

LITCHFIELD PLANNING AND ZONING COMMISSION
Town Hall Annex Gymnasium, 80 Doyle Road, Bantam, CT
REGULAR MEETING MINUTES
June 3, 2013 7:00 p.m.

Chairman Susan Lowenthal, called the meeting to order at 7:01 p.m.

Present: Commissioners Susan Pitman Lowenthal, Curt Barrows, Carol Bramley, Peter Losee, David Pavlick, Sky Post, and Tom Waterhouse, Alternate Commissioners Ed Doyle, and Ralph White, and Land Use Administrator, Dr. Dennis Tobin.

Absent: Erin Kennedy

Appointment of Alternates: None.

Appointment of Temporary Secretary: no one was appointed

The Chairman read a letter from Attorney Steve Byrne dated May 23, 2013 regarding having a professional recording secretary attend the commission meetings. D. Pavlick moved to authorize the chair meet with the first selectman to request hiring a secretary, T. Waterhouse seconded and the motion passed unanimously.

Approval of Minutes of May 20, 2013 – Continued to the next meeting.

Public Comment - None

Commissioners' requests – Chairman Lowenthal to add an application from Prevevau of Indian Knolls Road for a site plan modification to the agenda, D. Pavlick moved and Curt Barrow seconded to add this item under new business, the motion passed unanimously.

PUBLIC HEARING

Stop & Shop Supermarket Company, LLC **Village Green Dr,** **6/3/13-**

Site Plan for demolition of 3 existing Buildings C, D, & E to construct 1 new building (38,000 sq. ft.) a 2,500 sq. ft. addition to building B and associated site improvements.

The Chair opened the hearing at 7:20. Attorney Tom Cody of Robinson & Cole was present for the application and submitted return receipt mail cards. John Hession, Patrick Dunford and Tom Scott were also present for the application. Mr. Cody presented a power point presentation and submitted a hard copy for the record.

Dr. Lowenthal questioned the use of an egress from the plaza out onto South Lake Street. Attorney Cody stated this property was sold 7 years ago and currently belongs to the Housing Trust.

John Hession of EBI Consulting talked about drainage, circulation and parking on the site. He believes that the parking complies with the regulations. They are aware that issues have been raised by peer reviews and they will be looking at it again and working with town consultants to address the concerns. Ingress and egress to the site will remain the same from Rt 202 with the exit allowing for traffic to drive east. The one major change to the on site circulation is the reconfiguration of the entrance from Rt 202 which becomes a 5 way intersection at the entrance to Dunkin Donuts. That intersection will be relocated a little off set to Dunkin Donuts to create a 4 way intersection. There will be another exit out of that section of the plaza in front of Senor Panchos to allow for an easier traffic flow back onto Rt. 202 east. The current egress onto Commons Drive next to building B will be closed to allow for better parking and loading for the expanding Building B. Traffic exiting the site wishing to head west on Rt 202 will be circulated to Commons Drive at the current traffic light.

Mr. Cody stated that as far as the entrance/exit on to Commons Drive, part of the property is on the Commons Drive property and part of it is on the Village Green property. There is a shared access easement on record which is included in the traffic study.

The Commission had questions about truck circulation on the site and a concern that trucks unloading at Dunkin Donuts currently have to back into that already congested area. Mr. Hession explained that this issue will be looked at again to see what can be done to remedy this situation.

Mr. Hession reviewed the proposed grading and drainage which has been reviewed and approved by the Inland Wetlands Commission. Landscaping was discussed. Dr. Lowenthal asked for a listing of trees and sizes that will be removed and a listing of proposed new plantings. Mr. Hession stated that a riparian buffer zone planting plan has been included in the landscaping plan and reviewed by Inland Wetlands and they will provide it to this commission as well. The Commission would like to see more non-deciduous plantings along the eastern boundary that abuts homes on South Lake Street to provide more screening in the winter months.

The existing site lighting utilizes cutoff light fixtures that project light down which is typically used in shopping centers and will remain the same.

He addressed proposed phases of the construction. Construction fences will be used to separate the construction area from the rest of the plaza to allow for the continuation of the remaining businesses. The first phase will be the demo of Bldg D and E and construction of the building B addition and parking to relocate the existing businesses from building C. Phase 1A will be the major earth work to locate the proposed supermarket building and retaining wall to the south side of the plaza which consists of an engineered block wall. Phase 2 will be the demo of building C, minor grading and installation of utilities and paving to stabilize the site for construction progression. Phase 3 is the construction of the supermarket building. As each phase is completed it will be seeded and stabilized to avoid erosion. Phase 4 is the final phase which would be the final landscaping and plantings.

Pat Dunford, Traffic Engineer addressed traffic issues. They studied the access way and circulation in the stretch between Constitution Way and the existing Village Green Plaza and results are shown in their traffic report. Existing conditions, at the current Stop and Shop location are difficult at best with no light at that location cars tend to back up into the parking lot that are waiting to turn left. Commission members expressed concerns about the current Stop & Shop ingress and egress as well. He stated that the State Traffic Commission and Conn DOT study and regulate the timing of the traffic lights on Rt 202 The applicant will consult with the State regarding the timing of the lights for the proposed project the existing site and along the entire Rt 202 corridor from Constitution Way to the center of town to see if any adjustments can be made. Ms. Lowenthal asked for the number of parking spaces in the Commons Plaza. C. Bramley questioned what would happen to traffic on Rt 202 when a new tenant occupies the old Stop and Shop building and the traffic increases with both new uses. Mr. Dunford explained that a 3' shoulder widening and a 50' turn lane extension will be installed at the entrance to the Village Green Plaza to accommodate the new project. He explained the truck routes through the site, loading areas to be used and exits.

Tom Scott, Architect spoke to the architectural aspects of the building. Black asphalt architectural shingles will be used for a hip style roof over the entrance to the new building. The front of the building will be gray clapboard which is a hardy clapboard cementitious product that, when painted, looks like wood and is low maintenance. The proposed brick material is a standard brick 8" long. This building will be LEED (Leadership in Energy and Environmental Design) certified. Which means that most products used will be from a 500 mile radius. Sky lights will be installed on the roof, and interior lights will have sensors on them to dim them when it is bright outside to save 1/3 of electricity. Ms. Bramley stated that Stop & Shop needs to do more to make this building "fit in" with the character of Litchfield. This Corporation has done this

in many other towns; Unionville for instance; where the building was designed to fit in with the historic mill town feel.

Vince McDermott, town consultant from Milone & MacBroom reviewed the points submitted in their peer review letter dated June 3, 2013. He addressed the existing conditions and the parking spaces existing and proposed. More information on how the green space was calculated is needed. The design of the building will be reviewed by the Design Review Committee. He would like to have the applicant verify the height calculation of the proposed building. There were several discrepancies in the traffic volumes, capacity analysis, accident data and sight distances that need to be addressed. He next addressed parking and site circulation. He feels that the applicant has underestimated the number of parking spaces that are required. There were several suggestions made by Milone & MacBroom regarding general site development storm water management Aquifer protection area as spelled out on their letter listed above.

The meeting was opened to the public for comment at 10:20 p.m. There was discussion between the Chairman and Atty. Cody with regard to the Interveners speaking on general subjects of the site plan. Atty. Cody objected to the Interveners speaking about anything but the environmental issues.

Joan Spear speaking as a public member read and submitted a letter requesting an independent traffic review and a review of underground storage tanks.

Michelle Crow speaking as a public member read a letter into the record and submitted design suggestions.

Ms. Lowenthal asked Ms. Spear to produce documents related to a request by the DEEP regarding the underground tanks.

Several people spoke in opposition to the application.

Attorney Peter Herbst was present as a representative for the adjoining property owner the Litchfield Commons. He is working with the Stop & Shop team to address the issues that the Commons has and is optimistic that all issues will be resolved.

The hearing was continued to June 17 at 7:00 p.m. at the Town Hall Annex Gymnasium.

REGULAR MEETING

Because of the late hour, the Commission noted the article in their bylaws that call for a vote to act on any agenda item after 11:00 p.m. C. Bramley moved to defer action on items on 7, 8, 9, 10 and 11 to a future meeting, S. Post seconded and the motion passed unanimously.

Consider proposed zoning regulation amendment – Article IV, Section 5 – Table of Uses
Deferred to a future meeting.

Review Assessors Open Space Clarification

- a. Conservation Commission report
- b. Additional data

Deferred to a future meeting.

Old Route 8 subcommittee report

Deferred to a future meeting.

Land Use Administrator Report – permits, enforcement, budget, office.
Deferred to a future meeting.

Old Business

Deferred to a future meeting.

New Business – D. Pavlick moved to hear the item that was added to the agenda under Commissioners requests at the beginning of the meeting, C. Barrows seconded and the motion passed unanimously.

Bill Zampaglione was present for Indian Knolls for a modification to a Special Exception permit to modify 12 house foundations. Dr. Tobin explained the current conditions on site and asked the commission to request a bond to allow for legal review of the bonding issues. C. Barrows moved to request a bond of \$1,500 for legal review, D. Pavlick seconded and the motion passed unanimously. The public hearing was set for June 17, 2013.

Correspondence

The Commission discussed the letter that was read at the beginning of the meeting regarding the recording secretary and the Chair agreed to talk with the first selectman.

The Chair made note of a letter received from Geoff's Equipment dated May 30, 2013.

Adjournment- D. Pavlick moved to adjourn at 11:40 p.m., T. Waterhouse seconded and the motion passed unanimously.



Susan W. Pitman Lowenthal, MD
Chairman

June 17, 2013
Date