

TOWN OF DURHAM

Planning and Zoning Commission

P.O. Box 428

Durham, Connecticut 06422-0428

MINUTES OF AUGUST 2, 2006, MEETING

Present

Members: Ralph Chase, George Eames, Richard Eriksen, Dave Foley, Jan Melnik,
Gene Riotte, Tom Russell

Town Planner: Geoffrey Colegrove

Alternate: Jackie Snow

Absent

Members: Jim Kowolenko, Dian O'Neal

Alternate: Frank DeFelice

The meeting was called to order by George Eames, Chairman, at 7:30 p.m.
Jackie Snow was seated on the Commission in Dian O'Neal's place.

1a. Commissioner Resignation

George Eames read into the record a letter from Brian Ameche to First Selectman Jim McLaughlin dated July 16, 2006, resigning his position as a Commissioner with the Planning and Zoning Commission effective immediately.

Motion by Dave Foley, seconded by Jackie Snow, to appoint Gene Riotte to a full Commissioner's position on the Planning and Zoning Commission effective immediately.
Motion carried unanimously.

1. Approval of Agenda

Motion by Dave Foley, seconded by Gene Riotte, to approve the agenda of the August 2, 2006, meeting as amended to reflect the tabling of item #7 (L. Milano, one-lot

subdivision) and inclusion of #1a (resignation of Brian Ameche). Motion carried unanimously.

2. Public Session

No business.

3. Perma Treat Corporation, Site Plan Review for Removable Roof, 74 Airline Drive

Don Ponko addressed the Commission regarding his desire to install a temporary “carport-like” roof on his property. It would not be a permanent structure; rather, it would be made of aluminum piping with a polyethylene cover in dark forest green. The structure would be 23 ½ feet tall at its highest.

Motion by Richard Eriksen, seconded by Ralph Chase, to approve the site plan of Perma Treat Corporation for a removable roof, 74 Airline Drive, for “temporary, permanent structure.” Motion carried unanimously.

4. Roger Passauant and Lisa Harness, Request for a Proposed Two-lot Subdivision, Old Blue Hills and Shunpike Roads

Pat Benjamin addressed the Commission on behalf of the applicants. Their property is approximately 4.4 acres in size in the Farm-Residential zone at the corner of Old Blue Hills Road and Shunpike Road. There is an existing gravel driveway serving the existing house. The lots would be divided into 2.16 and 2.25 acres. Test holes have been dug by the town sanitarian and each lot can accommodate a three-bedroom home. Reserve areas as well as limits of clearing are depicted on the plans.

This application will go before the Inland Wetlands Commission and the Conservation Commission for review.

5. Laura Milano, Informal Discussion of Possible 1-lot Subdivision, 1147 New Haven Road

This agenda item was tabled to a future meeting. The applicant is exploring alternate site access at this time.

6. Stone Bridge, LLC, Request for a Proposed 7-lot Subdivision, Johnson Lane

Ron DiGennero addressed the Commission. The parcel is about 45 acres in size along the west side of Johnson Lane. There is a house and several barns on about 7.58 acres presently. There is also a five-acre section that is not part of this subdivision. The property includes a large wetlands band and it is heavily wooded in most areas. Some slopes are quite steep, up to a 35% grade.

A road 1,430 feet in length is proposed along the area of the present driveway. A box culvert will be removed. A 20' x 5' wide concrete arch bridge will span a crossing. There will be a retaining wall on the downhill side. Proposed lots are the following sizes: Lot 1 – 2 acres ... Lot 2 – 2.47 acres ... Lot 3 – 2.05 acres ... Lot 4 and 5 – interior 4: 10.84 acres lot 5 : 6.09 acres ... Lot 6: 2 acres ... Lot 7: 2.51 acres

An open space corridor extends across the front portions of the property. There will be easements created. The two interior lots will be served by a common driveway. Pat Benjamin then depicted house locations, proposed driveways, septic, and well locations.

Ralph Chase described flooding and drainage in the area, even in less than 100-year storms. Pat Benjamin noted that the property is entirely sand and gravel and very well drained.

Pat Benjamin stated that a small active adult development might be created in the future on approximately 17 acres, depending upon interest/sale of these lots.

A 20,000 fire tank will be installed on the property. The pond on the site is heavily silted in and needs to be excavated and cleaned out.

A site walk is scheduled for Saturday, September 16, at 9 a.m. (prior to the next meeting of the Planning and Zoning Commission on September 20, 2006).

7. Lino's Market, Site Plan Review for Possible Expansion, 472 Main Street

Pat Benjamin stated that the applicant has purchased the property to the north of the store; all land is within the commercial zone. The present store is 3,180 square feet in size. The antique shop and house to the north will be razed. A new well will be drilled in the front. About 1,785 square feet will be added to the building. Total coverage will be 52% (up to 60% is allowed in the zone).

The existing septic system will be repaired. Asphalt that extends over the property line to the south will be removed. Bollards will be installed two feet off the property line. Parking will extend to the north. A new dumpster location will be created in the back with a stockade fence surrounding it. There will be adequate parking for employees in the back. The second floor will accommodate storage and an office while the first floor will remain retail sales space.

Although there is no storm drainage on the property now, the Department of Transportation would like to have catch basins installed throughout the area. There will be underground detention on the site. Pat Benjamin described it as 30-inch concrete galleys with 72 feet of linear installation. One curb cut to the north will be closed and there will be one main entrance/exit along the southerly border of the property.

Landscaping will be enhanced with the planting of sugar maples. A two-foot high berm will be created, about ten feet wide, to the north of the property. Proposed for planting are 36 four-foot emerald arborvitae, installed three foot on center. These will grow to a height of 14-15 feet eventually.

A similar landscaped berm will be created along the southerly property line with 20 arborvitae planted. The line of sight to the south is fine; as optimal a sight line as possible to the north has been preserved.

The plans, as proposed, comply with all requirements of the regulations, including maximum size of the structure (40,000 is allowed and this will be 4,969). Maximum building coverage will expand from 12.4% to 13.6%; up to 25% is allowed. Parking will accommodate 30 spaces plus informal parking for employees at the back of the building.

Architectural drawings will be presented at the next meeting, as will proposed lighting for the site.

8. Update on Fire Protection Pond, Powder Hill and Turkey Hill Roads

Geoffrey Colegrove advised that he has been checking the pond on a regular basis since the last meeting and, with the exception of some evaporation, it is holding well with no discernable change in water elevation.

9. Proposed Amendment to the Durham Zoning Regulations, Section 05. "Common or Shared Driveways"

This will be scheduled for a public hearing the first meeting in October.

10. Payment of Bills

Motion by Ralph Chase, seconded by Jackie Snow, to approve payment of the following bills:

- Attorney Tom Byrne — \$2,975.00 (Arrigoni 5/2-7/8/2006 and Arrigoni decision 5/25-7/28/2006)
- Absolute Advantage - \$290.51 (minutes of July 19, 2006)

Motion carried 7-1, with all in favor with the exception of Jan Melnik (in abstention).

11. Approval of Minutes

Motion by Ralph Chase, seconded by Dave Foley, to approve the minutes of the July 5 and 19, 2006, meetings as presented. Motion carried 6-2, with all in favor with the exception of Jan Melnik and Dave Foley (in abstention).

12. Town Planner's Report

Geoffrey Colegrove stated that he had read in the *Town Times* that an issue regarding off-premises signs was raised at the Board of Selectmen's meeting by Dr. Steve Levy. This becomes a difficult matter in terms of knowing where to draw the line. The sentiment of the Commission was that this is not a good direction to go (i.e., posting individual signs for a particular business). It would open the door to many other businesses wishing to have the same advantage.

The common sign for the Ozick property off Route 68 was approved by Geoffrey Colegrove and the sign is now being constructed.

Geoffrey Colegrove advised that the former Parsons building being leased out by tenants of the Kelly family is being used for such things as a lawnmower repair facility and a school for wrestling/training. There is no certificate of occupancy in place for the building. A zoning permit has to be sought for every new use going into the building.

Mr. Kelly will be asked to come before the Commission to address this matter regarding uses (first meeting in October).

13. Miscellaneous

A letter from Judy Snyder of Geoffrey Colegrove's office was distributed concerning the household hazardous waste disposal/collection being held on September 30 at the Lawrence School, Mile Lane, in Middletown.

Sandy Kovach of Old Mountain Road addressed the Commission regarding concerns about the problem of hours of operation at Rory Wilson's site off Ozick Drive. Hours of operation had previously been agreed as 8:30 a.m. to 4:30 p.m. Former First Selectman Maryann Boord had communicated with the property owner about the problem. Hours have been running anywhere from 5:30 a.m. until 9:00 p.m. Monday through Sunday. Geoffrey Colegrove asked that copies of any correspondence be provided for further investigation.

Motion by Jan Melnik, seconded by Ralph Chase, to adjourn the meeting at 8:47 p.m.
Motion carried unanimously.

Respectfully submitted,

Jan Melnik
9/6/2006