

TOWN OF HEBRON
PLANNING & ZONING COMMISSION
February 24, 2009 – Public Hearing
Town Office Building

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Carol A. P...
HEBRON TOWN CLERK

Members Present: L. Hinman, F. Zitkus, N. Wood (8:05 p.m.)

Members Absent: B. Raymond, J. Podell

Alternates Present: G. Gotowala, T. Piggott

Alternate Absent: B. Casoni

Staff Present: M. O'Leary, Town Planner

Guests: Attendance Sheet on File

The public hearing was called to order at 7:05 p.m.

L. Hinman seated T. Piggott for B. Raymond and G. Gotowala for J. Podell.

Public Hearing 2008-18 Application of Celio Development, LLC on land owned by Agnes C. Williams for approval of a Subdivision and Special Permit application to permit a six-lot subdivision including a rear lot, submitted under the provisions of the Hebron Subdivision Regulations and Sections 8.1 and 6.5 of the Hebron Zoning Regulations on a 37.66 acre parcel of land, premise located on the south side of Old Slocum Road approximately 1,900 feet west of its intersection with Buck Road (Assessor's Map #43, Lot #4), R-1 District: J. Celio stated that the property consists of three private conservation easements along the western boundary and flanks the wetland areas easterly of a burn. The public open space matches up with existing space from Sentinal Woods Subdivision, which provides for about 26 ½ % of the property. The total area of conservation easement comprises 54% of the property. There will be an existing house that will maintain a horse farm. The dam on the property is not a registered dam from DEP. J. Celio indicated that the existing crossing will be improved for a driveway.

M. O'Leary went over his report, dated 2/24/09. M. O'Leary noted that the major change to the revised set of plans is that the applicant now shows using the interior of the cul de sac island as a storm water quality basin. The water then leaves this basin and discharges directly to the wetlands. Also, the applicant has revised the plans to no longer maintain a pond on the site due to the lack of capacity to retain a pond and handle the normal storm events in the upper watershed. Therefore, no fire pond is possible at this site.

M. O'Leary noted that he received a copy of a letter dated 2/17/09 from the Wetlands Commission indicating their approval of this application. Also, two reports dated 2/11/09

and 2/23/09 were received from the Town Engineer. In addition, a memo dated 2/24/09 was received from S. Knauf.

The public hearing on Petition 2008-18 closed at 7:25 p.m.

Petition 2009-2 Application of McCarthy Developers, LLP for approval of a Subdivision and a Special Permit application to permit a 4 lot Mini-Estate Subdivision, submitted under the provisions of the Hebron Subdivision Regulations and Sections 8.1 and 8.17 of the Hebron Zoning Regulations on a 52.53 acre parcel of land premise located at 190 West Main Street (Assessor's Map #23, Lot #1) R-1 District: T. Crawford stated that this property is centrally located in Town in the R-1 zone on the north side of Route 66. There is a large pond on the property located off of West Main Street. There are approximately 52 acres and a majority is wooded. There is an existing driveway that extends over a dam on the north side of Route 66. There are two wetland areas located on the property and there is some existing open space located to the east of the property. There is a conservation easement over the portion of the pond that extends over the property. The proposed project is a subdivision under the mini estate subdivision with four lots and a road on top of the existing gravel road to a cul de sac at the top of the property. T. Crawford indicated that this will be a private road. There is an existing dry hydrant that the owners will be maintaining.

F. Zitkus questioned if there was any plantings in the detention basin. T. Crawford stated that it will be more a grass bottom basin to let the water filtrate.

T. Crawford stated that they are proposing an island cul de sac which would be naturally wooded.

T. Crawford went over the open space plan. The total open space excluding steep slopes is approximately 47%.

F. Zitkus questioned how they propose marking the conservation easements on Lots 3 and 4. T. Crawford stated that they will be marked with a post and placard.

F. Zitkus requested that an easement be added to the plans on Lot 2 along the wetlands in the upper left hand corner. Also, a conservation easement for the steep slopes on Lots 1 and 4 to keep the hilltops from being clear cut.

Parks and Recreation indicated that this would be good as public open space but the applicant would like to keep it private.

T. Crawford stated that the Conservation Commission approved the road width which will substantially decrease the impervious surface.

T. Dorsey questioned if there would be a lot of blasting and will it be monitored. B. McCarthy stated that they will not be blasting but just chipping away with hammers.

M. O'Leary stated that a report, dated 2/24/09 was received from the Town Engineer. M. O'Leary indicated that they have not received a report from the Chatham Health District, which is required.

M. O'Leary went over his report dated 2/20/09.

Two recommendations were received on the open space issue in a memo dated 11/20/08 from J. Soderberg and the Conservation Commission. They recommended that the open space remain private. Also a memo dated 11/17/08 from R. Calarco where he suggested that the open space along West Main Street be listed as public and the rest could remain as private.

N. Wood arrived at 8:05 p.m.

M. O'Leary stated that if the Commission is looking for the pond to be part of public open space, he would want this issue to go to the Town Attorney for the liability issues. B. McCarthy raised a concern about the pond being part of public open space and preferred it to be held as private.

F. Zitkus questioned if the applicant would be willing to have a 100 foot conservation easement to protect the pond. B. McCarthy stated that he would be willing to do this.

The public hearing on Petition 2009-2 continued until 3/10/09

The public hearing adjourned at 8:15 p.m.



Tricia Schiavi
Board Clerk

TOWN OF HEBRON
PLANNING & ZONING COMMISSION
February 24, 2009 – Regular Meeting
Town Office Building

RECEIVED
2009 MAR -3 B 3:45
Carol A. Pomperoni
HEBRON TOWN CLERK

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

Members Absent: B. Raymond, J. Podell

Alternates Present: G. Gotowala, T. Piggott

Alternate Absent: B. Casoni

Staff Present: M. O'Leary, Town Planner

Guests: Attendance Sheet on File

The meeting was called to order at 8:25 p.m.

L. Hinman seated T. Piggott for B. Raymond and G. Gotowala for J. Podell.

Approval of Minutes – February 10, 2009: It was noted on Page 2, under Informal Discussion add “Store” after Liquor. Also on Page 2, 8th paragraph the last sentence should read as follows: “...separating distance from public facilities that Section 8.4.1 does not include.”

On Page 3, 1st paragraph, 2nd sentence should be “The standard of 500 feet from a public facility is not considered to be grandfathered non-conforming.” Also in that paragraph, last sentence should read “...then a proposed package store at 54 Main Street would not be permitted.” In addition on Page 3, 4th paragraph should read “...but would be willing to consider a request modifying the regulations...” Next paragraph should read “N. Wood also felt that the fire house was a public facility and did not believe that the regulations and the definition of public facility should be modified. Same page, 7th paragraph add “specific” before “application. Add the following after the 7th paragraph, “F. Zitkus stated that the PZC should not authorize zoning regulation modifications and that the application could propose a zoning amendment for the Commission’s consideration. Last sentence on Page 3 replace “for” with “due to”.

F. Zitkus moved and T. Piggott seconded a motion to approve the minutes of February 10, 2009 as amended. The motion passed unanimously.

Action on Pending Applications:

Petition 2008-18 Application of Celio Development, LLC on land owned by Agnes C. Williams for approval of a Subdivision and Special Permit application to permit a six-lot subdivision including a rear lot, submitted under the provisions of the Hebron Subdivision Regulations and Sections 8.1 and 6.5 of the Hebron Zoning Regulations on a 37.66 acre parcel of land, premise located on the south side of Old Slocum Road approximately 1,900 feet west of its intersection with Buck Road (Assessor's Map #43, Lot #4), R-1 District: F. Zitkus moved and T. Piggott seconded a motion to approve Petition 2008-18 application of Celio Development, LLC on land owned by Agnes C. Williams for approval of a Subdivision and Special Permit application to permit a six-lot subdivision including a rear-lot on the south side of Old Slocum Road with the following conditions:

- 1) A performance bond for site improvements in an amount acceptable to the Town Engineer shall be submitted to the Town in a form acceptable to the Town Attorney. The Bond shall be submitted prior to the filing of subdivision mylars or the subdivision mylars shall contain a notation that no lots may be sold and no building permits shall be issued until the bond for the incomplete work is submitted.
- 2) An erosion and sediment control bond in an amount acceptable to the Town Engineer shall be submitted to the Town in a form acceptable to the Town Attorney prior to site work.
- 3) Prior to the filing of the subdivision mylars with the Town Clerk, the subdivision inspection fee as required by Town Ordinance shall be submitted.
- 4) Prior to the filing of subdivision mylars, all deeds for the road and open space as well as all easements as shown on the subdivision plans shall be fully executed and submitted to the Town for acceptance and filing on the land records.
- 5) A preconstruction meeting shall be held with the Town staff, the engineer of record, and the site contractor prior to site work, and after final plans addressing all conditions of approval have been submitted to the Town for signature.
- 6) The edge of all open space parcels and conservation easements shall be marked in the field each 50 feet with plaques provided by the Town, and inspected by Town staff prior to any site disturbance.
- 7) The plans shall be modified as follows: a) the Town Engineer's letter dated 2/23/09; and; b) the Town Planner's memo dated 2/24/09.
- 8) The plans shall be modified to show: a) the entire open space area with topographic, and wetlands delineation; b) the reserve septic system area on lot # 2 shall be moved outside of the regulated area; c) the septic system area on lot #1 shall be moved away from the conservation easement so that no grading or clearing is required inside the

easement; c) the common driveway shall be removed from the open space; d) open space entrance shall be improved with a trail surface and boundary walls, vegetation or markers acceptable to Town staff for the first 250 feet of open space; e) a low maintenance planting plan with native species shall be provided for the cul-de-sac island area outside the water quality basin; and, f) the soils scientist shall certify the plans showing the marked wetland boundaries.

9) The accessory sheds indicated on the plans to be removed shall be removed prior to the issuance of a building permit for that lot.

10) The deed transferring lot # 5 in the Subdivision shall contain a provision stating that the lot is adjacent to a property containing a working farm road and that the lot contains an agricultural buffer.

11) Sections 7.8, 7.9 and 7.10 of the Subdivision Regulations shall be followed as to the issuance of building permits for any lot served by a common driveway.

12) Permanent address signs shall be installed at the entrance to the common driveway and where the common driveway splits prior to any Certificate's of Occupancy for the rear lots.

13) All modifications required by the Commission shall be included on the final plans and copies of all letters of approval from all land use agencies shall be added to the final plans prior to signature by the Commission. One mylar copy and four blueprint copies of the entire set of plans shall be submitted to the Town Planner for signature by the Commission.

14) The procedure of inspections of improvements required by the Town as set forth in the "Town of Hebron, CT Standard Plan Notes," is an integral part of this approval.

15) A Conservation Easement along the front of Lot 4 to include the stonewall and treeline shall be established and marked every 50 feet.

The motion passed unanimously.

The reasons for this approval are the subdivision application meets the regulations and more than adequately protects the natural resources on the site, and provides open space connection to other Town open space.

New Business:

Set Public Hearing Date:

Petition 2009-3 – 117 Main Street – Proposed Addition to Hebron Pharmacy: It was decided to hold a public hearing on 3/24/09.

Petition 2009-4 – 111 Main Street: It was decided to hold a public hearing on 3/24/09.

Proposed Fencing of CT Water Company Facilities – Hebron Center and St. Ronan Road:

M. O’Leary stated that they have been having issues where people have been climbing the ladder and have gotten on top of the water tank. The water company would like to put a chain link fence around the building and tank. They are requesting the black vinyl coated fence.

N. Wood moved and F. Zitkus seconded a motion to approve the request of the CT Water Company to install a black vinyl chain link fence at the Hebron Center Pump Station as specified in a report dated 2/2/07 with the conditions that there is no barbed wire and that no outside storage of materials is permitted on the site. The motion passed unanimously.

F. Zitkus raised a concern about the size of the fence at St. Ronan Road as it is in a residential area. He would like to buffer the fencing from the neighbors and make it tighter around the tank.

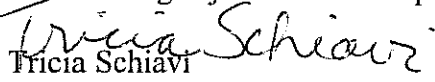
F. Zitkus moved and N. Wood seconded a motion to approve the request of the CT Water Company to install a black vinyl chain link fence at the St. Ronan Road water tank site subject to the following conditions: 1) the fence shall meet the same specifications as noted in the 2/2/07 report for the Hebron Center system and that no barbed wire is permitted; 2) the fence shall meet all the building line setback requirements of the Zoning Regulations; 3) no outside storage of materials is permitted on the site; 4) evergreen landscaping 4 – 6 foot in height shall be planted around the outside of the north, south and east sides of the fence in a spacing and to specifications approved by Town Staff. The motion passed unanimously.

Update – Drake Petroleum/Water Main Extension: M. O’Leary stated that Drake Petroleum will be installing a water main line which will continue down to the intersection of Routes 66 and 85 and in the future would like to continue down to the Mill at Stonecroft. This project is planned to begin in the spring along with the work on the gas station.

L. Hinman stated that he would draft a letter to CL&P requesting that while Route 66 is being torn up for this project could they put all of the electrical lines underground.

N. Wood reported that the Citing Council had a submission from AT&T to modify the array on the cell tower pole on Buck Road. It looked like the array was beyond the branches, which defeats the purpose of camouflaging the tower. The administrative decision of the Citing Council was that the arrays would be within the branches.

The meeting adjourned at 9:30 p.m.


Tricia Schiavi
Board Clerk

