

TOWN OF HEBRON
PLANNING & ZONING COMMISSION
February 9, 2010 – Regular Meeting/Workshop
Town Office Building

RECEIVED
2010 FEB 22 P 3:40
Ann E. Hughes
HEBRON TOWN CLERK

Members Present: J. Podell, L. Hinman, F. Zitkus, N. Wood

Member Absent: T. Piggott

Alternates Present: P. Harrington, D. Casoni

Alternate Absent: G. Gotowala

Staff Present: M. O'Leary, Town Planner

The meeting was called to order at 7:00 p.m.

L. Hinman seated P. Harrington for T. Piggott.

Approval of Minutes – January 26, 2010 Public Hearing: It was noted on Page 1, 1st paragraph, second to last sentence “presenting” should be “presently”. Also on Page 1, last paragraph, second to last paragraph, insert “feet” after “75”.

On Page 3, 1st paragraph, sentence should read: “...have to be changed and the regulations cannot be written for one individual group.” Also, 2nd paragraph, last sentence add “and L. Hinman” after “M. O’Leary”.

F. Zitkus moved and N. Wood seconded a motion to approve the minutes of January 26, 2010 Public Hearing as amended. The motion passed with J. Podell abstaining.

January 26, 2010 Regular Meeting: It was noted on Page 2, 6th paragraph, second to last sentence “as” should be “has”. Also on Page 2, 7th paragraph should read as follows: “F. Zitkus noted that an open space connector along the property to the south would be nice so that it can connect to another piece.”

F. Zitkus moved and N. Wood seconded a motion to approve the minutes of January 26, 2010 Regular Meeting as amended. The motion passed with J. Podell abstaining.

New Business:

Letter Requesting Extension of Approval of Loveland Farms Special Permit: L. Jacobs, Esq., attorney for Nathan Khan, stated that they are back requesting an extension to June 30, 2010. L. Jacobs noted that since the last meeting, Webster Bank and the developer have signed a letter of intent to terminate all the litigation ongoing between them. Once they go to final contract, the developer will vacate the project and Webster Bank will be able to approve a new developer to take over the project.

Scott Consoli, Esq., attorney for Webster Bank, stated that Webster Bank has signed the letter of intent with the borrower which will take a few months to finalize. The bank would like to have title in their hands by mid April. Under the agreement, the bank can start marketing the property and hopefully identify a successful developer by June.

F. Zitkus questioned if the safety issues have been addressed. M. O'Leary stated that the pavement issues have been repaired, which were paid for by Webster Bank. The residents contracted with a local contractor to plow the private road and the Town comes in and sands the road. M. O'Leary noted that the water company replaced a missing valve at their own cost. Webster Bank hired a contractor to come in to properly secure the units that are vacant.

D. Saya raised a concern that the project remain as it was originally intended. Peter Cote raised a concern about the present condition of the road. M. O'Leary stated that the road is just a binder course and it needs another top course of pavement. M. O'Leary explained that typically that is not done until all construction is complete.

P. Harrington recused himself from this discussion.

L. Hinman unseated P. Harrington and seated D. Casoni for this discussion.

N. Wood moved and J. Podell seconded a motion that the mandatory completion date, as set forth in the CT General Statutes, for the Loveland Farms Special Permit approval for a Planned Residential Development, Petition 2004-15, is hereby extended to June 30, 2010. Prior to the new expiration date, the applicant shall return to the Hebron Planning and Zoning Commission with a status report and if possible a detailed construction schedule for approval by this Commission that shall first address the correction of the existing deficiencies at the Loveland Farms site as identified by the Town of Hebron, and secondly shall address in detail the build out of the remainder of the site as originally approved. The motion passed unanimously.

Appointment to CRCOG Regional Planning Commission: It was decided that T. Piggott and P. Harrington would serve as representative and alternate, respectively.

Discussion of Road Discontinuance Process: There was a suggestion to form a four person committee to look at this issue. The Conservation Commission will discuss this at their meeting on Thursday.

It was decided that N. Wood and F. Zitkus would represent the PZC.

Referral to PZC under 8-24 of the CGS re: Potential Purchase of Open Space on Kinney Road: L. Hinman stated that the Open Space Land Acquisition Committee has recommended that the Town purchase the 32 acres of land situated on the south side of Kinney Road as Town open space. The property nearly abuts the open space that the

Town owns on Church Street. This would be a nice gateway to the Village Green District. And it adds to the buffer and development to the Town Center. The property has been used agriculturally and could continue with that in the future.

F. Zitkus moved and J. Podell seconded a motion that the PZC, pursuant to Section 8-24 of the Conn. General Statutes, recommends to the Board of Selectmen that the Town of Hebron purchase the 32.1 acre Horton property located on the south side of Kinney Road as open space.

The reasons for this referral are as follows:

1. The property nearly abuts the 65 acre Town-owned park open space along Church street providing an opportunity for an extended area of connected open space.
2. Located on Kinney Road, with 1,950 feet of frontage, it would provide very good access to the entire park which it currently lacks.
3. The parcel abuts the Village Green District in the Town center (separated by Kinney Road) and would provide a scenic gateway to the southern entrance of the District and a direct connection to the park.
4. Located within the Town's future open space greenway plan, as shown in the Town's Plan of Conservation and Development, the parcel is considered to be in a headwater area of the Raymond Brook Marsh (a wetland of Special Statewide Concern), watercourses and wetlands. Preservation of the parcel would provide an additional buffer between dense development in the Town center to the north and the marsh to the south.
5. The parcel contains Prime Connecticut Farmland Soils with 17.2 tillable acres. The parcel could be rented for continued and desirable farmland use or could host a farmers market and/or a cooperative farming endeavor.
6. The parcel could also be used for future active recreational use if desirable.

Town ownership of the property would fulfill many of the "Preservation of Unique Assets" goals and objectives in the Plan of C&D.

The motion passed unanimously.

Discussion of Rural Business Uses Amendment: M. O'Leary passed out the list of legal non conforming business uses in residential districts. The Commission went over the draft language prepared by M. O'Leary for the regulations that would permit rural business uses as Special Permit through the nonconforming use regulations. The Commission made some changes.

M. O'Leary will make the changes and email them to the members and the matter will be further discussed at a future workshop but the consensus was that this was a better approach on dealing with this issue.

Discussion Regarding POCD Implementation: F. Zitkus and J. Podell submitted their high priority items. It was decided to table this item until the next meeting so that other members have an opportunity to choose their priorities.

Discussion of Salmon River Watershed Recommendations & Request for Proposals – Salmon River Watershed Project: M. O'Leary stated that the Salmon River Watershed Partnership seeks to work in depth with two towns to facilitate implementation of specific recommendations from the SRW Municipal Land Use Evaluation Project. They are asking interested towns to describe specifics of the outcomes and process they propose and to demonstrate support of staff and key decision makers. It was the consensus of the Commission to be a part of the request for proposals for implementing recommendations from the SRW.

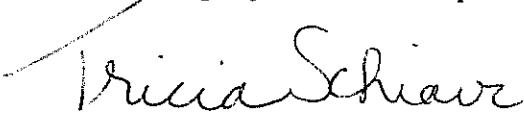
The Commission then reviewed a summary prepared by the Town Planner of recommendations from the Salmon River Watershed study on land use regulation changes for the Town. The handout contained some comments by the Town Planner and other comments by the Town Engineer. Public Works will need to have some input on these recommendations also. M. O'Leary stated that it would be good to have the Town Engineer come to a PZC meeting to discuss these.

M. O'Leary reported that the Nature Conservancy has scheduled an open house on 2/25/10 to talk to land use boards directly and the general public. They will share the results of their findings.

Letter from William R. & Susan H. Peowski (modification of approved subdivision plan) Requesting an Extension for Recording Paperwork on the Town of Hebron Land Records: M. O'Leary stated that the applicant is requesting a 90 day extension to file the subdivision mylars.

F. Zitkus moved and N. Wood seconded a motion to grant the request for a 90 day extension to file the subdivision mylars to William & Susan Peowski. The motion passed unanimously.

The meeting adjourned at 8:40 p.m.


Tricia Schiavi
Board Clerk

