

TOWN OF HEBRON
PLANNING & ZONING COMMISSION
November 9, 2010 – Public Hearing
Town Office Building

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2010 NOV 17 P 3:34
[Signature]
HEBRON TOWN CLERK

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

Member Absent: T. Piggott

Alternates Absent: G. Gotowala, P. Harrington, D. 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.

Petition 2010-6 Subdivision and Special Permit Applications of James Grossman on property owned by James Grossman of Delray Beach, FL and Agnes Stern of Boca Raton, FL for approval of a Re-Subdivision under the Hebron Subdivision Regulations and an Open Space Subdivision including Rear Lots under Sections 8.18 and 8.1 of the Hebron Zoning Regulations on 123.8 acres of land, premises located with frontage on the west side of Hillcrest Drive, the south side of Lake Road and the east side of CT Rte. 85 (Church Street) (Assessor's Map #10, Parcel #20 and Assessor's Map #2, Parcel #2) R-1 District and also included within the SSD and AP Overlay Districts: L. Hinman went over the history of this subdivision noting that in 2007 the Commission provided the determination of suitability so that the applicant could proceed with an open space subdivision application.

J. Celio noted that this property is 123.8 acres and is zoned in the R-1 district with a portion in the sewer service district and a portion in the overlay aquifer protection zone. J. Celio stated that he was contacted in 2003 by the owner of the property who wanted to know what the options were for developing this property. J. Celio indicated that at that time, he contacted the Conservation Commission and the Planning and Zoning Commission to informally present plans and receive directions on what way to proceed with this.

J. Celio stated that they went through three different development scenarios with Town staff and in informal discussions with commissions. In 2004 a memo was received from Town staff discussing the intersection alignment, neighborhood meetings and a public water issue as key issues to address in the planning of this subdivision. In 2007 a well waiver was granted from the State Dept. of Public Health that allowed the development to proceed without tying into the public water system and where each lot will have private wells.

J. Celio stated that they did make an effort to address the relevant issues by attending the Amston Lake District meeting and did a presentation regarding this development and a possible roundabout to help with the traffic at the lake. The Amston Tax Lake District voted at this meeting that they were not in favor of having a roundabout.

J. Celio stated that they came before the PZC in March 2007 with an application for a with Determination of Suitability for an Open Space Subdivision which was approved. From May 2007 to December 2007, they kept evolving the plan with the engineers and working with Town staff. A formal application was submitted in 2007 and the Conservation Commission referred proposed plans to the Conn. River Coastal Conservation District (CRCCD) for their review. A report was issued in February 2008 from the CRCCD and after reviewing this it was decided there was enough items to be dealt with and the timelines could not be met to keep this application active. Consequently, the application was withdrawn.

J. Celio stated that they continued to work with Town staff to get a plan together that would meet all the items of concern from the CRCCD report. J. Celio noted that a memo dated 12/11/08 was received from M. O'Leary which cited a number of issues regarding the plan that was developed from all these meetings. As a result, they came up with a much more environmentally friendly plan. With this plan, J. Celio indicated that they came back to the Conservation Commission and informally to the Planning and Zoning and it was determined that the determination of suitability approval that was issued was still good.

J. Celio stated that on the current plan that is part of this application they are proposing 71.5 acres of total property for open space with 18.5 acres of wetlands and 10 acres of steep slopes. With the open space regulations calculations being used with the deductions for steep slope and wetlands there is 44.3% of open space that qualifies for credit. At least 40% open space is required. J. Celio went over the various areas that the public could use this open space and how it will connect to the Airline Trail and be used for passive recreation.

J. Celio noted that this property could technically support 136 lots but the owner of the property did not want that many lots. J. Celio indicated that the owners have taken a responsible stand on the density issue. They are not asking for any density exemptions that are available in the regulations.

M. Tarbell stated that they are proposing two roads – one that will be 1,950 feet in length (Spring Hill Lane) with 18 lots and one that is 1,000 feet in length (Sterling Way) with 11 lots. He noted that neither road has more than 20 lots or is longer than 2,000 feet. M. Tarbell noted that any stone walls that will be disturbed or moved will be replaced. M. Tarbell indicated that there will be a common driveway that will serve three homes off of Route 85. They will be requesting a waiver for this common driveway as the regulations only allow two houses off of a common driveway.

M. Tarbell discussed the detention basins that will be on the property. M. Tarbell noted that these basins were reviewed by the Town Engineer and found to be adequate and properly designed. M. Tarbell indicated that they will be letting out less water than what leaves this property presently. All of these lots will be serviced by an on site well. All lots will be serviced by public sewers by using the existing sewer line.

M. Tarbell stated that they will stagger the front yard setbacks and the lot sizes as per the regulations have to be a minimum of 17,424 square feet. The smallest lot being proposed is 29,000 square feet in size. The average lot frontage needs to be 50 feet but the proposed

average lot frontage is 190 feet, noting that the average proposed lot size is 1.5 acres. M. Tarbell went over the widths of the roads and noted that they have accounted for safety issues. They are asking for a waiver of the number of lots on a road if the PZC thinks that such a waiver is needed by their interpretation.

J. Celio went over the various areas where the conservation easements are located. F. Zitkus requested some areas that he would like to see conservation easements including along Route 85/Church Street. J. Celio and M. Tarbell stated those would be fine. There was a discussion as to the surface for the proposed trail.

F. Zitkus questioned the lighting for the site. J. Celio stated that they are proposing colonial lighting as in other subdivisions only at the intersections.

F. Zitkus asked for a summary of the Traffic Study. D. Spears, traffic consulting engineer for the applicant, summarized his report which is part of the record.

M. O'Leary went over his report dated 11/4/10 where he provided the Commission with the entire Open Space Subdivision regulation text from Section 8.18 of the Hebron Zoning Regulations. M. O'Leary noted that the determination of applicability of the OSS regulations was made during the Determination of Suitability application and the underlying aspects have not changed. M. O'Leary indicated that the proposed OSS plans now before the Commission has the same number of lots as approved by the Commission during the Determination of Suitability. The open space is slightly larger than previously shown on the concept plans and now contains the entire flood plain and water course area long Lake Road as open space. M. O'Leary also indicated that the plans have been modified to remove one of the proposed curb cuts onto Hillcrest Drive and relocate the road and associated lots to an internal area of the subdivision intersecting with the other proposed cul-de-sac. Instead of two access points onto Hillcrest Drive there is now one. M. O'Leary noted that the applicant is proposing that the access to the three lots off of Route 85 come from an access easement on the Fire Department driveway, requiring no further clearing for individual driveways from these three lots onto Church Street.

M. O'Leary stated that he sent a memo dated 9/27/10 to M. Tarbell. M. O'Leary noted that the following are staff reports received: Town Engineer's report dated 11/5/10, memo from Denise Cooper dated 11/4/10, letter to J. Celio from WPCA dated 4/26/10, and a memo from Rich Calarco dated 11/9/10. M. O'Leary indicated that he submitted these plans to the Conn. River Coastal Conservation District to receive comments. M. O'Leary noted that a letter was received from CRCCD dated 11/9/10. M. O'Leary stated that there is a copy of the Inland Wetlands approval of this application from 9/21/10.

D. Spear, DLS Consulting, went over the traffic study that was conducted noting that there observations were of area traffic operations and characteristics, review of the Conn. DOT accident and count data, completion of manual turning movement counts, collection of automatic traffic recorder counts, estimation of site generated traffic volumes, projection of combined traffic volumes and completion of capacity analysis calculations. D. Spear noted

that the volume development and capacity analysis calculations were completed for Lake Road/Ames Road at North Pond Road/Hillcrest Drive, Hillcrest Drive at Deepwood Drive and Hillcrest Drive at proposed Spring Hill Lane.

D. Spears indicated that sight lines are good, there is low background volume and the traffic from this site would be easily accommodated by the area roadways.

The Commission recessed at 8:27 p.m.

The Commission reconvened at 8:40 p.m.

Meliss Swanson, 40 Hillcrest Drive, stated that she is opposed to the proposed egress on Hillcrest Drive as there is a large concentration of traffic on this road. M. Swanson noted that the planned entrance will put a further traffic burden on the roadway. M. Swanson also raised a concern about the number of children that need to cross the road for their bus stops and the number of people that use this road for walking. M. Swanson suggested installing a traffic light at the North Pond Road/Ames Road intersection. M. Swanson raised a concern that the people who will be living in this development will feel that they are members of the Amston Lake community by default and this is not true.

George Schober, attorney representing M. Ostrager and P. Goodwin, stated that they are the largest land owners that abut this property. G. Schober cited Section 6.4c of the Hebron Zoning Regulations and noted that his clients are looking for two 50 foot strips deeded to the Town so that they could have access in the future for possible development of their parcels. They would like the cul-de-sac redesigned and the lot lines moved to provide for these 50 foot strips.

Sylvia Grzybowski, 44 Hillcrest Drive, raised a concern about water use and traffic problems. S. Grzybowski questioned when the traffic study was done and would like another one done. In addition, she felt that a traffic study should be conducted during the summer. S. Grzybowski noted that there is already a poor quality of water and was concerned about the new development taking from their water supply.

Andrew Stanulonis, 52 Hillcrest Drive, raised a concern with the traffic and noted that as soon as the traffic reaches the proposed development, the roadway becomes narrower. A. Stanulonis indicated that he has already had three people land in his yard this year. A. Stanulonis stated that he feels that having an entrance on Hillcrest Drive will affect the surrounding community and the safety. A. Stanulonis also raised a concern about the water at Amston Lake and the impact of 32 wells on the lake.

Luana Stanulonis, 52 Hillcrest Drive, asked that the CRCCD report be made available to the public. L. Stanulonis noted that only one accident was reported on the traffic study and requested that the data from the accident rate be collected from another resource.

Paula Verrier, 97 Hillcrest Drive, noted that the pavement on Hillcrest Drive encroaches on her property and is not looking forward to having all these cars come through her front yard.

Margaret Rorazotti, 115 Hillcrest Drive, raised a concern about the traffic that will increase on Hillcrest Drive and would like some kind of buffer put up for the traffic entering on Hillcrest Drive.

Tina Jeter, 17 Turner Road, stated that she did not feel that Hillcrest Drive would support the additional traffic.

Scott Massey, 11 Ames Road, noted that there is an existing problem with the traffic and will not improve with this development. S. Massey stated that access to this development from Route 85 would be a better option. S. Massey also stated that he is concerned with the water issue.

Anthony Stankelis, 116 Hillcrest Drive, questioned if a water study had been done and questioned what the impact would be to the people living on Hillcrest Drive with an additional 30-36 wells.

Judy Moore, 80 Hillcrest Drive, stated that she will be living very close to this development and was concerned that this development would affect the well on her property.

D. Spear noted that they did a manual turning movement count in 2008 and updated this in 2009. Those were adjusted for the summer traffic. D. Spear indicated that they had a discussion with the Town Planner and Tax Assessor and looked at how many seasonal residences there were. According to the Tax Assessor there is approximately 40% to 50% of the housing at the lake being used seasonally. Therefore, in the traffic study, D. Spears increased the background traffic by 50% for the summer peak.

L. Hinman questioned if the applicant looked at the feasibility of relocating the Hillcrest Drive entrance to Route 85. M. Tarbell stated that they took a look at the grades and slopes of the land and the wetlands that are associated with it. M. Tarbell went over the various options they came up to make an entrance off Route 85 feasible. M. Tarbell noted that they would need 700-800 feet of a 10% grade and would also need an additional two detention basins. M. Tarbell also noted that the grades do not work with the design of the road. M. Tarbell indicated that they seriously looked at this very early on for this development. There would need to be significant amounts of alterations to the hillside. There would be significant tree removal and grading on this hillside resulting in a large environmental impact. In addition, 9,000 cubic yards will need to be brought in for this design.

L. Hinman questioned if a water study has been done. M. Tarbell stated that a water study has not been done and indicated that when they file the application for the waiver for the wells, the State of Conn. is fully aware of the situation with regards to supplying water. The State of Conn. is also fully aware of the topography of the land. M. Tarbell indicated that they filed an

application to the State of Conn. Dept. of Public Health for a waiver and they granted the waiver.

M. O'Leary stated that the water company was ordered by the DEP to apply for a water diversion permit. At that point, the State prohibited Birmingham Utilities from accepting any new customers into the system because they already exceeded the limit. Birmingham Utilities provided extensive information to the State of Conn. which was available to the Dept. of Public Health. Their conclusion was individual wells for this development. M. O'Leary indicated that the water company was granted permission to drill an additional well to supply the Amston Lake water system. This well has not been built to date.

M. Tarbell discussed how the wetland soils are delineated on the property.

J. Celio in response to G. Schober's comments stated that if the Commission felt that this design should be incorporated into a thru road, they could work with not changing the number of lots and provide two access points for the abutting property owners.

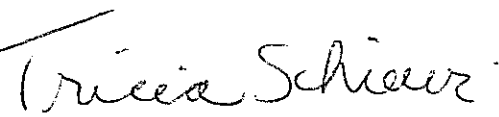
M. Tarbell showed a rough sketch he prepared showing the access points stating that he would just need to reconfigure a couple lots.

D. Spear stated that they received the accident data from the State of Conn. DOT noting that they requested specifics for Hillcrest Drive. The DOT showed one accident in the study area. The DOT gets their data from the Dept. of Motor Vehicles and local police departments.

F. Zitkus would like to contemplate the access strips and temporary cul-de-sac issue. F. Zitkus indicated that he would like some sort of layout for the extension of the cul-de-sac for the next meeting.

It was decided to continue the public hearing until 12/14/10.

The public hearing adjourned at 10:00 p.m.


Tricia Schiavi
Board Clerk

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

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Carl Thompson
HEBRON TOWN CLERK

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

Member Absent: T. Piggott

Alternates Absent: G. Gotowala, P. Harrington, D. Casoni

Staff Present: M. O'Leary, Town Planner

Guests: Attendance Sheet on File

The meeting was called to order at 10:10 p.m.

Approval of Minutes – October 20, 2010: It was noted on Page 1, “Z. Zitkus” should be “F. Zitkus”. Also on Page 1, 1st full paragraph, 4th sentence, “They” should be “there”. On page 3, 1st paragraph “abandonment” should be “discontinuance” and add “on July 13, 2010” to the end of the sentence. Also on page 3, 2nd paragraph, “establish” should be “allow”.

F. Zitkus moved and J. Podell seconded a motion to approve the minutes of October 20, 2010 as amended. The motion passed unanimously.

Approval of Minutes – October 26, 2010 Public Hearing/Regular Meeting: On page 2 of the Regular Meeting minutes under “Set Public Hearing Date” add a public hearing date of 12/14/10 for Petition 2010-9. On page 4, after motion at top of page add “N. Wood arrived at 8:10 p.m.”

N. Wood moved and F. Zitkus seconded a motion to approve the minutes of October 26, 2010 Public Hearing/Regular Meeting as amended. The motion passed unanimously.

New Business:

New Applications:

Petition 2010-12 Application for Change in Use from Hayden O. Houston, Jr. at 7 Liberty Drive, GB District: J. Celio stated that he is proposing changing this from a professional office to retail. It will become an antique consignment. J. Celio noted that the signs will be the same as the ones presently there. M. O'Leary stated that the parking is in compliance.

F. Zitkus moved and J. Podell seconded a motion to accept the change of use from Hayden O. Houston at 7 Liberty Drive as presented. The motion passed unanimously.

Sign Application – Hebron Center Nursery School, 1 Lebanon Road, R-1 District: M. O’Leary stated that this item will be removed from the agenda until the applicant is ready.

Referrals from Town of Bolton re: Proposed Regulation Changes: M. O’Leary stated that this was provided for the Commission’s information.

Other New Business:

Affordable Housing Property: M. O’Leary stated that this is one of the units from Village Lane that is designated as affordable housing. These houses are set aside for an income qualifying household. People have to apply through the Town Manager’s office. M. O’Leary indicated that the sales price of the unit is controlled and was set at the beginning of the development. M. O’Leary noted that this is a calculation that is done in the Town Manager’s office and when this particular unit was sold, the calculation was done incorrectly. Consequently, the new owner paid a fairly high price for the property. The Town Attorney stated that this property should be removed from the program. The Board of Selectmen reviewed this and agreed to remove it from the program.

F. Zitkus moved and N. Wood seconded a motion to approve the removal of 21 Village Lane from the affordable housing program. The motion passed unanimously.

The meeting adjourned at 10:30 p.m.



Tricia Schiavi
Board Clerk

