

**APPROVED AMENDED MINUTES
BROOKFIELD ZONING COMMISSION
Thursday, August 9, 2012 – 7:00 p.m.
MEETING ROOM #133 – TOWN HALL, 100 POCONO ROAD**

1. Convene Meeting

Chairman Mercer called the meeting to order and established a quorum of members:

Present: Chairman W. Mercer, Vice Chair R. Blessey, M. Grimes, C. Lynch, *J. Varda

Absent: J. Cordisco, Secretary F. Lollie

Also Present: Zoning Enforcement Officer A. Dew, Community Development Director K. Daniel, Recording Secretary E. Cole

*Chairman Mercer noted that J. Varda is a voting member for this evening's meeting.

a. Review Minutes of Previous Meetings: 7/26/12

M. Grimes stated that on the top of page 5, in regard to 204 Candlewood Lake Road, that it needed to be clarified that the public hearing was necessary because of the construction of the building, and that the application is not just a regular site plan modification application. M. Grimes also noted that on page one, Mr. O'Hara, Sr. was only present for the discussion of 204 Candlewood Lake Road before the public hearing and not present for the discussion after the public hearing. **C. Lynch made a motion to approve the minutes of the 07/26/12 meeting as amended. J. Varda seconded the motion. Motion carried unanimously, 5-0.**

2. Land Use Enforcement

a. Enforcement Officer's Report:

273 Whisconier Road – Craft Center – ZEO Dew noted that the Craft Center received a variance at the Zoning Board of Appeals meeting earlier in the week.

85 Ironworks Hill Road – ZEO Dew reported that there is still a slight accumulation of tires even though the tires have been removed.

53 Huckleberry Hill Road – ZEO Dew noted that this enforcement matter is now part of tonight's meeting agenda and will be discussed later in the meeting.

6 Lillinonah Drive – ZEO Dew stated that the owner has until the 20th to bring this address into compliance.

37 Huckleberry Hill Road – ZEO Dew stated that she has not yet heard anything about this enforcement matter.

14 Knollcrest Drive – ZEO Dew reported that there is still an accumulation in the driveway, and she noted that there is a cease and desist for the property. **M. Grimes made a motion to issue a citation to 14 Knollcrest Drive if not in compliance by 08/22/12. R. Blessey seconded the motion, and it carried unanimously, 5-0.**

28 Del Mar Drive – ZEO Dew stated that she had the citation ready and drove by this morning to see that the vehicles have been removed and the lawn has been mowed; however, she noted that there was a pickup in a different location in the driveway. ZEO Dew stated that she would like to wait to take another look at the property before moving ahead with the next step of enforcement.

11 Nicole's Court – ZEO Dew stated that Cohen & Wolf has sent a letter to the property owner, and the property owner responded to that letter. ZEO Dew stated that there has now been another letter sent from Cohen and Wolf.

533 Federal Road – ZEO Dew stated that there is an order of temporary injunction for this property.

1 High Ridge Road – ZEO Dew reported that she spoke with P. Olson who stated that the Commission has two choices: either seek a real property execution or a bank execution. Chairman Mercer asked if P. Olson had recommended one method over the other, and ZEO Dew noted that he did not mention which method was preferable. R. Blessey asked ZEO Dew to arrange an executive session for the Zoning Commission meeting of August 23rd to discuss this matter.

9 Stoney Farm Lane – ZEO Dew noted that P. Olson has given the property owner until the end of August to reach a settlement. It was noted that the Commission would also like to discuss this property under executive session at the next meeting.

54 Ironworks Hill Road – The Commission also requested an executive session for the next meeting with N. Marcus of Cohen and Wolf to discuss the details of this matter.

101 Obtuse Hill Road – ZEO Dew noted that there was an extremely large political sign which she put a notice on which stated that the sign was in a violation.

Ronnie's Service Station – M. Grimes mentioned that there is an illegal political sign at this property, and Chairman Mercer noted that ZEO Dew should send a letter to the property owner.

3. Review Correspondence

- a. **Minutes of other Boards and Commissions: Inland Wetlands Commission 7/23/12; Zoning Board of Appeals; Planning Commission 7/19/12; Zoning Sub-Committee**
- b. Letter from Attorney Marcus of Cohen and Wolf dated 07/18/12 Re: Zoning Regulation Section 242-401E(2)
- c. Email from Stefani Battles to Town Clerk J. Locke dated 07/17/12 Re: Approval of Authorization
- d. Letter from K. Daniel (AICP) and A. Dew (ZEO) to John Farley, P. Scalzo, Gager, Emerson, Rickart, Bower and Scalzo, and M. Lillis of CCA Engineering dated 7/23/12 Re: Discussion of Proposal for an Incentive Housing development at 857 Federal Rd
- e. Legal Briefings for Building Inspectors: July 2012 issue
- f. Connecticut Federation of Planning & Zoning Agencies Quarterly Newsletter: Summer 2012
- g. Letter (with enclosure) from Macky McCleary (Deputy Commissioner) CT Dept of Energy & Environ. Protection to First Selectman Bill Davidson dated 7/3/12 Re: Notice of Tentative Determination Domestic Sewage General Permit
- h. Copy of memo sent from Zoning Commission to Board of Selectman dated 7/31/12 Re: Alternate Zoning Commissioner Jeffrey Cordisco
- i. **Citation: Affiliated Realty, LLC vs. Brookfield Zoning Commission, Zoning Board of Appeals, Inland Wetland Commission, Alice Dew- ZEO, Katherine Daniel – WEO, Brianna Marciniak and Matthew Marciniak dated 7/27/12**
- j. Letter from Katherine Daniel, AICP to Zoning Commission dated 8/2/12 Re: Four Corners Revitalization Plan
- k. Iroquois Report: August 2012 summer issue

M. Grimes made a motion to go to item 5a. R. Blessey seconded the motion, and it carried unanimously, 5-0.

5. Old Business:

- a. **13 Surrey Drive #201200629: Single Family Conversion (dec date 9/29/12)**
 1. "Zoning Location Survey" prepared by Bunney Assoc. dated 6/20/12 revised 7/17/12
 2. Floor Plan of Lower level received in Land Use and dated 8/1/12
 3. Copy of Variance for 35 sq. ft. granted 7/9/12

Margaret Kaswer, owner of 13 Surrey Drive, Brookfield, CT, was present to speak about the application. Mrs. Kaswer stated that she would like to add a ground floor apartment to her single family home because she and her husband can no longer live in the main house because of the stairs.

R. Blessey noted the square footage of the apartment that was listed on the application. **R. Blessey made a motion to approve activity #201200629 for a single-family conversion. M. Grimes seconded the motion, and it carried unanimously, 5-0.**

R. Blessey made a motion to go to item 6a. M. Grimes seconded the motion, and it carried unanimously, 5-0.

- b. **204 Candlewood Lake Road #201200635: Site Plan Modification – Demolish existing**

building, re-build new addition, new septic system, parking, and pool (Public Hearing scheduled for 8/23/12)

1. Letter from Dawn M. McKay, Environmental Analyst 3 for CT Dept of Environ. Prot. To Abigail Adams of CCA, LLC dated 7/12/12 Re: Proposed building addition at the Candlewood East Marina at 204 Candlewood Lake Road
- c. **57 Laurel Hill Road #201200636: Design Review for proposed Incentive Housing “Laurel Hill Townhomes”**(Public Hearing scheduled for 8/23/12)
 1. “Luminaire Schedule” prepared by Reflexlighting dated 7/24/12 – page 1 of 1

6. **New Business:**

- a. **53 Huckleberry Hill Road #201200606: Single Family Conversion** (*dec date 10/13/12*)

Chairman Mercer recused himself from this matter. *Margaret Minier, owner of 53 Huckleberry Hill Road, Brookfield, CT was present to discuss the application.* Ms. Minier read a statement regarding the history of her home, apartment, and property to the Commission. At 7:30 PM, the Commission moved to the public hearing and informed Ms. Minier that discussion of application #201200606 would continue after the public hearing.

4. **Public Hearing 7:30 p.m.**

- a. **40 & 64 Laurel Hill Road (The Residences at Laurel Hill) #201200588: Design Review for a proposed Incentive Housing Project** (*ph close date 9/13/12*)
 1. Memo from Wayne Gravius, Chief Brookfield Fire Co. – Water Source to Zoning Commission dated 7/18/12 Re: 40, 57, 64 Laurel Hill Rd Residences at Laurel Hill
 2. Letter from Robert R. Brown, VP Historical Society to Zoning Commission dated 8/1/12 Re: Redevelopment of 40 and 64 Laurel Hill Road Properties
 3. Letter from Jacqueline Salame, Chairperson for the Historic District to Zoning Commission dated 7/26/12 Re: 40 & 64 Laurel Hill Rd
 4. **Traffic Access & Impact Study** for the Residences at 40 and 60 Laurel Hill Rd prepared by Frederick P. Clark Associates, Inc. dated July 2012
 5. **Map titled “Layout And Materials Plan” prepared by CCA, LLC dated 6/6/12 revised thru 8/2/12 – sheet C1**
 - “Grading And Drainage Plan” dated 6/6/12 revised thru 8/2/12 – sheet C2
 - “Utilities Plan” dated 6/6/12 revised thru 8/2/12 – sheet C3
 - “Landscape Plan” dated 6/6/12 revised thru 8/2/12 – sheet C4
 - “Landscape Plan Enlargement” dated 6/6/12 revised 8/2/12 – sheet C4a
 - “Landscape Plan Enlargement” dated 6/6/12 revised 8/2/12 – sheet C4b
 6. Letter from Katherine Daniel, AICP and Alice Dew, ZEO to Zoning Commission received 8/2/12 Re: Pre-application review of project at 40 & 64 Laurel Hill Road

Abigail Adams, Landscape Architect of CCA, LLC was present.

Peter Scalzo, Attorney who practices law at 2 Stony Hill Road, Bethel, CT was present.

Nancy Laveck of CCA, LLC was present.

John LaFreniere, Architect of LaFreniere Architects, was present.

Chairman Mercer opened the public hearing and read the public hearing script. Chairman Mercer introduced the five members present at the Commission tonight. It was noted that each member is a voting member for the purpose of this application. Due to Secretary Lollie’s absence, C. Lynch read the legal notice that was published in the Danbury New Times on 07/27/12 & 08/06/12. Chairman Mercer stated that this application was received formally by the Commission on 07/12/12, and stated that the public hearing is only one aspect of the application process. Chairman Mercer asked the audience if there were any questions regarding the procedure of the public hearing. C. Lynch read the letter from the Brookfield Museum and Historical Society dated 08/06/12 signed by Bob Brown, the Vice President of the Brookfield Museum & Historical Society. C. Lynch read the letter from the

Brookfield Volunteer Fire Company dated 07/18/12, signed by W. Gravius. C. Lynch also read a letter from the Brookfield Historic District Commission dated 07/26/12 signed by J. Salame, Chairperson of the Brookfield Historic District Commission. Chairman Mercer asked for the applicant to begin the presentation.

P. Scalzo introduced the development team that was present at this evening's meeting. P. Scalzo stated that this site is located at the southern tip of the TCD zone and there is an incentive housing overlay zone over these parcels. P. Scalzo stated that he did submit an incentive housing restriction as part of the application packet. P. Scalzo noted that the property is currently two lots for a total of 6.8 acres and there are currently two residential structures that are bordered by the Route 7 bypass to the west, residences and a residential zone to the north, Brookfield Cleaners commercial to the east, and land to the south. P. Scalzo stated that the proposal is to have three structures with 24 two-bedroom units in each structure for a total of 72 units. P. Scalzo stated that the new draft of the revitalization plan talks about this parcel being tagged as a buildable parcel. P. Scalzo reviewed how this application fits well with the new draft of the Town Center Revitalization Plan. P. Scalzo stated that the developers had two pre-hearing meetings with ZEO Dew and Community Development Director K. Daniel about the project. P. Scalzo stated that after discussion at these meetings, the developers revised the plans to add more common areas, landscaping, and a reduction of parking from two parking spaces per unit to 1.75 parking spaces per unit. P. Scalzo stated that the applicant does not wish to debate the classification of the existing structures as historic. P. Scalzo stated that there is no legal authority to stop the demolition of the structures. P. Scalzo noted that the applicant had looked at retaining these structures as part of these plans but there were compatibility issues and economic issues of the incorporation of the structures into this proposal. P. Scalzo noted that the applicant is prepared to comply with Section 7-147Y of the Connecticut General Statutes. P. Scalzo read a portion of this statute for the audience and the Commission. P. Scalzo noted that the developers are willing to work with the Historic Commission and Historical Society to determine the possibility of moving the structures or saving components of the building. P. Scalzo mentioned that the traffic engineer was not able to attend tonight's meeting, but P. Scalzo referred the Commission to page 20 of the traffic report, which notes that the traffic will not have any significant impact on nearby roads and intersections and does not require any mitigation.

A. Adams stated that the site is currently assessed for sewer, and the developers are also proposing a water main extension along the frontage of the property. A. Adams noted that information regarding this project has been submitted to Aquarion Water Company. A. Adams noted the location of a gas main on Old Route 7 and Laurel Hill Road. A. Adams stated that access to the property will be via four proposed curb cuts - two proposed for one-way only and the others for two-way, due to site lines. A. Adams stated that within parking lot areas there is a total of 126 parking spaces including 6 handicapped parking spaces. A. Adams stated that the overall grading is in keeping with the existing topography of the site. A. Adams mentioned that a retaining wall along the northern and western sides of the property is proposed. A. Adams stated that within each parking area there will be two screened refuse areas for use by the residents. A. Adams also noted that there is pedestrian access planned throughout the site, and a sidewalk on Laurel Hill Road has also been proposed. A. Adams noted the recreational additions to the plan, such as a playground and benches that were added. A. Adams referred to the Water Source letter read earlier this evening for the record. She replied that the buildings will have sprinkler systems in them, and that this information has been included in the project report. A. Adams stated that typically sprinkler system design plans are submitted when entire architectural plans for the Fire Marshal to review when the building permit application is submitted. A. Adams stated that item #2 of that letter questions the locations of the standpipes on the building, which is another aspect of the application that is generally submitted as part of the building application. A. Adams stated that in reference to item #3, which refers to the thirty foot level area around all of the buildings, this part of the letter is referring to the affordable housing regulations, which are not

pertinent to this application, as it is an incentive housing application. A. Adams reviewed the plans with the Commission.

Nancy Laveck discussed the drainage plan with the Commission. N. Laveck stated that the developers are planning to retain the current drainage flows to the south and to the north. N. Laveck noted that there is a wetland located to the north and the south, but that the water will be treated properly before entering the wetland areas. N. Laveck stated that pre-development conditions are met and reduced in certain storm events, and the catch basins have been designed for a twenty-five year storm event, and the detention areas have both been designed for the one hundred-year storm event.

P. Scalzo submitted a signed copy of the incentive housing restriction for the file.

J. LaFreniere stated that the three buildings follow the line of the road, and the landscape with the trees has been integrated as a continuation of the woodland so that the overall visual impact is softened. The buildings are three story buildings. The building has bays projecting out from the ends three and a half feet from the middle piece, and within that there are other bays that are masked by the woodlands. J. LaFreniere pointed out the location of balconies at the end and two pairs of balconies in the middle of the buildings. J. LaFreniere stated that these buildings combine typical colonial components. The trim boards are all made of azek, synthetic material that is permanent and does not need to be painted. J. LaFreniere stated that air conditioning units are integrated into the overall character of the buildings by being integrated into the trim of the window. J. LaFreniere stated that there was some struggle with the two existing buildings but given the number of units necessary, there were no ways possible to integrate the existing buildings into the development. J. LaFreniere noted that there are some community areas, but that the size of the existing buildings would be too large for community use. J. LaFreniere noted that there are some community areas planned for the development, but that these areas are small.

Chairman Mercer asked for any questions of clarification from the audience. *J. Salame, 148 Whisconier Road, Brookfield, CT was present.* J. Salame stated that she had a question about the detention basin at the south end of 40 Laurel Hill Road, and N. Laveck responded that there is an existing depression in the area with a catch basin with drainage that crosses under Laurel Hill Road and located where the structure will be built into the area which will continue to discharge across the street. N. Laveck noted that there will be an expansion of the pond that is on the site already. N. Laveck noted that the water from the wetland tends to go across the street, and the characteristic of the drainage is maintained by making that depressed area into a retention pond and controlling the outflow.

Angela Raymond of Laurel Hill Road was present. A. Raymond asked if the gazebo and the playground would be located on the conservation easement area. A. Adams clarified that the gazebo area is intended for the residents, and the gazebo will not be located in the easement area. A. Raymond asked for clarification about the colors of the map, and A. Adams noted the colors and stated that some of the existing vegetation line would be cleared for parking and to open up some space for the courtyard for the residents. Chairman Mercer clarified that the dark green areas on the map indicate that the area will not be disturbed. It was noted that the light green areas on the map are areas that will be disturbed, but grass will be re-planted in those locations.

Don Winkley of 33 Flax Hill Road was present. D. Winkley stated that this layout seems to encourage street parking and asked how street parking will be prohibited. P. Scalzo stated that the Four Corners revitalization plan does include some street parking, but in this particular parcel for only residential use, there are no accommodations for parking in the front of the buildings to encourage people to use the front and sidewalk areas to walk and access the buildings. J. LaFreniere clarified that there are no entrances to the buildings on the street side, and it is almost easier to access the buildings from the side.

A. Raymond asked for clarification that 126 parking spaces is the correct parking amount. A. Adams stated that the original application had 144 spaces which is two per unit, and after the design team spoke with Community Development Director Daniel and ZEO Dew, they determined that this type of development would work better with reduced parking amounts: 1.75 spaces per unit for 126 total parking spaces.

C. Lynch asked what the number of two bedrooms count is, and P. Scalzo stated that all of the buildings are planned for two bedroom units. C. Lynch noted that on building #3, the northern most building the parking space of 1.75 is appropriate, but that some spots might be added near that building. P. Scalzo stated that the object was to encourage green space while considering stormwater and impervious surfaces. R. Blessey stated that according to the Four Corners Plan the goal is to reduce parking that is not needed. Community Development Director K. Daniel stated that at the pre-application meeting, she had asked the developer how many spaces would be appropriate, and the developer at that time had stated that 1.4 was sufficient, so the 1.75 per unit proposal is generous. C. Lynch asked about the siding on the building, and J. LaFreniere stated that the proposed siding will be architectural vinyl siding because it is easiest for building maintenance. J. LaFreniere stated that the detailing will be done as if the building were wood-sided. C. Lynch noted that he did not see the street light detail. Chairman Mercer stated that he believed that there was no street lighting, and all lighting would be on the structure and on the parking. C. Lynch stated that he saw these buildings as a development that would help the Four Corners area of the public hearing. A. Adams clarified that there is no lighting proposed along Laurel Hill Road. Chairman Mercer asked if there is lighting on the buildings along Laurel Hill Road, and A. Adams responded that there will be porch lights on the buildings. R. Blessey noted that there is an acre of land that is marked to be conserved. R. Blessey asked why the developer did not request changes to the density requirement. P. Scalzo stated that the developer was going along with the state statute requirement, which mandates twenty units per acre.

Chairman Mercer asked if there were any members of the audience who wished to speak in favor of the application. There were none.

Chairman Mercer asked if there were any members of the audience who wished to speak in opposition to the application.

Bob Brown of 253 Whisconier Road was present to speak in opposition to the application. Bob Brown stated that he would like to see the historically significant structures on the property that are over two hundred years old remain in Brookfield. B. Brown stated that he is against the project as it stands because the buildings are not being used. B. Brown stated that it will be up to the Zoning Commission to try to steer the developers to provide some of the means to keep the buildings. B. Brown stated that he would rather see alternative plans and options to keep the historic buildings. B. Brown stated that there are a lot of options, and he really hopes that the Commission gives some thought to that point. Chairman Mercer asked B. Brown if there were no historical buildings on the site, if he would be here tonight speaking in favor of the application, and B. Brown stated that he would not.

Laura Mancuso, Municipal Historian, resident of 15 Parker Hill Road was present to speak in opposition of the application. L. Mancuso stated that the house at 40 Laurel Hill Road had been previously moved back 200 feet in 1975, and was proposed for demolition in 1974 for Route 7 to come through. L. Mancuso stated that there are not many barns left in the Town, and that this property is a good example of a farmstead that could be historically preserved as a centerpiece for the development. L. Mancuso noted that the farmstead used to encompass land that connected to Meadow Brook Manor and encompassed that whole area on the other side of Route 7. L. Mancuso suggested that these buildings could be included as rental office spaces as they are now and as they have been. L. Mancuso

stated that she believes there will be many proposed demolitions and this is a good way to start thinking about these types of demolition proposals, and how these historic buildings fit into the Four Corners Revitalization Plan.

Community Development Director K. Daniel noted that the properties that were indicated tonight were not included in the revitalization plan as developable properties.

A. Raymond of Laurel Hill Road spoke in opposition to the application. A. Raymond stated that she is against this application because three stories is higher than have been discussed in the past, and she questioned the thirty feet around the building that was discussed earlier on the water source letter that was a requirement for affordable housing. A. Raymond asked that if thirty feet around the building is vital for affordable housing, why is it also not vital for this type of incentive housing? A. Raymond stated that she believed P. Scalzo stated that there is no law that prohibits the developer from demolishing these buildings, and there has been no thought about what can be done with these historical buildings. A. Raymond stated that the architect stated about the community use and the clubhouse eventually become vacant, and she stated that this comment does not speak too well about the overall project. A. Raymond stated that there was hesitancy about the questions of street parking, and the reduction in the parking seems to encourage dependency on the street parking. A. Raymond stated that the traffic study noted that there will be an insignificant impact on the traffic, and she stated that she does not know how 72 units would not have a significant impact on the current traffic situation in that area. M. Grimes asked Mrs. Raymond, if she wanted no street parking at all, or if she was concerned that there was too much street parking, and she replied that she desired a reduction in street parking; that she felt that there was too much street parking. A. Raymond stated that the number of people that these units will bring in will cause a change to the whole infrastructure in the Town. Chairman Mercer noted that A. Raymond was over time to speak. A. Raymond stated that the front setback of 25 feet invades on the Town right-of-way. A. Adams responded that building one is closest to the setback, which is 23.5 feet from the edge of the road, and A. Adams reviewed the incentive housing regulation calculation in the Town Center District, and stated that all of the buildings meet the setback. A. Raymond stated that there are some calculations for the parking, buildings, driveways, walkways and porches, and stated that the Commission should clarify the calculations on that page. A. Raymond requested that the Zoning Commission use wise discretion when considering this application.

J. Salame of 148 Whisconier Road, spoke in opposition to the application. J. Salame stated that she had not heard any attention paid to smart or sustainable growth in this project, and there has not been a very asserted effort to implement the historical buildings into the project. J. Salame stated that the massing and the scale of these buildings are more urban and are not appropriate for the Town of Brookfield. J. Salame stated that the scale is out of range, and these buildings look similar to old New England college three-story dormitories. J. Salame stated that she is not for the project as presented. J. Salame stated that the historic buildings mixed with new buildings make plans more interesting. Chairman Mercer asked if J. Salame is opposed because the buildings are planned to be torn down, and does not like the buildings that are going up. J. Salame confirmed that this is why she is opposed to the application, and she stated that she believes that these buildings do not fit with the Plan of Development for the Town of Brookfield. J. Salame stated that this building is contextually out of place.

Don Winkley asked if any thought about the impact of noise due to the flat back of the buildings facing Route 7 was considered. M. Grimes asked D. Winkley if he is opposed to the project, and Chairman Mercer asked D. Winkley if he could term his statement according to being in opposition of the project, and D. Winkley stated that he is opposed because he feels that the tenants will find it very noisy.

Chairman Mercer asked if there were any other statements of opposition. **M. Grimes moved to recess the public hearing so the Commission can receive input from the Planning Commission and so the Commission can review the submissions from tonight.** Chairman Mercer stated that the Commission will need to review the incentive housing narrative. M. Grimes asked if all Commission members can have the missing information scanned and sent to them.

P. Scalzo stated these proposed structures comply with the incentive housing zone and are not in violation at all with it. P. Scalzo stated that he appreciates the comments about the historical structures, and R. Blessey stated that he would like to hear about the efforts that went into the project for the next meeting. P. Scalzo stated that he could also bring the owner of the structures to the next meeting to talk about the general nature of these structures. **R. Blessey seconded the motion, and it carried unanimously, 5-0.**

The Commission moved back to 53 Hucklebrry Hill Road on the agenda. Chairman Mercer recused himself again in this matter.

R. Blessey left the meeting room at 8:52 PM, and re-entered the meeting room 8:54 PM.

Item 6.a., 53 Hucklebrry Hill Road #201200606: Single Family Conversion

(dec date 10/13/12)

R. Blessey stated that if there was not an apartment pre-1960, there is no evidence that the property is pre-existing, non-conforming. R. Blessey noted that Ms. Minier is looking to classify her apartment as a single family conversion. M. Grimes stated that there should be some mechanical help from Town Council about the wording of the motion. R. Blessey responded that the application can be treated as a new application for a conversion of a single family dwelling. **M. Grimes moved to approve the single family conversion for 53 Hucklebrry Hill Road application #201200606. C. Lynch seconded the motion, and it carried unanimously, 4-0.**

- b. 14 Candlewood Lake Rd (Bagelman) #201200671: Site Plan Modification** to change single door to double and move other double doors located in space next to store ten (10) feet to the right *(dec date 10/12/12)*
1. Map of new storefront prepared by H & R Design Facilities Planners dated 6/27/12 – drawing No. A101

Chairman Mercer returned as chair. *Marc Froehlich, owner of Bagelman, Brookfield, CT was present to speak about the application.* M. Froehlich stated that he is looking to convert an existing single door to a double door and move an exiting door ten feet to the right. **M. Grimes made a motion to approve application #201200671, site plan modification, for 14 Candlewood Lake Road. R. Blessey seconded the motion, and it carried unanimously, 5-0.**

c. 887 Federal Road #200300284: Application for Permit Extension for 5 years
No one was present. Community Development Director Daniel stated that it is proposed as a mixed-use building near the town center that has not yet been built. R. Blessey reviewed the file. R. Blessey noted that so much has changed since the approval date of the application. M. Grimes asked if there was a letter in the file that explains the rationale for the extension. R. Blessey stated that he would like the applicant to explain what he or she would like to do with the extension. R. Blessey asked that the site plan for the project be included in the Commission's packet for the next meeting.

- d. 15 Federal Road (Gym-Source) #201200656: Site Plan Modification to recover existing awning** *(dec date 10/12/12)*
1. Hand drawn map of property handed into Land Use 7/26/12
 2. "Storefront Rendering" prepared by Triangle Sign & Service dated 3/30/12 – sheet 2

of 11

- “Recover Existing Awning” dated 3/30/12 – sheet 7 of 11

Richard Rizzo of 12 Dutton Street, Wallingford, CT was present to discuss the application.

R. Rizzo noted that the canopy entrance is going to be removed, and the new awning will be run along the entire front of the building, although the tenant will only be using 36 liner feet of the storefront. R. Rizzo stated that there is no illumination in the awning. **R. Blessey made a motion to approve the site plan modification for 15 Federal Road activity #201200656. C. Lynch seconded the motion, and it carried unanimously, 5-0.**

- e. **360 Federal Road #200900068: Request for Bond Release/Reduction for the amount to \$113,084.90.**

Chairman Mercer noted the amount of the original bond. **R. Blessey made a motion to recommend to the Board of Selectmen to release the bond for \$113,084.90 to ADP Realty, 360 Federal Road Application #200900068. M. Grimes seconded the motion, and it carried unanimously, 5-0.**

- f. **227 Candlewood Lake Road #201200678: Application for Regulation Change for Section 242-501 – Table of Permitted Uses to add the following use as a permitted use in the IRC 80/40 under Storage: “Boats, Indoor” and Required Area: “40” (dec date 10/12/12)**

M. Grimes made a motion to set a public hearing for September 13 for application #201200678, an application to change 242-501, table of permitted uses to add the following permitted use under IRC80/40 under storage: boats, indoor and required area of 40. Chairman Mercer seconded the motion, and it carried unanimously, 5-0.

- g. **227 Candlewood Lake Road #201200679: Application for Regulation Change for Section 242-502D2(i) – Automotive and boat sales, repair or storage with listed precautions (see attached sheet) (dec date 10/12/12)**

M. Grimes made a motion to set a public hearing for September 13th at 7:30 PM for application #201200679 for an application to change section 242-502D2(i) for automotive and boat sales, repair or storage with listed precautions . W. Mercer seconded the motion, and it carried unanimously, 5-0.

- h. **850 Federal Road (Village Liquor) #201200682: Site Plan Modification to expand existing cooler area 5’ wider by 8’ deeper (dec date 10/12/12)**

- 1. Hand drawn map handed into Land Use Office 8/2/12

Bob Picheco, contractor for 850 Federal Road, was present to discuss the application. M. Grimes asked if this project needs to be scheduled for a public hearing. The Commission reviewed the regulations pertaining to design review and site plan modification and reviewed 242-301B, and determined that a public hearing is not necessary because the scope of work does not fall under the requirements for a public hearing in that regulation. R. Blessey noted that there are no minimum required setbacks for side and rear in the Town Center District. **M. Grimes made a motion to approve application #201200682 site plan modification for 850 Federal Road. R. Blessey seconded the motion, and it carried unanimously, 5-0.**

- i. **200 & 236 Federal Road (Costco Wholesale) #201200683: Site Plan Modification to add a handicapped ramp system to an approved exit door located on the southwest corner of the Costco building (dec date 10/12/12)**

- 1. **Map of Costco Renovation & Expansion, Relocation of Bank And New Fuel Facility – “Site Plan” prepared by BL Companies dated 7/21/11 revised thru 8/2/12 – sheet SP-1**

- “Grading And Drainage Plan” dated 7/21/11 revised thru 8/2/12 – sheet GD-1

*Ray Gradwell and Brendan Bolla with BL Companies were present to discuss the application on behalf of Costco and Gary Michael. C. Lynch recused himself from this matter. R. Blessey left the meeting room at 9:14 PM. B. Bolla reviewed the plans with the Commission. B. Bolla stated that the concrete ramp for handicapped accessibility is proposed on the southwest side of the building. B. Bolla stated that the finished floor is about 21” higher inside of the building, and a concrete ramp with handrails will correct the grade so people can egress safely. It was noted that this is an emergency exit as a secondary egress. R. Gradwell mentioned that the Fire Marshal had also reviewed this proposal. **J. Varda made a motion to approve activity #201200683 for adding a handicapped accessible landing ramp and rail system to the southwest side of Costco. Chairman Mercer seconded the motion, and it carried unanimously, 3-0.***

7. Tabled Items:

8. Informal Discussion:

- a. 770 Federal Road: Christopher Sanzeni would like to discuss a possible use added for a small craft brewery business in the Town Center District.

No one was present. M. Grimes noted that this item should be discussed at the next meeting.

ZEO Dew asked that two other items be added to the informal discussion, if possible regarding Costco. Chairman Mercer stated that in the plan that was approved by the Commission for Costco there was a section in between the new entrance and the liquor store that was going to be block on the existing structure in the original plan, and now Costco is proposing to use vertical metal panels like the vertical metal panels that are on the east side of the store facing Federal Road. The Commission noted that this change will not change the overall site, but that a site plan modification should be submitted.

Chairman Mercer stated that there is a request to discuss the possibility of issuing a temporary Certificate of Zoning Compliance because the Costco gas station will be operational by August 20th. The original plan was to have all of the road work done to have that station operational by August 20th. The question is would the Zoning Commission allow the opening and usage of the gas station with the existing entrance provided that certain traffic controls be put in at the site. Chairman Mercer showed a plan as a suggestion of what is being proposed, having the traffic re-routed to another portion of the parking lot, and having Police in the parking lot at high traffic times like the weekends to try to control some of the congestion in the lot. J. Varda asked how long it will take for the roadwork to be completed, and it was clarified that the plan is to have the signal light in operation on September 12th.

Chairman Mercer stated that there are other issues represented by this question, noting that the Commission is used to issuing Certificates of Zoning Compliance for new construction. This question is dealing with renovation and construction. Chairman Mercer noted that the new bank will not be ready for occupancy until October. Chairman Mercer noted that the bank is probably going to want to move into their new space before destroying the old bank. J. Varda stated that with gas prices going up it would be great if it could be open, but there is a definite safety problem with the parking lot. Chairman Mercer noted that there are major traffic issues on the site. Ray Gradwell stated that Costco is dedicated to maintain safety outside in the parking lot. Chairman Mercer stated that the issue is that unless the state traffic commission changes its position, there could be no use of the alteration anyhow until the roadwork is completed. There is a provision for partial opening of the buildings through the state traffic commission, but R. Gradwell noted that there is a lot of effort necessary for that temporary approval. Chairman Mercer stated that the first action item needs to be with the State, and the general thought with the three Commission members present is that a temporary CZC would be difficult at a minimal and has increased chances for accidents. Chairman Mercer stated that there is no procedure

for staged certificates of zoning compliance. Ray Gradwell stated that he appreciated the time and consideration from the Commission.

R. Blessey and C. Lynch re-entered the meeting room around 9:30 PM.

Community Development Director Daniel asked the Commission if they had reviewed the correspondence, item 3b, and she asked the Commission if they would discuss this letter as part of informal discussion. Community Development Director Daniel asked if the Commission would like the office to prepare a regulation change for section 242-401E(2) , regarding drainage. Chairman Mercer reviewed with the Commission what the regulation states. Chairman Mercer noted that there is another regulation that involves changing waterflows. Chairman Mercer stated that N. Marcus stated that 242-401E(2) is not correctly written. Community Development Director Daniel stated that she is wondering if the sub-committee could draft a regulation change. M. Grimes asked that this item be put on the agenda for the next meeting. R. Blessey stated that he will come into the Land Use Office to complete the zoning regulation change application.

Community Development Director Daniel stated that in regard to item 3j, one of the suggestions in the action item was that the Zoning Commission affirm the revitalization plan as a guiding document. M. Grimes stated that it is not in the purview of the Zoning Commission to adopt the guideline. C. Lynch stated that perhaps maybe some changes could reflect comments without necessarily supporting that guide, to support what is in the document within the Zoning Commission regulations. Chairman Mercer stated that it is up to the Planning Commission to adopt the plan, and if adopted, up to the Zoning Commission to conform the regulations to it. J. Varda suggested that there could be some regulation change proposals for certain sections of the regulations. Community Development Director Daniel stated that she would like to work with some of the Commission members on these regulation changes. R. Blessey, C. Lynch and J. Varda agreed that they would like to work with Community Development Director Daniel on these regulation changes.

Chairman Mercer asked if there were any other informal discussion items.

ZEO Dew noted that all of the construction sites want signage on where they are moving their buildings. ZEO Dew noted that there is only a regulation for temporary construction signs for residential zones that is allowable only up to twelve square feet. There was no further discussion about this topic.

9. Comments of Commissioners:

There were no additional comments.

10. Adjourn:

R. Blessey made a motion to adjourn at 9:42 PM, and M. Grimes seconded the motion, and it carried unanimously, 5-0.

****Next Regular Meeting Scheduled for August 23, 2012****