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Cc:

ADOPTED

PLANNING COMMISSION MEETING
September 22, 2009
REGULAR MEETING

I. CALL TO ORDER

Chairman John Loomis called the regular meeting of the Planning Commission to order at 7:05 p.m. in the Main Meeting Room of the Simsbury Town Offices. The following members were present: Gerry Post, Mark Drake, Julie Meyer, Charles Houlihan, Ferg Jansen and Carol Cole. Also in attendance were Hiram Peck, Director of Planning, as well as other interested parties.

II. SEATING OF ALTERNATES

Chairman Loomis appointed Commissioner Drake to serve in the absence of Commissioner Bednarczyk.

Commissioner Houlihan made a motion to amend the agenda and hear Item IV. next. Commissioner Jansen seconded the motion, which was unanimously approved.

III. PRESENTATION, DISCUSSION AND POSSIBLE DECISION

a. Application of Michael and Stacey Flammini, Owners, for a modification to the existing conservation easement on the Kilbourn Farms Subdivision to allow for an in-ground pool on property located at 3 Kilbourn Farms. R-40 Zone (Assessor Map-G-5, Block-302, Lot-2)

Mr. Flammini stated that he bought this property in 2005. He would like to put in an inground pool. There are buffers in place along Hoskins Road. He would like to take some of that buffer down on the west side and also bring down several trees. He stated that he does not want the pool in the shade.

Mr. Flammini stated that, with or without a new pool, he would like to upgrade his property regarding the trees. Many of the trees are dead and

very overgrown. He stated that he is proposing to upgrade and beautify the area and to put in a nicer private buffer. Mr. Flammini stated that an investment of this size is great. He would like to make sure it is designed well and that it fits properly and with the spirit of the neighborhood and Town.

Mr. Flammini stated that he is requesting to take some of the buffer and trees down and to build it up again with a nicer buffer.

Commissioner Jansen questioned how many feet into the buffer would the applicant like to go. Mr. Flammini stated that he would like to go approximately 30' from the corner. He stated that the property that directly abuts the buffer is an empty lot. He stated that the owners, Mr. and Mrs. Wrobel, own this lot and live next to this empty lot. He stated that he has not directly discussed this proposal with this neighbor.

Commissioner Jansen stated that the applicant would like to extend 10' into the conservation easement. He questioned how many feet would be left. Mr. Flammini stated that he is proposing to cut into the property line and add to the conservation easement.

Commissioner Meyer stated her concern regarding that the abutting property owner would be losing part of the conservation easement. She questioned if the Wrobels had been notified by the Town regarding this proposal.

Commissioner Houlihan questioned if the pool and pool house have been staked out yet. Mr. Flammini stated that there are painted lines on the grass. Commissioner Houlihan questioned what the distance was from the property line to the pool house. Mr. Flammini stated that he was unsure. He stated that the pool house is approximately the size of a shed. He stated that it would mostly be used for storage.

Commissioner Jansen questioned if the applicant had been in contact with the neighbors. Mr. Flammini stated that they have written two letters and have also talked to several neighbors. Commissioner Meyer stated her concerns regarding the Wrobels not being notified of this proposal.

Commissioner Post suggested inviting the Wrobels to come to a site walk of the property. Mr. Peck stated that if the Commission decides to have a site walk, the Town will contact the abutters. They were not notified because this is not a public hearing. Mr. Flammini stated that it is his full intent to work with his neighbors.

The Commission discussed how this property was developed and what constituted their front, side and back yard. Commissioner Drake questioned if the applicant could get a variance from the Zoning Board of Appeals. Mr. Peck stated that it would be tough for the Zoning Board of Appeals to grant a variance when the applicant would be creating his own hardship.

Commissioner Meyer stated that it may become a hardship if the Planning Commission does not approve this application.

In response to a question, Mr. Peck stated that on the original approval, 39% of the property was set aside for a conservation easement. He stated that the conservation line will run through the proposed pool house.

Chairman Loomis stated that he would like to see the entire property. He asked that the applicant make sure everything was marked for the site walk. The Commission agreed to have a site walk on Friday, September 25th at 4:30 p.m.

IV. POSSIBLE APPROVAL OF MINUTES from the September 8, 2009 meeting

There were several edits to the September 8, 2009 minutes.

Commissioner Post made a motion to approve the September 8, 2009 minutes as amended. Commissioner Meyer seconded the motion, which was unanimously approved.

V. THE TOWN CENTER CHARRETTE REVIEW AND NEXT STEPS

Mr. Peck showed the Commission members a Power Point of the final presentation, which is also on the Town's website. Mr. Peck stated that Code Studio will be putting together the code in the next several weeks. Prior to the end of the year, they will be back for a presentation with the Zoning Commission. He stated that the application and approval process will be improved, and hopefully, shortened.

Chairman Loomis asked for comments from each Commission member who attended the Charrette process.

Commissioner Jansen stated that he went Saturday, although he missed the presentation part of the meeting. He stated that he found the economic analysis interesting and thought the development of the Girard property was great. He stated that he was disappointed that the plans did not show more activity on the other side of Hopmeadow Street.

Commissioner Jansen stated that he heard a lot of good feedback regarding the Charrette process. People were impressed and thought the process was good for the Town. He did not hear any negative comments.

Commissioner Houlihan stated that he thought the process of the 17 different tables was very interesting. Most people endorsed the Town Center portion of the POCD, which was a validation for the Plan. He stated that he liked that there was a broad consensus of what people wanted to see

in Town; there was a shared vision. Commissioner Houlihan stated that he was only able to attend one half of the presentation on Wednesday night.

Regarding density of parking lots, Commissioner Houlihan stated that he is not sure if there will be adequate parking. Mr. Peck stated that there was a great deal of discussion regarding adequate parking in terms of dimensions and square footage. He stated that they discussed "tuck under parking", which does not involve much structure. He stated that this is one concept that is cost effective and that may work for Simsbury.

Commissioner Meyer questioned if the code would dictate the type of parking the Town would have. Mr. Peck stated that there will be certain aspects of the code that will have to be followed. The code will contain parking configurations; the parking will be interior and not along Hopmeadow Street.

Commissioner Houlihan stated that the consultant made a calculation stating that there was sufficient parking to service the anticipated activity. He questioned if this would reduce the gross number of parking spaces from what currently exists. Mr. Peck stated that it increases the square footage. He stated that it is an allocation issue. The consultants heard that people do not often get to park close enough to where they would like to be. He stated that the consultants have re-allocated a lot of the parking much closer to the uses.

Commissioner Houlihan stated that he felt that Code Studio was very professional. He stated that he was very impressed with the consultant.

Commissioner Cole stated that she attended all of the meetings during the Charrette process. She stated that she also attended the 1998 Charrette. More people attended this Charrette than the 1998 Charrette. She stated that she found it interesting that most people go to the Town Center because of the family restaurants, but some people went there for little else. She feels that the consultants conducted themselves in a very professional manner.

Commissioner Cole stated that she thought the scale of the buildings were bigger than she was expecting. She also stated that she would like to see the old character of Simsbury continue.

Commissioner Post stated that he was impressed with the process and the consultant. He stated that he attended the presentation on Saturday and throughout the week. He stated that the biggest thing that surprised him was how much of the Center would be demolished. He stated that there is a lot of history in the Town. Commissioner Post stated that he agrees with Commissioner Jansen that there could have been more use of the land on the

other side of Hopmeadow Street. He stated that he would like to see a lot of initial buildings go up on Iron Horse Boulevard.

The Commission discussed Hopmeadow Street and Andy's. Mr. Peck stated that the consultant discussed increasing the connection with Iron Horse Boulevard and Hopmeadow Street. The Commission also discussed the Historical Society and the historic site on Hopmeadow Street.

Commissioner Meyer feels that the consultants did a great job throughout the process. She stated that it was interesting and exciting to attend the process, although she was unable to go on Wednesday night. She stated that she sat at a table with the Engineer regarding Low Impact Development (LID) practices. She stated that he had some great ideas and would like to see him incorporate his ideas as part of the code if more grant money could be found. She stated that other people at her table were concerned that the Town Center would get too big and lose its charm. She agreed that she did not want the Town Center to look too new. Commissioner Meyer stated that she will be interested to see what comes out of the code that had not been visualized throughout the process.

Mr. Peck stated that the Low Impact Development Regulations are part of the Zoning Regulations. He stated that he is in the process of writing another grant regarding LID. He stated that this will not only apply to the Town Center, but also to other areas in Town.

Commissioner Drake stated that he was unable to attend any of the Charrette meetings. He questioned if the overall plan was conceptual. Mr. Peck stated that it was conceptual; it is one way that the Town Center may be developed. He stated that there will be certain things that will be specific and in other areas there will be some flexibility.

Mr. Peck stated that people, who once said that pedestrians would not be able to cross Hopmeadow Street safely and that the traffic on Hopmeadow Street could not be tamed, are now optimistic. They now feel strongly that there can be parking on both sides of Hopmeadow Street, as well as other enhancements. Mr. Peck stated that all of this will be part of the plan, although it is not part of the Zoning Code. He stated that this will be an important distinction.

The Commission discussed "bump-outs" on Hopmeadow Street. Mr. Peck stated that this will make the street less wide and easier to cross. This will also help slow the traffic down. Mr. Peck stated that, as an initial enhancement, the Town could paint the curbs along the bump-outs until people get used to them. He stated that another very important issue is to make sure that emergency vehicles can pass cars that are pulled over to the side of the road.

The Commission discussed the property across from the Congregational Church. Mr. Peck stated that this will need to be a signature building. He stated that this building will set the tone for the entire Town Center. Commissioner Meyer stated that she heard comments that this property should not have a signature building on it. It should be open space. Commissioner Post stated that he would like to see the bigger development staged in toward the Town Center. Mr. Peck stated that there will be a new bank building on that site. The Wetlands Commission has already approved the drainage for the site.

VI. STATUS OF THE INCENTIVE HOUSING ZONE STUDY

Mr. Peck stated that the consultants are in the process of getting the final draft of the report done. They have a meeting scheduled with the property owners in October. The consultant for the Incentive Housing Zone did attend the Charrette process. They need to figure out how the IHZ will fit in with the Town Center.

VII. STATUS OF THE PROPOSED PLANNED AREA DEVELOPMENT (PAD) ZONE

Mr. Peck stated that there was nothing new to report.

VIII. STAFF REPORT(s)

Mr. Peck stated that a presentation was made to the Board of Selectmen regarding the improvement project to the power lines. Although the power lines will be getting larger, they will stay within the existing corridors. He stated that the Town's ability to affect this project is very limited.

Chairman Loomis stated that a big part of this project will be clearing out part of the existing right-of-way.

Commissioner Meyer questioned if Mr. Peck had an update from the Town Attorney regarding her question about whether or not the dry to wet and steep slope ratios apply only to open space or to open space and conservation easements. Mr. Peck stated that he has not received an answer back from Attorney DeCrescenzo as of yet.

Commissioner Meyer stated that the March 10, 2009 adopted minutes have not been posted to the Town's website. She stated that she would like this updated.

IX. COMMUNICATIONS AND ADMINISTRATIVE BUSINESS

Commissioner Drake stated that he attended the last CRCOG meeting, which have been very poorly attended. He stated that CRCOG is in the process of

getting the first draft for the regional conservational development plan. It is available to view on-line. He stated that if they get a quorum next month, they will try to finish the draft then.

Chairman Loomis stated that CRCOG shows the acres of preserved farmland, combining the Town of Simsbury and the Land Trust, at 123.2 acres. He feels that this number is an understatement. Mr. Peck stated that he has asked CRCOG to look at these figures.

Commissioner Drake stated that CRCOG often uses data from studies that are old. He stated that CRCOG wants all comments in by the end of this month.

X. ADJOURNMENT

Commissioner Jansen made a motion to adjourn the meeting at 9:10 p.m. Commissioner Post seconded the motion, which was unanimously approved.

Gerry Post, Secretary