

ZONING COMMISSION – REGULAR MEETING
Monday, April 17, 2023, at 7:00 P.M.
Eno Memorial – Auditorium
754 Hopmeadow Street, Simsbury, CT 06070

Present: Town Planner, George McGregor; Chair, David Ryan; Donna Beinstein, Bruce Elliott, Anne Erickson, Kevin Gray, Melissa Osborne, and Diane Madigan.

Absent: Jackie Battos and Tucker Salls.

I. CALL TO ORDER – Chair Ryan called the meeting to order at 7:00 P.M.

Chair Ryan presented Commissioner Gray with a plaque from the Town of Simsbury for his thirty years of service.

II. APPROVAL OF MINUTES – April 3, 2023, Regular Meeting

MOTION: Commissioner Elliott made a motion, seconded by Commissioner Madigan, to approve the Minutes of the April 3, 2023, Regular Meeting, as written. The motion carried unanimously. (5-0-0).

III. GENERAL COMMISSOION BUSINESS

None.

IV. PUBLIC HEARINGS

Application ZC #23-03 of Vessel RE Holdings, LLC, Applicant, EAY Properties, LLC, Owner, for a site plan pursuant to CGS 8-30g for construction of a ± 55,030 sq. ft., 80-unit multi-family development, at 446 Hopmeadow Street. (Assessor’s Map G13, Block 142, Lot 003C) Simsbury, CT 06070, zone R-15. (Continued from the 04/03/23 regular meeting).

- Peter Alter, Attorney at Alter and Pearson, stated that his client complied with the Wetlands Agency’s request of reducing the building footprint and the number of units by reducing the building by 20%, holding 64 units. This also increases the setback from the southern boundary to 35 ft., and increasing the setback from the northern boundary to 90 ft. There will be 73 parking spaces and an additional set of 29 parking spaces with porous pavers, which will reduce the storm runoff that goes into the drainage system and increase the infiltration of rain water into the ground. A bike rack has been added, with a shelter for the bikes in development. There will also be access to the bike trail behind the property.
- Commissioner Elliott expressed concern about fire safety and the residents on the southern and eastern portions of the building not being accessible to fire

47 trucks. He also wanted to know if the Applicant has applied for an easement to
48 use the CT property of the bike trail so there is access for fire trucks and their
49 ladders to the back of the building.

- 50 • Attorney Alter responded that the Fire Marshall had no issues with the design,
51 being a steel structure with sprinklers, or the access for a fire truck, after a
52 turning demonstration was conducted.
- 53 • Commissioner Erickson asked if there were any plans for electric car charging
54 stations.
- 55 • Attorney Alter responded that there are 10 stations along the northern boundary.
- 56 • Commissioner Osborne asked if the porous pavers would remain porous
57 regardless if parking spaces needed to be built there.
- 58 • Attorney Alter responded yes.
- 59 • Commissioner Osborne asked where snow removal supplies will be stored.
- 60 • Attorney Alter responded that there are spots in the northern and western areas
61 with a drainage system.
- 62 • Commissioner Osborne asked if the project was going to be energy net zero.
- 63 • Attorney Alter responded yes.
- 64 • Commissioner Osborne asked if the size of the apartments and the allocation of
65 number of bedrooms will stay the same.
- 66 • Attorney Alter responded there are still 3 two-bedroom units, and the rest are
67 one bedroom.
- 68 • Commissioner Osborne asked if they are in the affordable zone.
- 69 • Attorney Alter responded that under the standards for an 8-30g there is one two-
70 bedroom unit that will be affordable and that 30% of the units must be
71 affordable.
- 72 • Commissioner Osborne asked if there will be energy tax credits and if CHFA
73 and DOH have been contacted.
- 74 • Attorney Alter responded that DOH won't agree until a plan is finalized.

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76 Public Comment:

- 77 • Andrew Sylvain of 6 Riverview Circle was concerned about car theft with the
78 concentration of cars and access from the bike path, the safety of children being
79 compromised with no place to play and being so close to the busy road, the
80 proximity to the abandoned house, and the exhaust settling into the apartment
81 building's location and being a health hazard.
- 82 • Ann McDonald of 3 Tamarack Lane expressed environmental concerns with
83 the tree roots being damaged and causing the trees to die from the plans of
84 digging for the parking lot, water pollutants, soil health, and oil leakage from
85 cars. She was concerned of the fire trucks having access to the building from
86 the bike trail because some points of entry onto the bike trail have gates and
87 there are tight turns. She stated that bears could threaten the dumpsters and mail.
- 88 • Kathryn Godiksen of 7 Nutmeg Court is worried about traffic and the curved
89 hill looking down the street obscuring the view of other cars and posing a safety
90 issue. She is also concerned about the oil and light pollution in proximity to the
91 neighbors and proposed a fence be built to add a barrier.

- Robert Fidelli of Hopmeadow Street expressed concern over the abandoned house nearby that is falling apart and leaking to chemicals into the ground and wetlands.
- Kelly Rothfuss of 14 Nutmeg Court was concerned about the lack of experience the applicant has with developing a large building in a suburban community, and his history of suspect practices with maintenance on his properties and how that will affect his future residents and the surrounding neighbors. She was also worried about the water that is being moved causing property damage to nearby homes.
- Jeffrey Zhou of Hazelmeadow and the Homeowner’s Association shared Ms. Rothfuss’ concerns of the applicant’s lack of experience and poor maintenance record, adding that other towns have rejected their building proposals. He felt there were too many safety concerns to allow this project and offered to assist with a way to generate funds for legal costs.
- Ellen Gilbert of 126 Hopmeadow Street at Talcott Acres was interested in the relationship between the number of affordable housing units and the safety risks that would be allowed.

MOTION: Commissioner Gray made a motion, seconded by Commissioner Erickson, to continue public hearing on **Application ZC #23-03** of Vessel RE Holdings, LLC, Applicant, EAY Properties, LLC, Owner, for a site plan pursuant to CGS 8-30g for construction of a ± 55,030 sq. ft., 80-unit multi-family development, at 446 Hopmeadow Street. (Assessor’s Map G13, Block 142, Lot 003C) Simsbury, CT 06070, zone R-15, at the Regular Meeting on May 1st, 2023, at Simsbury Public Library, 725 Hopmeadow Street, with the purpose of receiving the final decision report from the Inland Wetlands Agency. Commissioner Elliott opposed. (5-1-0).

V. NEW BUSINESS

None.

VI. OLD BUSINESS

None.

VII. COMMON CORRESPONDENCE

None.

VIII. PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT UPDATES

None.

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IX. ADJOURNMENT

MOTION: Commissioner Gray made a motion, seconded by Commissioner Erickson to adjourn the meeting. The motion carried unanimously. (6-0-0).

Chair Ryan adjourned the meeting at 8:20 P.M.

Respectfully Submitted,

Amanda Blaze
Commission Clerk

DRAFT