

COMMISSION ON THE CITY PLAN
Tuesday, November 21, 2023, 7:00 PM
Hybrid Meeting / Public Hearing
100 Broadway - Room 335 Norwich City Hall - NORWICH, CT

CALL TO ORDER: Acting Chairman Kathy Warzecha called the meeting to order at 7:00 PM.

ROLL CALL AND SEATING OF ALTERNATES:

Present: Ella Myles (Online), Deane Nason, Kathy Warzecha, and Jason Courter (Online).

Absent: Frank Manfredi, Chairman & James Quarto

Staff Present: Director of Planning and Neighborhood Services Deanna Rhodes and City Planner Dan Daniska.

APPROVAL OF MINUTES: October 17, 2023 Meeting, October 24, 2023 Special Meeting

Ella Myles made a motion to approve both sets of minutes. Jason Courter then seconded the motion. The minutes were unanimously approved.

COMMUNICATIONS: The Commission received three statutorily required municipal referrals. Deanna Rhodes reviewed the two referrals from the Town of Preston (temporary moratorium on Short Term Rentals and Text Amendment regarding Child Care) and one from the Town of Montville (moratorium on Cannabis establishments). Commission Members had no comment.

NEW BUSINESS:

PUBLIC HEARING AND POTENTIAL ACTION ON THE FOLLOWING APPLICATION:

a.1. SUB #437: 145 Taftville-Occum Road, 432 Canterbury Turnpike & 180 Lawler Lane. Request for a proposed twelve-lot subdivision with associated new road and dedicated open space. Property and application of Norwich Community Development Corporation. Assessor's Map 25 Block 1, Lot 1; Map 24 Block 1 Lot 1; and Map 23, Block 1, Lot 7. Zone: General Commercial District (GC) & Planned Development Design District (PDD). (Received 10/17/2023)

Deane Nason made a motion to open the public hearing for the application. Jason Courter seconded the motion. The motion was unanimous.

Kathy Warzecha stated that she would like a site walk of the property and referenced the Planner's memo, which recommended a potential date of Tuesday, December 12, 2023 starting at 12:00 p.m. A short discussion ensued and it was agreed upon that the 12/12/23 date/time was acceptable to the Commission members and that City Planning staff would prepare the special meeting agenda which would include the meet up location.

The applicant team of Kevin Brown, President of NCDC, Attorney Mark Block and Jeff Bord, Engineer with Bohler Engineering then gave a short presentation of the proposal for a proposed 12 lot commercial subdivision, which included a new road. They noted that the proposal is being considered by the Norwich IWWCC as a modification to their permit, which was issued previously due to a small change in the wetlands disturbance in the vicinity of Lawler Lane. They understood that the public hearing would not be closed and a decision made until after IWWCC acts on their application. It was noted that the location of parking and buildings shown on lots on the subdivision plan are only for

illustration purposes and that individual site plans and/or special permit applications would need to be submitted to the Commission on the City Plan for their approval for the development sites.

The Chairman then gave instructions to the public to please not be repetitive in their comments as to keep the meeting moving along. Ms. Rhodes stated that the Commission received two written submissions from the public relative to the application. She requested not to read them into the records (as one includes a chart), but to post them online and email them to commission members to read in advance of the next meeting as the public hearing would still be open. The acting Chairman, Kathy Warzecha, was in agreement and then opened up to the floor (and to people attending virtually by Zoom) to comment.

The following people (see attached list) signed up to speak in advance of the hearing. Concerns noted related to: traffic safety, need for an updated traffic study, height of potential buildings, blasting, buffers, proposed roundabout on Canterbury Turnpike and the slope of Canterbury Turnpike causing it to be slippery, speed of traffic on Canterbury Turnpike, drainage, wetlands, road salt, effect on animals, need for water sampling, lack of notice about previous change in zoning to PDD and GC, deed restrictions.

The applicant team took note of the comments and stated they would be prepared to address them at the continued Public Hearing.

Deane Nason made a motion to continue the public hearing for this application to Tuesday, December 19, 2023. Jason Courter seconded the motion. The motion passed unanimously.

a.2. SP# 23-09: 401 & 409 West Main Street & 128 Maple Street. Request for a Special Permit, and DMV K-7 Location Approval in Accordance with ZR Section 6.3, for a proposed auto repair facility with associated site improvements. Application of Calito Development Group. Property of WMST Realty LLC & 409 West Main Street LLC. Assessor's Map 109, Block 1, Lots 4, 5 & 6. Zone: General Commercial (GC). (Received 11/21/2023)

Deane Nason made a motion to open the public hearing for the application. Jason Courter seconded the motion. The motion was unanimous.

Jim Cassidy, PE with Halliday, Pearson and Cassidy presented the application on behalf of his client. He explained that the applicant is proposing to demolish the existing abandoned Jiffy Lube on West Main Street to construct a new state of the art auto collision repair facility. The proposed 12,615 sq. ft. building will be located on three abutting properties that are to be merged to accommodate the project. He stated that a soils scientist has verified that the property did not include any wetlands or upland review areas. DMV approval for the elimination of curb cuts and work in the State right-of-way will be required.

He then went through the Planners' memo and responded to questions. Attorney Mark Block stated that he had the K-7 form and \$300 check in his possession, but would submit it to the P&NS Dept. tomorrow.

Questions asked by Staff and the Commission related to the status of the environmental remediation, type of proposed fencing along Maple Street, and whether NPU had been consulted regarding utilities. A discussion then ensued.

The acting Chairperson then asked whether there were members of the public who wanted to comment on the proposal. Sheila Hayes, Nathan Weiss (current property owner) and Matthew Eucalitto spoke in favor of the proposal.

Ms. Rhodes then asked the Commission to waive her having to read the exhibit list as it was available in advance of the meeting for their review.

Deane Nason made a motion to close the public hearing. Jason Courter seconded the motion. The motion passed unanimously.

Jason Courter then made a motion to approve To Approve Special Permit #23-09 with the following conditions:

- That the site plan for the Special Permit will expire in 5 years unless an extension has been granted by the Commission.
- That final revised plans be submitted and reviewed by City Staff.
- That the City's letter of approval be placed on the final revised plan set (cover page preferred), the required signature block be placed on all plan sheets, and that all plan sheets include the stamped seal and signature of the licensed professional.
- That 6 signed and embossed sealed paper copies and 2 mylars of the final revised set of plans be submitted to the Planning Department for endorsement by an officer of the Commission. The mylars must include the red indelible ink certification, which includes the name of producer and process used.
- That the endorsed mylar set shall be filed on the Land Records by the applicant.
- That a bond, in an amount of \$22,598 be submitted for Erosion and Sediment Control and Site Restoration. Acceptable bonds are in the form of a check or letter of credit with the required paperwork for review and approval by the City's Attorney prior to the issuance of the Zoning Permit.
- That prior to filing the mylars and special permit on the land records, that the 3 properties be officially merged by deed and map into one parcel.
- That after the filing of the mylars and associated Special Permit documentation, a zoning permit shall be issued prior to any land disturbance activities associated with this approval. • That any modifications to the approved proposal shall be reviewed by the Zoning Enforcement Officer prior to occurring and may require additional review and approval by the Commission.
- 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 or a performance bond will be required in accordance with Sections 7.5.7.3 and 8.9 of the Zoning Regulations.
- That the Commission may require an as-built or certification by a licensed engineer or land surveyor should it be deemed necessary by the City to determine compliance with the approval granted.
- That a lighting compliance plan for all installed lighting be submitted to the ZEO for their review prior to requesting a Certificate of Zoning Compliance required for a CO.
- That the applicant contact and work with NPU regarding installation of utilities for the project.
- That a detail for the wood or vinyl fencing which was discussed in the hearing be provided for Staff and member review and approval.
- That a letter be provided to City Planning Staff that supports the public hearing testimony that the site has been remediated.

- That the DMV K-7 Form be submitted with the required fee of \$300 to formally process the location approval request.

Reason: The proposal conforms to ZR Section Chapter 5, 6.3, 7.5, and 7.7 of the Zoning Regulations.

Ella Myles seconded the motion. The motion passed unanimously.

Staff then instructed the Commission that they needed to act on the required DMV K-7 Motor Vehicle Location approval.

Deane Nason made a motion to Approve K-7 DMV Motor Vehicle Location approval as the location is suitable for the use intended as stipulated, and will not interfere with the safety of the public, as it was previously an automotive related use.

Jason Courter then seconded the motion. The motion passed unanimously.

b. SDP #1049: 0 Myrtle Drive. Site Plan Review for land disturbance activities associated with preparation of commercial pad sites for future development. Application of Sammy P Inc. Property of Sammy Piotrkowski. Assessor's Map 41. Block 1, Lots 5, 5.1, 5.2, 5.RD. Zone BP. (Received 10/17/2023)

Dave McKay, Engineer with Boundaries Engineering gave an overview of the application. He stated that the site is located in Norwich and Franklin, CT and explained that the application was submitted under section 5.4 of the Zoning Regulations for a land disturbing activity only. There is no proposed use yet of either of the proposed development pads at this time. It is likely that the development proposal will require site plan or special permit approval from the Commission in the future. He then described proposed access to the property by way of Dominican Drive. He stated that the IWWCC has yet to act on the proposal and that he will be addressing staff comments at the next meeting on December 19, 2023.

Deane Nason made a motion to table the application to the December 19th meeting. Jason Courter seconded the motion. The motion passed unanimously.

OTHER BUSINESS:

1. 2024 Calendar Adoption: There was a brief discussion about several 4th Tuesday scheduled on the calendar due to holidays. Kathy Warzecha stated she would likely not make those meetings due to a meeting conflict. Deane Nason made a motion to approve the 2024 calendar. Ella Myles seconded the motion. The motion passed unanimously.

2. Executive Session Pending Litigation: No Updates.

STAFF REPORT: None

ADJOURNMENT: Ella Myles made a motion to adjourn. Deane Nason seconded the motion. The motion passed unanimously and the meeting ended at 9:53 p.m.

*Respectfully submitted,
Deanna L. Rhodes*

Public Comment Sign In Sheet

Commission on the City Plan

100 Broadway - Room 335

7:00PM 11/21/2023

| <u>Name:</u> | <u>Address:</u> |
|--------------------|--|
| Sue Jacobson | 256 Lawler Lane |
| Frederick Browning | 671 Scotland rd |
| Dan Watson | 507 Canterbury Tpk. |
| Holly Watson | " " |
| Robert C. Thomas | 89 Lawler Lane |
| Eddie Piscatelli | 44 Wales Rd |
| Beryl Fishbone | 19 Bliss Pl. |
| Nathan Weeks | 800 Sherman St Norwich |
| MARK PERKINS | 81 Lawler Lane Norwich CT 06360 |
| Chase Corcoran | 465 Canterbury Tpk. Norwich, CT 06360 |
| Marilyn Jester | 487 Canterbury Tpk 06360 |
| JUDITH Post | 46 Sandy Lane |