

From: Lois Laczko May 21, 2009 11:09:45 AM
Subject: Zoning Commission Minutes 04/20/2009 ADOPTED
To: SimsburyCT_ZoningMin
Cc:

ADOPTED

ZONING COMMISSION MINUTES
APRIL 20, 2009
REGULAR MEETING

I. CALL TO ORDER

Chairman Barney called the Regular Meeting of the Zoning Commission to order at 7:30 p.m. in the Main Meeting Room at the Simsbury Town Offices. The following members were present: Alan Needham, James Gallagher, Garrett Delehanty, Ed Pabich and Madeline Gilkey. Bruce Elliott arrived at 7:45 p.m. Also in attendance were Director of Planning Hiram Peck, Commission Clerk Alison Sturgeon and other interested parties.

II. APPOINTMENT OF ALTERNATES'

Commissioner Delehanty appointed Ms. Gilkey to serve in the absence of Mr. Barnett and Mr. Needham to serve in the absence of Mr. Vaughn.

Mr. Delehanty read the call.

III. APPROVAL OF MINUTES of April 6, 2009 regular meeting and April 6, 2009 workshop

Several edits were made to the April 6, 2009 workshop minutes.

Mr. Delehanty made a motion to approve the April 6, 2009 workshop minutes as amended and the April 6, 2009 regular meeting minutes as written. Mr. Gallagher seconded the motion, which was unanimously approved.

IV. PUBLIC HEARING(s)

a. Application of Dorset Crossing, LLC, Owner, Attorney Thomas W. Fahey, Jr., Agent, for a Special Exception, pursuant to Article Eight, Section A (Footnote 9) of the Simsbury Zoning Regulations to increase the coverage (40% to 45.9%) on the B-3 zone portion of the property located at Dorset Crossing, 1507 and 1515 Hopmeadow Street. B-3 and I-3 Zone.

V. PRESENTATION(s)

a. Application of Dorset Crossing, LLC, Owner, Attorney Thomas W. Fahey, Jr., Agent, for Site Plan Approval for the construction of buildings and site improvements on property located at Dorset Crossing, 1507 and 1515 Hopmeadow Street. B-3 and I-3 Zone.

Chairman Barney requested that the applicant present both of these applications together.

Mr. Giorgio stated that it was approximately 6 months ago when this Commission approved the zone change. He stated that the reason for the special exception is because if they drew the line several feet further, they would not have a 45% coverage for the site, it would have been approximately 25% coverage.

Mr. Giorgio stated that Saint Francis Medical Care has agreed to lease a 30,000 s.f. medical office building at Dorset Crossing. They are also seriously looking into another building that would have 20,000 s.f. He feels that the front area of Dorset Crossing will predominantly be a medical related campus. He stated that they have also had an opportunity to work with Town staff regarding the Incentive Housing Zone.

Mr. Ziaks stated that the site plan is focusing on the B-3 portion of the site, which is 20.4 acres out of the 46.1 acres of the total site. The remainder of the site is zoned I-3. He stated that Saxton Brook runs along the southern portion of the site, which travels from the west and eventually travels into a culvert under Route 10 to the Farmington River. He stated that there is a small wetlands corridor associated with Saxton Brook; they did receive an approval from the Wetlands Commission.

Mr. Ziaks stated that there is a proposed central driveway that comes in along the southerly boundary line. There will be a traffic light at this location on Hopmeadow Street. If additional development occurs over onto the I-3 parcel, the main entryway can be extended. Mr. Ziaks stated that they are proposing 2 buildings, one 30,000 s.f. medical center and another 20,000 s.f. building. He stated that this will be a cluster of buildings, as part of their Master Plan. The parking areas for these two buildings will be hidden from Hopmeadow Street. He stated that there is a possibility of 2 additional buildings in the back for mixed use, medical use or industrial use. He stated that, in the future, they may propose 36 residential units with parking. Mr. Ziaks stated that the total is 117,000 s.f. of mixed use building located on the plans.

Mr. Ziaks stated that they have taken advantage of the shared parking regulation, which allows them to have a 25% reduction in parking spaces.

They can reduce their parking down to a minimum of 582 spaces; the site plan currently has 591 parking spaces because they have added several handicapped spaces around the medical building. He stated that the area that will not be developed now will be graded and seeded to make it a lawn area until such time that the buildings start to be constructed.

Mr. Ziaks stated that this site has public water and Town sanitary sewer. There is sufficient capacity on the property to handle this entire project, not just the medical buildings. There is 45.9% coverage on the property when just considering the B-3 zone; there is approximately 25% coverage when the whole site is taken into consideration. Mr. Ziaks stated that there is a very elaborate drainage system built into the site; there are large water quality ponds built to allow infiltration. All of the roof runoff will be directed into the infiltrator system; the ponds also act as a good infiltration retention system.

Chairman Barney questioned if the applicant was comfortable that the market conditions make this a feasible plan. Mr. Giorgio stated that he is hopeful that this project will not need any amendments. He stated that they are trying to stay within the original approvals. He does not anticipate many changes to this project. He stated that the medical business is changing dramatically; there are now many out-patient services. He feels that this will be a medically related campus because of these two anchor buildings.

Chairman Barney questioned how CL&P would access their site. Mr. Ziaks stated that CL&P currently shares the gravel driveway that goes to the transformer station. He stated that there is an underground conduit system along the northerly boundary line; they are not proposing to disturb this. Mr. Ziaks stated that they have proposed to grant CL&P an easement, an access agreement, to allow them to use the driveway on this site. He stated that they are also proposing to pave a driveway to match up with the existing gravel driveway. CL&P is agreeable to this proposal.

Mr. Hesketh stated that he has prepared a traffic impact report for this site, dated February 27, 2009. This project is large enough to be considered a major traffic generator by the State Traffic Commission. He feels that all of the details have been worked out regarding this application and they expect to be before the State Traffic Commission for approval on the third Tuesday of next month if the Zoning Commission gives the applicant an approval tonight.

Mr. Hesketh stated that during this study, he used the approved traffic volume counts from the Meadowood development as the background traffic volume data. He stated that he has looked at all of the intersections in the median area and projected the traffic volumes for this proposed development with the assumptions that there will be a 50,000 s.f. medical

office building, 40,000 s.f. of general office use and that the project will house a pharmacy building, a bank and additional retail, as well as the 36 residential units. He stated that they took these uses into account because they are potential uses on the site and because they generate larger volumes of traffic; he wanted to make sure that the proposed driveway can accommodate the highest volumes of traffic anticipated on the site. Mr. Hesketh stated that all of the intersections in the study are shown to provide acceptable levels of service during peak hours.

Mr. Hesketh stated that in order to accommodate the traffic volumes from this proposed development, the proposed site driveway will have a two-lane approach onto Route 10. He stated that Route 10 will also be widened in order to provide an exclusive northbound left turn lane into the site; the left turn lane will be 175 feet in length. The southbound direction of Route 10 will also be widened to provide 225 feet for a right turn lane. Mr. Hesketh stated that he has projected that 40% of the traffic will be coming to and from the north and 60% will be coming to and from the south. He stated that there will also be a traffic signal at this location. He stated that one of the reasons that they have located the driveway as far to the south as possible is to keep a separating distance between Wolcott Road and the site driveway; there is a distance of 540 feet, which allows proper timing between the intersections.

Henry Withers, Landscape Architect, stated that there is a great deal of disturbed area on the site; there are some existing topography changes that need to be addressed. Also, there are several beautiful trees on the property that they will be saving. There is a 42 inch White Oak tree and a large White Pine, as well as others, that will remain on the site. He stated that his goal was to provide a natural buffer to the site. Most of the plantings that they will be using are native plantings; they are very characteristic of Simsbury. They are also proposing Sycamore Trees to line the boulevard driveway as well as in the front of the site. They will also be using some of the Native American Elm Trees and native flowering trees. The project is proposing islands in the parking lots that they will plant out with native materials. Maintenance for the site will be minimal. They will also be planting the berm that runs along Hopmeadow Street. Chairman Barney stated that the purpose of the berm and plantings is to eliminate the visibility of the asphalt up to the buildings. Chairman Barney suggested that the Town staff have a field visit to the site to make sure that the effect of the berm is correct. Mr. Giorgio stated that he would not be opposed to adjusting the height of the berm if necessary. He asked that the Zoning Commission indicate that the final determination of the height of the berm be left to Town staff. Ms. Gilkey stated that if the applicant is saving the native trees, which is admirable, this will limit the height of the berm.

Mr. Delehanty questioned how far away the front building is to the road. Mr. Withers stated that it is 440 feet away. Chairman Barney questioned what was between the building and the berm. Mr. Giorgio stated that driveway was between this area.

Mr. Withers stated that they are proposing Rhododendron at the front entrance; the median will be planted out with perennials and evergreen ground coverings that are fairly low. He stated that they will be going back to the Design Review Board for signage; there will be a sign pavilion at the entrance.

Chairman Barney suggested that Mr. Withers talk to the new Tree Committee in Town regarding the Sycamore trees that he is proposing on the site. He stated that there are many Sycamore trees already in Town; diversity is the key for disease resistance. The Tree Committee is currently raising the issue of tree maintenance and treescape along Route 10.

Mr. Arcari, Architect, stated that the first structure will be Building #5, which will be a 30,000 s.f. medical office building with a 15,000 s.f. footprint. He stated that the driving factor of the design process was to achieve simple elegance and to have a flexible facility that will support the incoming tenant. They also want to have a facility that is sensitive to the community's design needs, personal scale and a structure that is environmentally responsible. Mr. Arcari stated that architecturally, the building will be two stories in height; it will have a steel frame structure. The building will have a flat roof with a pitched roof around the perimeter, which will allow the mechanical equipment to be enclosed so it is not visible from any point on the site. He stated that they have picked materials for the exterior of the building that will help bring the scale of the building down. They will be using a split faced stone for the base and a smooth stone of the same family at the entrance. He stated that there will be a more residential scale to the building. Mr. Arcari showed the Zoning Commission samples of the exterior materials. Mr. Arcari stated that there will be aluminum windows on the upper level that are interrupted by brackets and accent mullions; this was a detail that was recommended by the Design Review Board.

Mr. Arcari stated that Building #4 is a smaller building, with a 10,000 s.f. footprint. This building will have the same family of details, although it will be a different color. He stated that all of the buildings will be tied together by a black accent color. The exterior lighting fixtures will be black; the signage will be black against the backdrop of the building.

Mr. Pabich questioned what the roof material would be. Mr. Arcari stated that the roof will be an asphalt shingle, a 40- year architectural shingle.

Mr. Arcari stated that they were before the Design Review Board several weeks ago. That Board asked that the colors be muted to downplay the color on the building and they suggested adding the intermediate mullion between the windows. They also asked that the applicant provide samples for their review. Mr. Arcari stated that they welcomed the changes that were made by the Design Review Board; they feel that these will improve the project.

There was some discussion regarding the length of the buildings. Chairman Barney stated his concern regarding the view from Hopmeadow Street. Mr. Giorgio stated that this will be a balancing act, keeping the aesthetics and trying to get the berm to work with all of the new plantings. He stated that they are proposing night sky lighting; there will not be any glaring lights from this site.

Mr. Elliott questioned if Mr. Arcari had considered a metal roof as an alternative to asphalt shingles. Mr. Arcari stated that he did consider that, although asphalt shingles have a lower amount of embodied energy; the metal roofing is a more recycled product. Regarding the LEED standards, the building as a whole is looked at, total energy in and total energy out. He stated that the asphalt shingles will still help them achieve community design goals that they are trying to achieve.

Mr. Giorgio stated that Saint Francis Hospital would like to be in this building by the fall of 2010. They will need to start site construction and preparation on the initial building by the summer of this year; it will take 12 months to construct the initial building and prepare the site. Mr. Giorgio stated that he would like to create a signature project; what he does on this site will set the tone for subsequent projects.

Mr. Delehanty stated that Town staff has provided the Commission with an analysis of the low impact design criteria that is part of the site, such that the special exception requesting the increase in coverage of approximately 6% is linked with the fact that there will be no detrimental impact on hydrology, water quality or wildlife habitat by the increase in coverage.

Chairman Barney read the Design Review Board's referral, dated April 16th, into the record.

Chairman Barney asked if there were any public comments or questions. There were none. Chairman Barney closed the public hearing.

VI. INFORMAL PRESENTATION by John Ritson, Member, RC Connectors, LLC – Owner to discuss plans for a Zone Change from I-1 to B-1 on property located at 146 Hopmeadow Street. I-1 Zone

Mr. Ritson stated that he has been waiting for a mixed use regulation prior to coming forward with this proposed project. He stated that there have been several different approvals on this site for projects that have never been built. He is proposing a 30,000 s.f. building with a 10,000 s.f. footprint. He would like to build this building and propose a mixed use for it. There are several daycare centers that are interested in taking the first floor of this proposed building.

Mr. Ritson stated that he is envisioning a 3-story building on this property, although he believes that a zone change to B-1 is needed. This would allow him to put a daycare center on the first floor. He also envisions apartments with an elevator above the daycare center. He stated that these apartments would not be for sale; he would rent them out.

Mr. Ritson stated that he has already received wetlands approval for this site and positive input from the Design Review Board. He showed the Commission a rendering of the proposed building.

Mr. Ritson stated that he cannot move forward until he gets approval for the residential component. He stated that he cannot get the residential component until he gets approval to change the zone to B-1.

The Zoning Commission discussed the different options regarding the residential component that Mr. Ritson is interested in pursuing, includes housing in the Incentive Housing Zone or possibly handicapped accessible apartments.

Mr. Delehanty and Ms. Gilkey both stated that they would be in favor of a zone change.

VII. DISCUSSION AND POSSIBLE VOTE ON ANY AGENDA ITEM

Commissioner Gallagher moved to approve the application of Dorset Crossing, LLC, Owner, Attorney Thomas W. Fahey, Jr., Agent, for a Special Exception, based on the presented information, pursuant to Article Eight, Section A (Footnote 9) of the Simsbury Zoning Regulations to increase the coverage (40% to 45.9%) on the B-3 zone portion of the property located at Dorset Crossing, 1507 and 1515 Hopmeadow Street. The motion was seconded by Commissioner Delehanty and passed unanimously.

Commissioner Barney moved to approve with conditions the approval for Phase IA and Phase IB of the application of Dorset Crossing, LLC, Owner, Attorney Thomas W. Fahey, Jr., Agent, for a Site Plan Approval for the construction of buildings and site improvements on property located at Dorset Crossing, 1507 and 1515 Hopmeadow Street as defined on Drawing PH1, and amended by a

drawn in definition of the berm in the frontage of the property as being included in Phase 1A. The applicant will return to the Commission with suitable drawings showing cross sections of the frontage of the property to reflect the appropriate elevations for the berm and plantings so as to minimize viewing of the parking lot to its west, and, field conditions, when construction is proceeding, will invite the staff and commission to view the frontage work on site. The motion is predicated on the approval of April 16, 2009 by the Design Review Board, which unanimously approved the Drawings MA-1 through RW-1. The motion was seconded by Commissioner Delehanty and passed unanimously.

VIII. OTHER MATTERS AS MAY PROPERLY COME BEFORE THE COMMISSION

Report from Zoning Enforcement Officer, Howard Beach

Mr. Peck stated that at the next Zoning Commission meeting, Mr. Beach will be report on two issues, including home business and a storage facility.

PAD Regulation Subcommittee

Chairman Barney stated that he feels this regulation requires an inter-commission review. He feels that members from each Board and Commission need to work together on this regulation. With the help of Mr. Peck and the Town Attorney, Chairman Barney stated that he has put a subcommittee together in concept to be chaired by Scott Barnett, who will work with the Town Attorney and Mr. Peck to set up a meeting schedule. Chairman Barney also stated that he has e-mailed prospective members of this subcommittee indicating that by May, they should do the research necessary to amend the current draft, incorporating all of the comments made to date, and also hold a public information meeting at which the public can speak and make comments regarding the revised draft. The membership for this subcommittee is proposed to be two members from the Zoning, Planning, and Economic Development Commissions and one member from the Design Review Board, Conservation Commission and Zoning Board of Appeals.

Chairman Barney stated that it is anticipated to have a general target date for the public hearing to be June 22, 2009.

Regarding a timeline for the PAD regulation, Mr. Peck stated that he will be writing the second draft of the regulation with the Town Attorney next week. This will be the draft that the Subcommittee will be reviewing. He stated that he would like the Subcommittee to meet on a fairly regular basis.

Mr. Elliott stated that he is in favor and supports the development for Dorset Crossing, although he did not receive all of the information that

was needed, including the traffic report. He stated that he does not feel that this process is the best that it can be. He feels that something needs to be done prior to getting another big proposal.

Mr. Peck stated when an application comes in, they submit one set of maps; this is what the applicant is legally required to submit. He stated that if any Commission member has any issues or questions regarding any application, he asked that they contact him. In addition to sending information through the postal service, the Town staff will be e-mailing information to Commission members so they can review it early on in the process.

Chairman Barney feels that the process should be changed to have all the drawings submitted to the Commissions by the applicant. Mr. Pabich suggested waiting to schedule the hearing until all information is submitted. Mr. Peck stated that the applicant would need to submit 40-50 copies of the plans. He stated that he will continue to give this issue consideration.

IX. ADJOURNMENT

Mr. Delehanty made a motion to adjourn the meeting at 9:40 p.m. Mr. Gallagher seconded the motion, which was unanimously approved.

Garrett Delehanty, Jr., Secretary