

Town of Andover Connecticut
Planning and Zoning Commission
Community Room, 17 School Road, Andover

June 20, 2016
Regular Meeting
7:00 PM
MINUTES

Call to Order: Eric Anderson calls the Meeting to order at 7:05PM

Roll Call/Seating of Alternates

Members Present: Eric Anderson, Mike Palazzi, Patrick Dougherty, Scott Person, Leigh Ann Hutchinson

Members Absent: None

Alternates Present: Ed Sarisley, Gerry Hardisty

Alternates Absent: None

Staff Present: John Valente, Zoning Agent, Sandra Nichols, Commission Secretary

Public Present: Attachment #1

Additions/Changes to the Agenda

John Valente would like to add to items **7b**. There have been complaints about parking and noise at a assumed church that was being run at a residential home/zone (originally under Administrative Report). **Eric Anderson** **7c** Andover Complete Streets Master Plan (Draft). **7d**. The appointment of an applicant as an alternate on the Planning and Zoning Commission, discuss a letter of interest that was submitted by Jesse Person. Items to be added under **Agenda Item 7** in New Business.

Leigh Ann Hutchinson **Motions** to accept the changes/additions to the Agenda as outlined by

John Valente.

Mike Palazzi **Seconded**

Motion Passed 5/0/0

Public Participation

Eric Anderson specifies that this item is for the Public to speak on anything not on the agenda and asks that there are no comments on CNG Gas Infusion Station since that is not before them at this time.

Dianne Grenier talks about the Public Speak part of the Agenda and mentions the easement and the Talbot property and knows that they can not talk about what they will or will not do in the future. She then speaks about the need for the Town to upgrade the regulations and presents a letter written to the Commission in regards to this (attachment #2), with signatures given to John Valente.

Wayne (inaudible) begins to give his opinion on the Gas Infusion Station

Eric Anderson interrupts and states that the Commission is not trying to silence him or anyone else however it is a legal obligation that they have to meet the statutory obligation. That would mean that all discussion would have to take place at a Public Hearing in order to keep it legal. If this is not done it could mean that the Town could lose a law suit if one was brought against them.

Jeff Ballard was wondering if it would be possible to put on the July Agenda a moratorium for commercial developments for the year?

Eric Anderson responds that we could put it on the Agenda however he is not sure that the Commission would go along with this. It would be obvious what it was for and believes that this would not stand up to a legal challenge.

John Colli would like a temporary moratorium at the July meeting that would include Commercial Buildings, hazardous materials, tipping fees and regulations.

Karen Zito reads a written statement and submits it to John Valente for the record.

Old Business:

Incentive House Grant: Presentation of IHZ study by William Warner.
Discussion and acceptance/approval of the study by the Commission.

abled presentation until the arrival of Mr. Warner

Old Business:

Adoption of revisions to Zoning Regulations:
“Overnight parking of commercial vehicles and vehicle signage.”

abled

Discussion on the Incentive Housing Program.

Ed Sarisley speaks about the gas line on the map and comments that it appears it is ignored. This is something they need to talk to Mr. Warner about.

Mr. Warner arrives and sets up for the presentation

. Report from L.A. Hutchinson/E. Anderson regarding the Route 6 Economic Development Committee and Zoning Sub-Committee

to new information

. Report of Sub-Committees

Eric Anderson notes that the Conservation Committee spoke with Selectman Cathy Desrosiers on the purchase or development of the Post Farm, that he agreed to using open space funds; information only.

Ed Sarisley states the owners are not interested in selling and intend on keeping it in the family.

Eric Anderson replies that if that is the case this is not a feasible property.

John Valente hands out an article about CNG for the record to the Commission Members.

Incentive House Grant: Presentation of IHZ study by William Warner.

Discussion and acceptance/approval of the study by the Commission.

Bill Warner begins his presentation of IHZ (attachment #3 and on the Andover web site).

The focus is on three sites:

Site A: Phelps property, Shoddy Mill Road, 52.4 acres

Site B: Rosewood Enterprises LLC, Rte 87/Rte 6, 56 acres

Site C: Town owned School Road property, 70.5 acres

He talks about these sites in detail during his presentation with maps of the sites.

Mr. Warner begins by stating that one of the characteristics about Andover is that it is mostly known for single family homes. He briefly touches on State Statute 8-30g that would force affordable housing and the incentive housing legislation was created. Mr. Warner then discusses incentive housing and the program. The

Town received \$20K to study the possibilities for affordable housing. The goal for this type of housing would be a house that is 80% of the median income. All along Rte 6 was an area identified in the study. Phase 2 would bring in a landscape architect and an engineer to do an evaluation of the parcels. He points out the on the map what parcels he is speaking about.

Mr. Warner answers questions from the public and the Commission. He explains the sewer/septic system design and why they are designed that way. Question from public (inaudible) on the process. He explains that everything will still have to go through Planning and Zoning. He explains that most of the units would be 55yrs and older, 30% needs to be affordable housing due to the State requirements. He expounds on this.

Eric Anderson explains that the Town new that this would be difficult going forward and asks Mr. Warner what would prevent the Town from moving forward?

Questions from the public and the Commission to Mr. Warner on the presentation (mainly on the water and sewer systems and the affordable housing that the State requires)

Bill Warner gives an example of the housing that was created in Simsbury with affordable housing. He also explains the structure of the houses (one bedroom/two bedroom) and what they require.

Eric Anderson answering a question in regards to the mix of the housing on these sites, states that a builder would do for affordable housing since it is not profitable **Bill Warner** states that it would be difficult to develop the parcels without the incentive housing regulations and reviews all options, including the purchase of the land.

John Valente states that a final copy of the Incentive Housing Plan must include the gas line. He also talks about feasibility

Ed Sarisley asks about the systems (water/septic)

Eric Anderson replies that this is a preliminary design. He then asks about density.

Discussion among the Commission and Mr. Warner about density

John Valente asks what do we have to do if anything to accept this.

Eric Anderson inquires what stumbling blocks Mr. Warner sees going forward?

Bill Warner replies that the Town needs to educate the residence on the plan let property owners know the intention and then proceed forward with the plan.

John Valente talks about the process of an application, specifically CNG and what is and what is not appropriate when information is brought up. It needs to be brought up in a Public Hearing orally or it could be a legal issue with an appeal.

Eric Anderson continues further and says that all opinions/statement/questions will be heard at any Public Hearing that will be held. He also lets a member of the public to contact the Town attorney on his own and ask any questions he wants to.

. New Business

. Application for a Special Permit to run a Small Home Retail Business on the property at 415 Route 6, deed reference; Vol. 127, Page 770 in an industrial zone. Applicant is Wendy Kopp, owner Ronald Kopp. Site plan and description of activity provided with the application. Set public hearing date.

Wendy Kopp introduces herself to the Commission and states that she has recently had the opportunity to start a business. She explains that it is a small retail business at a residence that was purchased in a Commercial Zone. There would be no changes made to the structure it will remain the same as when the property was purchased.

Eric Anderson asks if the house on the property is occupied?

Wendy Kopp replies that there are two tenants there that are aware of her desire to open this small retail business. She also states that there is not a lot of refurbishing that will be done. Mainly sanding and painting in the barn on the property. No stripping.

Eric Anderson advises the Commission that a Public Meeting needs to be scheduled.

Ed Sarisley voices his concern and traffic turning off Rte.6

Wendy Kopp replies that there has been two previous businesses on the property and there was never an issue and the signage will fall under the zoning regulations.

John Valente agrees with this reply.

Patrick Dougherty Motions to schedule the Public Hearing for the Special Permit Application submitted on July 18, 2016.

Deigh Ann Hutchinson Seconded

Motion Passed 5/0/0

b. Shoddy Mill Road Complaints (parking/noise):

John Valente received information from the BOS that were complaints about cars parking here and this posed a safety concern in which he responded by sending a letter to the owner of the property, Mr. Steyne. There was also a complaint about noise that was also addressed in the letter.

Mr. Steyne, the owner of the residence is present and addresses the Commission on his behalf. He states that it is not a Church at this residence. It is just his friends that come over to “hang out”, pray and study the bible. He believes that the parking issue has been resolved since he was made aware of the complaint and is even shuttling people in from the commuter parking lot. He asks the Commission if there is a place in Town that would be more beneficial for them to meet? He does not feel that he requires a permit since this is not a business, only a residence. He submits a letter to John Valente in response to his letter (attachment #4).

Eric Anderson states that the issue is when it becomes a regular ongoing event with traffic and noise.

John Valente replies that the traffic issue has been resolved/addressed and the noise was not the major concern/complaint.

Eric Anderson expresses his concern about the amount of people in the residence and does it violate a fire code.

Mr. Steyne’s Son speaks on behalf of his father and states that this is not a commercial building, no one is sleeping there except the occupants. He does not see how the Town can regulate what happens at a residence.

Eric Anderson replies that the Commission needs to do more research to see if anything needs to be done.

Deigh Ann Hutchinson asks what the nature of the noise is?

John Valente replies that the safety on Shoddy Mill Road was the major concern not the noise, it was only mentioned.

Ed Sarisley asks the Steyne’s if the meetings are randomly scheduled and what time they are held?

Mr. Steyne replies that they are on Tuesdays around 7PM and there was one time due to the fact that a certain friend was in town that was going to speak and it was on a Wednesday. He then states that he realized that it was “dump day” and will not hold any gatherings on this day.

John Valente states that if the uses exceed the acceptable use for a residence then the Town would have to get involved in regards to regulations.

Discussion among the Commission Members about the possibility of involvement. Follow up agenda item at the next meeting.

c. Andover Complete Streets Master Plan (Draft May-June 2016):

Eric Anderson hands out a copy of the draft to the Commission Members (attachment #5). He explains that the Town is mainly a vehicular Town and would like to find a way to accommodate bicycles and foot traffic. Residents should be able to get around without a vehicle to access areas in Town. Mr. Anderson would like everyone to read the draft he has created and give their opinion on it. He is looking to get funding to be used for other ways of getting around the Town besides in a vehicle.

Discussion among the Commission Members on the problems with pedestrian and bicycle traffic in the Town.

Eric Anderson encourages all residents to review this draft and submit to the Town their input/recommendations. (draft available at the Town Clerk's Office)

d. Appointment of an Applicant as an Alternate on the Commission:

John Valente states that Jesse Person submitted a letter of interest to the Town to be an alternate on the Commission (letter on file in the Town Clerk's Office). He notes that it would have been nice if he was present so the Commission could speak with him.

Scott Person notes that this item was not on the Agenda.

leigh Ann Hutchinson inquires whether or not this was advertised and she does not believe that the Commission can make an appointment according to the charter. The BOS has to approve an appointment.

Eric Anderson asks the Commission if they would like to vote to accept the applicant?

leigh Ann Hutchinson would like to wait until the Commission checks the Charter first

Discussion among the Commission Members on the 3rd Alternate on the Commission

John Valente suggest that this is done at next months meeting.

Eric Anderson Postpones the appointment until next month.

. Approval of Minutes: May 16, 2016 Regular Meeting/Public Hearing

leigh Ann Hutchinson Motions to approve the May16, 2016 minutes.

Mike Palazzi Seconded

Discussion; page 3 change with to will under Bill Warner's comment, and add states to the beginning of his second comment, correct Warren to Warner at the bottom, page 4 change goof to good under Cathy Desrosiers comment, page 4 change siting to sitting, change sate to state under Eric Anderson's comment.

Motion Passed/5/0/0

. Administrative Report:

John Valente states that he has followed up with the complaint from 98 Shoddy Mill road, the Caderat's regarding Mr. Fitch's activity. There was also a complaint involving Mr. Batisse, on the Bende Road, involving his excavator. He states that it was stumps that washed into the water and the homeowner was removing them for safety reasons, it is still a horse farm. Mr. Valente would however ask Mr. Caderat to inform him of any unusual activity to avoid future complaints. He then asks the Commission if there are any new items for the Agenda next Month?

Eric Anderson asks the Commission if they want to entertain a moratorium on the suggestion from the public on Commercial applications?

Discussion on the question

Eric Anderson asks if they should get a legal opinion?

John Valente states that he would like to take the lead on this as far as asking the question.

Eric Anderson informs all that we have hired a traffic engineer to do a study, had discussions with a Zoning Attorney on this application (CNG) and the applicant is to pay for a review of the town regulations. A landscape architect will also have hired to evaluate the site plan.

Everything however is on hold until the re-submittal of the application. He notes that he has asked the Town Attorney to draft a letter prior to the next meeting as to what can be discussed and what can not be discussed.

0. Correspondence:

None

1. Adjournment

Mike Palazzi Motions to Adjourn at 9:45 PM

Leigh Ann Hutchinson Seconded

Motion Passed/5/0/0

Respectfully submitted by Sandra Nichols, Commission Secretary