

**MINUTES
COMMISSION ON THE CITY PLAN
Tuesday August 16th, 2016-7:00 P.M.
23 UNION STREET NORWICH CONNECTICUT
LOWER LEVEL MEETING ROOM
REGULAR MEETING**

AGENDA ITEMS A, B & C-CALL TO ORDER, ROLL CALL, DETERMINATION OF QUORUM:

Art Sharron, Chairman called the meeting to order at 7:00 P.M.

Commission Members Present: Art Sharron, Michael Lahan, Les King, Kathy Warzecha, Daniel Daniska and Swarnjit Singh Bhatia. A quorum was present.

Absent: Frank Manfredi

Also Present: Deanna Rhodes, City Planner, Debra Delaporta, Recording Secretary

D. APPROVAL OF Minutes: June 21st, 2016 Regular Meeting & August 9th, 2016 Special Meeting

Art Sharron asked for a motion to approve the minutes of the June 21st, 2016 Regular Meeting. Les King made a motion to approve, seconded by Swarnjit Singh Bhatia, with all members in favor. Mr. Sharron then asked for a motion to approve the minutes of August 9th, 2016. Les King made a motion to approve the minutes of August 9th, 2016 Special Meeting, seconded by Swarnjit Singh Bhatia with all members in favor.

E: COMMUNICATIONS: None

F: OTHER BUSINESS: Staff Report

Deanna Rhodes explained she prepares written motions ahead of time, always in the affirmative, with written conditions already in place. CCP members can then add conditions they feel are necessary after the presentation and/or public hearing of the projects. Ms. Rhodes will always provide memorandums ahead of time to the Commission members with all information relative to the applications, along with suggestions and comments. All motions will refer to the sections of Zoning Regulations pertinent to the application. At the end of public hearings but prior to being closed, Deanna would then point out anything not addressed by the prepared motions.

Also discussed were the presentation of the exhibit list for Special Permits, training for Commission Members, building design review standards and architectural design standards. At 7:20 P.M., Art Sharron asked for a motion to call a recess to allow time for the ZBA meeting to finish. Les King made the motion for a recess, seconded by Michael Lahan, with all members in favor.

G: RECESS: To permit the ZBA time to deliberate on Zoning Variance Application #V-16-10.

At 7:55, the Applicants for **SP #16-02** came in to present their application. Art Sharron then declared the meeting back in session.

H: PUBLIC HEARINGS: SP#16-02: 646 Boswell Ave. Special Permit Request for the development of a 7544 SF retail building and associated site improvements within a FEMA designated floodway. Application of Gary Eucalitto aka Sound Garrett Norwich, LLC. Property of Seafood Etc. Inc. Assessor's Map 79 Block 1 Lot 6, Zone GC

Mr. Sharron made a motion to open the public hearing for SP#16-02 seconded by Michael Lahan, with all members in favor. Deanna Rhodes read the exhibit list, noting that items EE-HH were emailed late in the day, and she had not had the chance to review them. Alan Carpenter, from CPH Design, representative for the applicant Sound Garrett Norwich LLC began the presentation by introducing himself, Gary Eucalitto, applicant and purchaser of the property, Mike Perkins, a coworker of Mr. Eucalitto and Attorney Mark Block, representing the seller of the lot. Mr. Carpenter stated that this project began about 6 months ago, and after applying and receiving two variances he had prepared a revised narrative in response to recommendations made by Pat McLaughlin, City Engineer and Ms. Rhodes, City Planner.

Mr. Carpenter handed out a hard copy response of the most recent revised narrative of the project, a revised response to Ms. Rhodes comments, and a revised response to Pat McLaughlin's comments. Mr. Carpenter laid out the plan, and explained the location, topography, existing pavement and elevation. He explained one of two existing driveways is being eliminated and the building has been reduced in size and relocated to remove it from the floodway. Alan Carpenter explained the storm water management system, plantings, the addition of sidewalks based on Pat McLaughlin's recommendation and fencing associated with the project. He stated that the second variance had been approved to reduce the amount of parking spaces from 31 to 25, to reduce the side yard setback from 20 ft. to 10 ft. and also required them to put up a white vinyl fence in place of the proposed wood fence on the plan along the area that backs up to the residential area. Kathy Warzecha asked about the maintenance plan for the detention area. Gary Eucalitto stated Dollar General maintains all of their properties, and Ms. Warzecha suggested it should be included on the plan. Deanna Rhodes made a recommendation for Dollar General to put the maintenance schedule on the plan. Kathy Warzecha inquired about the materials used on the building, especially in the front. Mr. Eucalitto agreed to upgrade the façade to red brick as one of the stipulations for approval of the plan, as requested by Ms. Rhodes.

Since there was no one else present to speak in favor of the plan, Art Sharron asked if there was anyone there in opposition. Christine Kaiser, of 89 St. Regis Ave spoke against the plan, mainly because of drainage issues the whole area has had over the years. Ms. Kaiser handed out copies of research and her speech, and addressed the Commission. Ms. Kaiser stated the City of Norwich should take steps to correct the drainage and flooding issues in the area, particularly the culvert system used to carry excess water away. She also commented on the ongoing blasting and other concerns relative to Mr. Zeeman's property on Edgewood Rd. Kathy Warzecha asked if Ms. Kaiser was against this particular plan, since the public hearing was about the project. Christine Kaiser stated she felt all drainage and flooding issues should be addressed before any more new construction be allowed.

Andy Zeeman, of 20 Rogers Rd, and owner of 9 & 25 Edgewood Rd, which abut 646 Boswell Ave was there to submit comments. Mr. Zeeman was concerned about traffic from potential future development on his property and suggested an alternate driveway coming in off of 9 Edgewood Rd, which is the street. With no one else in opposition, Mr. Sharron gave Alan Carpenter time to address the concerns of both Ms. Kaiser and Mr. Zeeman. Mr. Carpenter stated that this property is significantly lower than then St. Regis streets and other streets above the project, and that the storm water basin will at least help with water going downstream of the property. Alan Carpenter addressed the concerns of Mr. Zeeman by explaining the driveway location is being moved farther away from the traffic light, and any traffic generated by the future project on 25 Edgewood would not be impacted by the Dollar General due to the hours of operation. Kathy Warzecha asked Mr. Carpenter if DOT had reviewed the plans, and he stated they were in the process of reviewing them now, and possible revisions may be required.

Deanna Rhodes stated there were still a few conditions recommended by herself and Pat McLaughlin that may be outstanding. The most recent revisions were sent by email late in the day of the meeting, and she did not have the chance to review them yet. These revisions include landscaping, front façade, erosion/sediment control bond, and any other modifications. Ms. Rhodes made an additional condition for the maintenance plan be submitted on the final plan, to which Mr. Carpenter agreed. She also made a request that the State of CT Archeological Dept. be contacted if there were any issues encountered at the site. With no further comments from anyone attending the public hearing, Art Sharron declared the public hearing closed. Mr. Sharron then asked for a motion to be made for **Special Permit #16-02**. Michael Lahan made a motion to **APPROVE Application #16-02-646 Boswell Ave with condtions 1-17** as prepared by Deanna Rhodes. The motion with conditions is as follows:

MOTION

To Approve Application SP#16-02: 646 Boswell Ave. Special Permit Request for the development of a proposed 7,544 SF retail building and to locate associated site improvements within a FEMA designated floodway. Application of Gary Eucalitto aka Sound Garrett Norwich, LLC. Property of Seafood Etc. Inc. Assessor's Map 79 Block 1 Lot 6, Zone GC, as shown on site plan entitled "Proposed Site Plan – Dollar General, Sound Garrett Norwich, LLC – 646 Boswell Avenue, Norwich, CT dated 07/26/16, revised to 08/03/16, prepared by CPH Corp". associated building elevation plan and landscaping plan, and based on testimony presented and subject to the following instructions and conditions integral to this application:

1. That this approval will expire in 5 years unless an extension has been granted by the Commission.
2. That the applicant resolve to the City Engineer's satisfaction items from his memo dated 08/11/16.
3. That the applicant address comments from the Planner's second memo dated 08/11/16.
4. That the landscaping plan be updated to include appropriate plantings in the detention area.
5. That the building façade include two windows with awnings in the front of the building and a window on the north and south sides.
6. That the required signature block and the letter of approval be placed on the final revised plan set.
7. That 6 paper copies of the final revised set of plans and two sets of mylars be submitted to the Planning Department for endorsement by an officer of the Commission. The endorsed mylar set shall be filed on the Land Records by the applicant within 90 days.
8. That an E&S bond in an amount determined satisfactory by the City Engineer and in a form acceptable to the Corporation Counsel be submitted prior to any soil disturbance or the issuance of a zoning permit.
9. That a prep-construction meeting be held with the Planning and Public Works Departments prior to the start of the project and that all E&S controls be installed by the applicant and inspected by the ZEO or Planner prior to initiating any land disturbance activities.
10. That all proposed improvements associated with this application are to be completed according to the approved plan prior to the issuance of the required Certificate of Zoning Compliance and Certificate of Occupancy, or a performance bond will be required in accordance with Section 8.9 of the Zoning Regulations.
11. That any modifications to the approved plan may require additional review and approvals by the Commission.
12. That any unsuitable material located in the pavement area shall be removed and replaced with suitable material as directed by the City Road Inspector.
13. That the applicant contact the Fire Marshal's Office should blasting be required. A pre-blast survey shall be conducted prior to blasting.
14. That the Commission may require an as-built prepared by an engineer and land surveyor should it be deemed necessary by the City to determine compliance with the approvals granted.
15. That the discharge of stormwater and dewatering of any wastewater from construction activities is less than 5 acres and falls under CT DEEP general permit #DEP-PERD-GP-015.
16. That the applicant submit a maintenance plan and schedule for the detention basin that is shown on the revised plan.
17. That the front façade of the building be changed to brick.

Reasons: The proposal conforms to Chapter 2, Chapter 5 and Section 7.7 of the Zoning Regulations.

Les King seconded the motion, and all Commission members voted in favor to **APPROVE SP#16-02**.

I: OLD BUSINESS: None

J: NEW BUSINESS: SDP#1035-646 Boswell Ave. Site Development Review relative to development of a 7544 SF retail building and associated site improvements within a FEMA designated floodway. Application of Gary Eucalitto aka Sound Garrett Norwich, LLC. Property of Seafood Etc. Inc. Assessor's Map 79 Block 1 Lot 6, Zone GC

Deanna Rhodes asked the Commission members to consider all of the testimony presented for the public hearing in regards to Application SDP #1035-646 Boswell Ave. Michael Lahan made a motion to APPROVE the application, seconded by Les King. All members voted in favor to **APPROVE SDP#1035-646 Boswell Ave with conditions 1-15** as follows:

MOTION

To Approve Application SDP#1035: 646 Boswell Ave. Site Development Review relative to development of a proposed 7,544 SF retail building and to locate associated site improvements within a FEMA designated floodway. Application of Gary Eucalitto aka Sound Garrett Norwich, LLC. Property of Seafood Etc. Inc. Assessor's Map 79 Block 1 Lot 6, Zone GC, as shown on site plan entitled "Proposed Site Plan – Dollar General, Sound Garrett Norwich, LLC – 646 Boswell Avenue, Norwich, CT dated 07/26/16, revised to 08/03/16, prepared by CPH Corp", associated building elevation plan and landscaping plan, and based on testimony presented and subject to the following instructions that are integral to this application:

1. That this approval will expire in 5 years unless an extension has been granted by the Commission.
2. That the applicant resolve to the City Engineer's satisfaction items from his memo dated 08/11/16.
3. That the applicant address comments from the Planner's second memo dated 08/11/16.
4. That the landscaping plan be updated to include appropriate plantings in the detention area as recommended by a landscape architect.
5. That the building façade include two windows with awnings in the front of the building and a window on the north and south sides.
6. That the required signature block and the letter of approval be placed on the final revised plan set.
7. That 6 paper copies of the final revised set of plans and two sets of mylars be submitted to the Planning Department for endorsement by an officer of the Commission. The endorsed mylar set shall be filed on the Land Records by the applicant within 90 days.
8. That an E&S bond in an amount determined satisfactory by the City Engineer and in a form acceptable to the Corporation Counsel be submitted prior to any soil disturbance or the issuance of a zoning permit.
9. That a pre-construction meeting be held with the Planning and Public Works Departments prior to the start of the project and that all E&S controls be installed by the applicant and inspected by the ZEO or Planner prior to initiating any land disturbance activities.
10. That all proposed improvements associated with this application are to be completed according to the approved plan prior to the issuance of the required Certificate of Zoning Compliance and Certificate of Occupancy, or a performance bond will be required in accordance with Section 8.9 of the Zoning Regulations.
11. That any modifications to the approved plan may require additional review and approvals by the Commission.
12. That any unsuitable material located in the pavement area shall be removed and replaced with suitable material as directed by the City Road Inspector.
13. That the applicant contact the Fire Marshal's Office should blasting be required. A pre-blast survey shall be conducted prior to blasting.
14. That the Commission may require an as-built prepared by an engineer and land surveyor should it be deemed necessary by the City to determine compliance with the approvals granted.
15. That the discharge of stormwater and dewatering of any wastewater from construction activities is less than 5 acres and falls under CT DEEP general permit #DEP-PERD-GP-015.

Reasons: The proposal conforms to Chapter 2, Chapter 5 and Section 7.5 of the Zoning Regulations.

K: EXTENSIONS REQUESTS: None

L: BOND RELEASES: None

M. ZONING MATTERS: None

N. ADJOURNMENT: Upon motion by Les King, seconded by Swarnjit Singh Bhatia, the Commission voted unanimously to adjourn the meeting at 9:05.