

From: Lois Laczko July 20, 2009 9:27:07 AM  
Subject: Planning Commission Minutes 06/23/2009 ADOPTED  
To: SimsburyCT\_PlanMin  
Cc:

ADOPTED

PLANNING COMMISSION MEETING  
June 23, 2009  
REGULAR MEETING

I. CALL TO ORDER

Chairman John Loomis called the regular meeting of the Planning Commission to order at 7:07 p.m. in the Main Meeting Room of the Simsbury Town Offices. The following members were present: Carol Cole, Charles Houlihan, Mark Drake, and Ferguson Jansen. Susan Bednarczyk arrived at 8:20 p.m. Also in attendance were Howard Beach, Environmental Compliance Officer, as well as other interested parties.

II. SEATING OF ALTERNATES

Chairman Loomis appointed Commissioner Drake to serve in the absence of Commissioner Meyer, and Commissioner Cole to serve in the absence of Commissioner Post.

Commissioner Jansen made a motion to move Item IV. Public Hearing next on the agenda. Commissioner Houlihan seconded the motion, which was unanimously approved.

III. PUBLIC HEARING

a. Application of Noris E. Chirstensen, owner, David F. Whitney, P.E., David F. Whitney Consulting Engineers, LLC, Agent, requesting a three (3) lot subdivision on property located on Shingle Mill Road )Assessor Maps A-10 and B-10, Block 419, Lot 013), West Simsbury. R-40 Zone.

Mr. Whitney, Professional Engineer, stated that this site is 23 acres on the north side of Shingle Mill Road. There are four areas of wetlands located on this property. The largest includes Stratton Brook, which flows down through the property under Shingle Mill Road and through a culvert. The wetlands were delineated and flags have been located. Mr. Whitney stated that the applicant has already received a wetlands permit for this

site.

Mr. Whitney stated that there are several spring houses on the western portion of the property. There is an easement over the property in favor of others. He stated that there is also an old wood road on the property that splits in two locations. Chairman Loomis questioned who the easement was in favor of. Noris Christensen stated that the springs have been a source of water for the farmhouse at Flamig Farm and two other houses. Three property owners have deeded rights to this system. There is a 30 foot wide easement to do repairs if necessary.

Regarding the topography on the site, Mr. Whitney stated that the front portion of the property is flat. The middle of the property, where the houses are being proposed, has 10%-15% grades. The slopes increase to 20%-30% to the north of the property; the back of the property is very steep. Mr. Whitney stated that the west side of Stratton Brook is also relatively steep. He stated that this property presents challenges in order to develop it. They are proposing a three lot subdivision on 23 acres of land. Proposed Lot 1 is the eastern most lot, which is 4 acres. Proposed Lot 2 is 5.5 acres and proposed Lot 3 is 13 acres. Proposed Lot 3 includes the water house and spring houses. Each lot has frontage on Shingle Mill Road.

Mr. Whitney stated that the applicant is proposing one driveway for these three lots; the driveway will then split off to each individual lot. He stated that the applicant could apply for a fourth lot, but because of the wetlands and brook, they have decided not to do that. The fourth lot would need to cross the brook with a bridge or culvert; this would be very costly for the applicant. Mr. Whitney stated that three driveways were originally proposed, although the Wetlands Commission wanted the construction activity as far from the wetlands as possible. He stated that the Fire Marshal requested that this shared driveway be 15 feet wide with 3 foot shoulders for emergency vehicles. Mr. Whitney showed the Commission members the cross easements on the plans in order to make this common driveway work. He stated that as part of the wetlands application, he met with the Town Engineer and the Fire Marshal.

Regarding the drainage on this site, Mr. Whitney stated that the driveway has several culverts. There are two 15 inch culverts at the bottom of the driveway. He stated that he has submitted drainage calculations for these culverts.

Mr. Whitney stated that soil tests have been conducted on all three lots 10 years ago and again several weeks ago. The non-wetland soils on the site are well drained. He stated that the Farmington Valley Health District has sent a letter regarding that the proposed lots have suitable soils for

septic systems. He feels that the soil conditions could handle more than a 4 bedroom home on each lot.

Regarding open space, Mr. Whitney stated that some land along West Mountain Road is owned by the Town. Land at the western end of the site is owned by the Simsbury Land Trust. In order to satisfy the open space requirement, the applicant is proposing a 20 foot long strip of land to be deeded to the Town of Simsbury. He stated that he is not sure people will use this land because of the steep topography. He stated that there is a 130 foot wide conservation restriction along the rear of the three lots. The total amount of land is 4.64 acres or 20% of the site.

Commissioner Houlihan questioned what was allowed in the 130 foot area. Mr. Whitney stated that this would be a standard conservation restriction. It would allow good forest management; no clear cutting of trees is allowed. Commissioner Houlihan questioned if this area would be marked in any way. Mr. Whitney stated that this could be a condition; they have not considered this as of yet.

Chairman Loomis questioned if conditions could be attached to the 20 foot conservation restriction. Mr. Whitney stated that the applicant is not proposing any conditions.

Commissioner Houlihan questioned if the Fire Marshal had any outstanding issues with the curve on the driveway for proposed Lot 1. Mr. Whitney stated that the Fire Marshal asked the applicant to increase the driveway radius to 50 feet. Mr. Beach stated that the Fire Marshal has signed off on this design. The Town Engineer did have concerns regarding the sheet flow down the driveway. A swale is now being proposed on the north side of the driveway to take care of this problem.

Commissioner Houlihan questioned if the capacity of the pipe under Shingle Mill Road would be sufficient to process this extra water. Mr. Whitney stated that although he has not done an analysis, the culvert is very large; a person could walk through that culvert. He stated that any time pavement is put down the rate of runoff increases, although he believes that this culvert will be adequate.

Commissioner Jansen questioned if it would be better economically for the Town to add the 20 foot strip to the 130 foot conservation restriction. Mr. Beach stated that, from a tax standpoint, the value of the 20 foot strip is marginal. He stated that other options were considered. He stated that knowing the Planning Commission likes connectivity, the thought was to connect the two parcels and to provide access.

Charles Howard, Simsbury Land Trust, stated that he has met with Mr.

Christensen and expressed interest in open space. He also feels that connectivity is important. He stated that additional protection of a conservation easement would protect the wildlife corridor and land. He stated that the Land Trust owns the property to the west. With this easement, they may team up with the Town to get access.

Mr. Davis, Simsbury Land Trust, stated that they have always been interested in protecting the stream in this area. Regarding the northern end of the property, connectivity from a habitat standpoint is great.

Commissioner Jansen questioned if a fourth lot on this property could be gotten in the future. Noel Christensen stated that once this property is subdivided, it will erase the possibility of a fourth lot.

Noris Christensen stated that he loves this property; it has been in their family for over a century. He stated that he could have sold this land to a developer but they did not want to do that. He would like only minimal development on this land.

Commissioner Houlihan questioned if any drainage would go directly into Stratton Brook. Mr. Whitney stated that this was a concern of the Wetlands Commission. They wanted all of the construction activity out of the upland review area. He stated that there is no direct discharge to Stratton Creek or within 100 feet of Stratton Creek.

Commissioner Houlihan questioned how much frontage proposed Lot 3 had. Mr. Whitney stated that proposed Lot 3 has 200 feet of frontage.

Chairman Loomis opened the public hearing to public comments or questions.

Debbie Leonard, 34 Shingle Mill Road, stated that she has lived at in Simsbury for 22 years. This land that the applicant would like to develop has always been a wetland or forest area. She questioned how much pavement there would be on this site and how much area would be covered by a swale. She stated her concerns regarding the trees that would need to be taken down in order to construct the driveway and houses. She questioned if there would be a buffer of trees left between her land and this site.

Mr. Whitney stated that the driveway will be a durable hardened all weather surface. The applicant is considering other materials rather than pavement. He stated that the common driveway will be 6,500 square feet or .15 acres of impervious surface. The remaining driveways will be approximately  $\frac{1}{2}$  of an acre of gravel or pavement. Mr. Whitney stated that the houses will have a realistic footprint of 3,600 square feet. He stated that these footprints are probably larger than what will actually be built. He stated that there will be approximately 10,800 square feet of rooftop or

¾ of an acre for the three houses. He stated that ¾ of an acre or 3% of the site will be impervious surface.

Chairman Loomis questioned what the Town's specifications are for driveways. Mr. Beach stated that the driveway will need to be pavement up to the hammerhead turnaround and then a gravel surface would be fine after that. Chairman Loomis questioned what would be appropriate material. Mr. Beach stated that, in terms of impervious surfaces, it would not make a difference; the balance of the site has drainable soils.

Commissioner Houlihan questioned where the water would go that runs down the driveway onto Shingle Mill Road. Mr. Whitney stated that no water will go out onto the road; there is a cross slope to the left of the driveway.

Ms. Leonard questioned how wide the swale will be. Mr. Whitney stated that a swale is a shallow ditch. The proposed swale is 3 feet wide and 1 foot deep. He feels that swales look better when they are a bit wider.

Noel Christensen stated that because of the elevation of the property, Ms. Leonard will probably not see the proposed houses from her property. Commissioner Drake stated that there will be a barrier of approximately 300 feet because of the wetlands; trees cannot be cut down between Ms. Leonard's property and the proposed houses.

Ms. Leonard questioned if there was another access route to the spring houses other than going through her property. Mr. Whitney stated that there is access through the wood road, which goes across Stratton Creek. He stated that equipment could be taken over through this area. Mr. Whitney stated that the area of tree clearing is approximately 4 acres of the total site. All other trees on the property will remain. Noris Christensen stated that they have already done selective tree clearing on the property. They want to have as many trees on the property as possible.

Chairman Loomis suggested that Ms. Leonard join them on their site walk of this property. The Commission decided to have a site walk on July 14th at 6 p.m. prior to their regularly scheduled meeting.

Chairman Loomis stated that this public hearing would be continued at the next Planning Commission meeting.

#### IV. POSSIBLE APPROVAL OF MINUTES from the June 9, 2009 regular meeting

Several edits were made to the minutes.

Commissioner Jansen made a motion to approve the June 9 2009 minutes as amended. Commissioner Cole seconded the motion, which was approved.

Commissioner Houlihan abstained.

#### V. DISCUSSION OF IMPLEMENTATION OF THE PLAN OF CONSERVATION AND DEVELOPMENT (POCD)

Chairman Loomis stated that the Planning Commission members, at the last meeting, agreed to inform the consultants with respect to the Planning Commission's view of the POCD and what is relevant to the Town Center Charrette. They agreed to prepare a list of prioritized goals and policies. Mr. Peck agreed to put the Commission member's lists together in order of priority to get a sense of the list as a whole. Chairman Loomis stated that Commissioners Meyer, Jansen, Cole and he have already sent Mr. Peck their lists, which he distributed to the Commission members for their review.

Commissioner Bednarczyk stated that she feels the consultants need to not only look at the Town Center, but at the whole POCD.

Commissioner Houlihan stated that he thought the point of this exercise is to give a summary of the Planning Commission's priorities for the people who attend the Charrette process. Chairman Loomis stated that it would be the consultant's decision if they would like to distribute this handout to the public.

Commissioner Jansen stated that he did make a list of goals and policies. He stated that economic development was at the top of his list. The second was transportation. He stated that he has always felt that there should be bike paths. This not only helps promote good health, but it also saves money and helps the environment. He stated that the focus of the Charrette is to create a vibrant downtown. Chairman Loomis stated that the idea of bike paths should be looked at for the whole Town and not just for the Town Center.

Commissioner Cole stated that she did not prioritize her list of goals and policies. She stated that community character would be the highest priority. She feels that it was a great exercise to create this list; going through the POCD was helpful.

Commissioner Bednarczyk stated that she went through the implementation part of the POCD; she feels that they should be looking at this Plan as a whole because everything impacts everything else. She stated that the Commission should also look at what they want to preserve first and then what to build; this is how to keep the character of a Town. Commissioner Bednarczyk stated that she took the implementation part of the POCD and prioritized it so each one was priority number one. The whole implementation section was priority number two, in order of how it was set up. She stated that in the

transportation section, there is an area that would be included and should be discussed, which are the bikeways.

Commissioner Houlihan stated that this Commission has the opportunity to get some of these ideas into the Charrette process. If they say that everything is important, it might lose its punch.

Commissioner Drake stated that he was concerned that all of the goals and policies have a vague quality to them. He is interested to see how they are interpreted. He feels that the Town Center is not overwhelming; he does not want the Town Center to become a metropolis. Most Towns in the Farmington Valley do not have a Town Center like Simsbury. He stated that he would like to slow the traffic down.

Commissioner Cole stated that the Town Center needs to connect everything better. Commissioner Drake stated that he is hopeful that the living component is one outcome of the Charrette, which he feels is currently lacking in the Town Center.

Liz Banco stated that the Post Office may combine or close some of their offices. She questioned if the main branch in the Town Center has been discussed. Chairman Loomis stated that this issue has not been address yet by the Commission.

The Commission briefly discussed the outcome of the 1998 Charrette. Commissioner Houlihan stated that the three big things that came out of that Charrette were: traffic circulation; acquiring Simsbury Meadows; and pedestrian walkways and connectivity.

Commissioner Bednarczyk questioned what will happen after the Charrette regarding implementation. Commissioner Drake stated that he feels this Commission should use the Town's main focus, whatever that may be at the time, to follow through with implementation. He suggested giving the Boards and Commissions a "focus paper" regarding what the Planning Commission believes should be the deep considerations and what they should be paying particular attention to. This will help narrow things down because the Plan itself can be overwhelming.

Commissioner Bednarczyk stated that the Commission needs to go through the important sections of the POCD to see how they will implement them. Chairman Loomis stated that the Planning Commission will focus on their prioritizing of goals and policies for the consultant for now.

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

Mr. Beach stated that there will be a PAD Subcommittee meeting tomorrow

night.

Commissioner Houlihan stated that they have had 5 meetings up to this point. They have been discussing revising the Standards Section. He stated that tomorrow's meeting will be the first drafting session.

Commissioner Houlihan stated that Bob Sitkowski came to the last PAD Subcommittee meeting. His message was that form is not as important as the objectives. Commissioner Houlihan stated that the Town Planner from Glastonbury was at a previous meeting as well. Glastonbury has had a PAD Regulation since 1982; their regulation is very vague. They use their regulation to approve what they like and also to give the developer the heads up when a certain project should not move forward. The Town Planner gave the Subcommittee a practical sense of how to set up this type of regulation.

Commissioner Houlihan stated that this will be a long process. He is hopeful that there will be a public meeting in July in order to get public input. The final product will be sent to the Zoning Commission for their consideration.

Commissioner Cole suggested that Dover Kohl's presentation be replayed on SCTV.

## VII. STATUS OF THE TOWN CENTER CHARRETTE

Mr. Beach stated that the contract has been signed. The consultants will be in Town on August 10th-11th. There will be a kick-off public meeting on August 10th at 6 p.m. at Eno Memorial Hall. There will also be a meeting on August 11th with the stakeholders. The consultants will also be in Town in July to do some fact finding. The Commission's priority list should be done by then; this will be a benefit to the consultants. The Charrette will be held September 11th -16th.

## VIII. STATUS OF THE INCENTIVE HOUSING ZONE STUDY

Mr. Beach stated that the consultant has had to go back to look over several of the sites again that were not selected. This takes additional time and money away from the study.

## IX. DISCUSSION ON FEES IN LIEU OF OPEN SPACE REGULATION

There was no report.

## X. STAFF REPORT(s)



There was no report.

XI. COMMUNICATIONS AND ADMINISTRATIVE BUSINESS

Commissioner Drake stated that he attended the last CRCOG meeting, which was not well attended; there were not enough members to make a quorum. He stated that they are putting together the final draft for the regional plan. This is making people aware of issues in the State as a whole.

Commissioner Drake stated that more grants will be available, although because of the stimulus package, the money has not been released yet by the State.

XII. ADJOURNMENT

Commissioner Jansen made a motion to adjourn the meeting at 9:30 p.m. Commissioner Drake seconded the motion, which was unanimously approved.

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Gerry Post, Secretary