

HAMPTON PLANNING & ZONING COMMISSION
REGULAR MEETING
MINUTES
FEBRUARY 22, 2010

Call to Order:

Chairman Grindle called the Meeting of the Hampton PZC to order at 7:33 p.m.

Roll Call:

Members Present: Robert Burgoyne, Gary DeCesare, Kevin Grindle, Gloria Langer and Alternate Randy Thompson

Members Absent: Wayne DeCarli and Alternate Everett Hyde

Seating of Alternates:

Alternate Thompson was appointed to act in DeCarli's absence.

Staff Present: Martha Fraenkel, Zoning Official

Additions to Agenda:

None.

Audience for Citizens:

None.

Approval of Minutes:

1/25/10- Langer MOVED, Burgoyne seconded, to approve the minutes of the 1/25/10 meeting as corrected. MOTION PASSED UNANIMOUSLY.

2/11/10- Burgoyne MOVED, DeCesare seconded, to approve the minutes of the 1/25/10 meeting as corrected. MOTION PASSED with all in favor except Thompson who abstained.

1/25/10 Minutes Correction:

Page 2, New Business Item #1; Change title and references to add "Ad-Hoc" to the Ordinance Committee title and references. Shall now read: "Ad Hoc Ordinance Committee."

Page 3, New Business Item #4: add "as an alternate" to the approval motion. Shall now read: "...to recommend to the Town Council that they appoint PZC Alternate Everett Hyde as an alternate to the WINCOG Regional Planning Agency."

2/11/10 Minutes Correction:

Page 1, New Business Item #1; Change title and references to add "Ad-Hoc" to the Ordinance Committee title and references. Shall now read: "Ad Hoc Ordinance Committee."

Burgoyne MOVED, DeCesare seconded, to move Old Business Items to the end of the agenda, and to address New Business Item #2 prior to Item #1. MOTION PASSED UNANIMOUSLY.

New Business

1. Ad-Hoc Ordinance Committee - discussion with chairman

George Askew, Chairman of the Ad-Hoc Ordinance Committee was present to hear the reasons behind the initiation of the proposed ordinance for fines for zoning violations. Chairman Grindle asked each member to briefly summarize the PZC's proposal and express their ideas to Chairman Askew. Burgoyne summarized the comments he made at the Board of Selectman's meeting, noting that this is a way to save the Town money. The fine system is based on state statutes and on other

towns' fine ordinances. Burgoyne emphasized that this is intended to help the Zoning Official enforce the Zoning Regulations in cases of extreme violations. Grindle noted that the State Statute allows a fine of up to \$150.00 a day. Extensive discussion was held regarding the ramifications of lowering the fine. There were mixed feelings about \$150.00 per day being too high and the potential for litigation because the violator couldn't pay it, and the fine being too low and violators not remedying the situation because it isn't significant enough. Members discussed the importance of the procedure and the procedure for working with a violator prior to the step of issuing a fine. The consensus of the Commission was that the public was unaware of that procedure and would have been less concerned had they been informed. DeCesare and Thompson both felt that \$150/day was too steep and that once sent to a public vote it would not pass. Discussion was held about creating a list that would identify the violations that would be considered "major", and the consensus of the Commission was that it is not possible to create a conclusive list. It was again emphasized that in several years only a few cases would be considered "Major violations" and that the intention is to not go door to door looking for violations.

Sue Burgoyne noted that there is a process for working with the Zoning Agent to remedy the problem prior to the step of a fine being issued, and feels the public is not aware of that.

Kate Donnelly, First Selectman, feels people will come out if to vote if this goes back to the Board of Selectman, and that people will want to see in writing what is considered a "major violation".

Martha Fraenkel emphasized that the warning system built into the proposed ordinance includes adequate time for the violator to work with the Zoning Official to rectify the violation.

Noting no further comments or questions, Grindle invited Askew back if he has any further questions or comments.

2. Receive site plan application; proposed expansion of EASTCONN, 376 Hartford Turnpike/Route 6, Business Zone

Donald Smith Jr., P.E. reviewed the revised set of plans dated 2-22-10 distributed to members. He referenced a 1-27-10 letter from the State Department of Public Health which stated the concept approval was granted, noting that they will need to receive final design approval from Department of Public Health. Smith distributed a 2-22-10 Statement of Use and an aerial photo of the building and surrounding property. He also noted that due to a meeting cancellation, he anticipates approval from the IWA at their next meeting. Smith highlighted the key changes to the plans which include: shifting the building to the west to create a 50 foot buffer between EASTCONN and the neighbors to the east; shifted driveway to allow for better sightlines; and landscaping in and around the parking area. An effort will be made to save the existing street trees along Route 6.

Smith reviewed and addressed a list of concerns from Fraenkel, which included the amount of top soil being stripped from the site (approximately 1,400 cubic yards) and discussion of utilizing it in Town; stormwater quality, noting the parking areas, existing building and part of the new one will flow into a detention pond instead of its current flow into the wetlands; refuse containers location, which will remain where they are unless found larger ones are needed at which time they will re-evaluate locations; limited parking and inclusion of trees along westerly boundary; and detention pond maintenance and sediment removal recommendations (included on the plans).

Grindle suggested using smaller flowering shrubs or something similar with a shallow root system within the parking islands, expressing concern for the roots system interfering with the septic area below the parking lot. He also asked Smith to recalculate the galleries capacity.

Chris Nardi, architect, reviewed the building layout and interior design. He depicted the landscaped

courtyard between the buildings and reviewed the deciduous and evergreen plantings. Nardi reviewed the geo-thermal system and discussed the 25-36 wells that will be located under the cul-de-sac, noting condensers and all other mechanicals in the attic. He stated that all building materials will match the existing exterior, and the building will be 1 ½ foot higher at its peak than the existing building. Discussion regarding the height of the parking lot light posts resulted in the applicant agreeing to lower their proposed height of 30' to the existing height of 20' and to use shielded lamps to prevent light pollution. The lighting on the building will be shielded sconces. The lighting will all be wired into the energy management system which will be managed electronically by the facilities manager, noting that lighting after the building is vacant can be controlled.

Fraenkel noted that she will review the plans and send her comments to the applicant regarding compliance with requirements for site plan, landscaping, parking, etc. The applicant will then respond and revise plans if necessary for the next meeting, at which time responses should be received by the DOT and Inland Wetlands Agency.

3. Referral from Windham Regional Planning Commission: Brooklyn Business Park District, 2/3/10
Grindle read the Communication from WINCOG dated 2-3-10 and signed by Katherine Holt. The consensus of the Commission was that it agreed with Holt's concerns. Burgoyne MOVED, DeCesare seconded, to authorize Fraenkel to send a response letter to WINCOG and Brooklyn agreeing with the concerns raised in 2-3-10 letter from WINCOG Chairman, Katherine Holt. MOTION PASSED UNANIMOUSLY.
4. Budget for fiscal year 2010-2011
DeCesare MOVED, Burgoyne seconded, to adopt the proposed budget for fiscal year 2010-2011 as distributed at the 2-22-10 meeting, and to recommend to the First Selectman that Martha Fraenkel be considered for a cost of living raise. MOTION PASSED UNANIMOUSLY.

Old Business

1. Discussion: Zoning Regulations Revisions
Tabled.
2. Discussion: Subdivision Regulations Revisions
Tabled.

Report from Zoning Official:

None.

Communications:

Noted.

Adjournment:

Noting no further business Burgoyne, MOVED, DeCesare seconded, to adjourn the meeting at 9:45p.m. MOTION PASSED UNANIMOUSLY.

Respectfully submitted,

Jessie L. Shea
Planning and Zoning Commission Clerk

PZC BUDGET FY 2010-11Change

Salaries

zoning official	\$13,400	0
recording clerk	1200	0
office manager	1200	200+

Legal & Engineering Fees	4,000	0
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Planning Services	4,000	0
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Training for Commission & Staff	500	0
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Mileage	150	0
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Supplies	600	0
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Publications

Planning Journal	100	0
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Legal Journal	100	0
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Legal Notices	2,000	0
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Professional Affiliations

CT Federation of PZCs	85	0
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CT Assoc. of Zoning Officials	25	0
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American Planning Association	90	0
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	\$27,450	\$200 increase
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