Special Permit Application: Research & Development. Chairman Graveline read the notice of Public Hearing into the record for Harris Corp. Robert (Bob) Skrip, 106 Cheshire Road and Luisa DaSilva of Bethany, CT owners of the property at 100 Union City Road appeared before the commission. Mr. Skrip advised that Harris Corp. has rented the entire building but will only utilize 2500 sq. ft. of space. The remainder of the building cannot be sublet. Commission members questioned the amount of parking spaces. Mr. Skrip advised that the parking spaces are adequate; there are only 8 employees. If there is a need for more; he is currently clearing some of the brush on the property and would be able to extend the parking area. Commission members stated that if the current tenant moved out and the building is to be split, that the owner must come before the Commission for approval. Mr. Skrip advised that he is hopeful that this tenant stays. After discussion, **Motion** made by G. Ploski, seconded by J. Crumb to close the Public Hearing and to approve the Special Permit Application of Harris Corp., 100 Union City Road for Research and Development. **Unanimous.**

Old Business:

a. **Discussion on Zoning Regulations:** No action taken.

Public Participation: *Nancy Sullivan, 38 Summit Road* stated concern regarding traffic at Summit Road and Peter Gilkey Road. Ms. Sullivan advised that the present signage is too small and should be enlarged as commuters are not aware that Peter Gilkey Road does not have an outlet. Suggestions were made to create a larger sign with reflectors for public awareness.

Adjournment: **Motion** made by D. Santoro, seconded by G. Ploski to adjourn the meeting. **Unanimous.** The meeting adjourned @ 8:37 p.m.

E. Gil Graveline

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Chairman