

TOWN OF ANDOVER
PLANNING & ZONING COMMISSION
MONDAY, OCTOBER 18 2021 - 7:00 P.M.
LOCATION: VIRTUAL MEETING VIA ZOOM

REGULAR MEETING MINUTES

Members Present: Chair Jed Larson, Vice Chair Anne Peterson Crème, Scott Person, Leigh Ann Hutchinson, Steve Nelson, Anne Blanchard (alternate), and Kevin Arnesen (alternate)

Member Absent: Susan England (alternate)

Others Present: Zoning Agent – Jim Hallisey, Board Clerk – Abbie Winter, George Correia, Nilakshi Parndigamage, Patrick Lynch, Bernard Kalansuriya, Ruvinda Gunawardana, Hashini Mohottala, Anusha Kasthuriarachchi, Bhante Kondanna, San, Kalpa Alawatta, and Pinnagala Pangnatissa

- 1) CALL TO ORDER: Chair J. Larson called the regular meeting to order at 7:01 p.m.
- 2) ROLL CALL/SEATING OF ALTERNATES: No alternates were seated.
- 3) ADDITIONS/CHANGES TO THE AGENDA: None.
- 4) PUBLIC COMMENT: None.
- 5) OLD BUSINESS
 - a. Sign Regulations
 - i. J.Larson reported that Attorney Branse will update the sign regulations for the Commission. J.Larson expects them soon.
 - b. Discussion – Affordable Housing Plan
 - i. J.Larson reported the Commission is in the process of signing the contract with Bill Warner. B.Warner incurred some unexpected losses, so he will have a late start. He is expected at the Commission's December meeting to get started with the affordable housing plan.
 - c. Legislative Update
 - i. J.Hallisey does not have any reports at this time.
- 6) NEW BUSINESS
 - a. Application PZC 21-03, Correia/Loteczka, Subdivision/Special Permit

ACTION ITEM - Request For Filing Extension - Subdivision/Special Permit (26 Old Farms Road/Pine Ridge Drive)

Discussion Item - Request for minor modification to approved subdivision plan (26 Old Farms/Pine Ridge Drive)

George Correia, the applicant, was present.

G.Correia is requesting an extension of time, the project's surveyor/civil engineer, Andrew Bushnell, is working on the project and he doesn't believe the project will be complete within the 90 day time limit. G.Correia isn't certain how long he needs an extension for, potentially another few months. J.Hallisey stated that the applicable section of the state statute allows for two 90-day extensions, so he suggests G.Correia requests a 90-day extension, and can request a second 90-day extension at a later time.

G.Correia briefed the Commission on the change from the originally proposed 4-sided box culvert because the box culvert's price increased substantially such that it's beyond the project's budget. G.Correia found an open-bottom 3-sided culvert alternative that will be cast in place. G.Correia believes this culvert is less invasive to the stream because it does not disturb the natural waterflow since the culvert will be built over the streambed.

G.Correia described the 3-sided culvert's build. He will excavate below frost depth on both sides of the natural invert for the spread footing, on top of which they will place the 5.5' tall wall, and then the slab will be built on top of this. G.Correia reported that a structural engineer designed the drawings to meet the required H-20 load rating. There will be three pours to cast the footings, the walls, and the cap/top. G.Correia confirmed that he has not yet received approval for the change from the Inland Wetlands and Watercourses Commission.

J.Larson MOVED to approve the 90-day extension to the filing of the drawings that is requested by the applicant. L.Hutchinson SECONDED. By roll call vote, MOTION PASSED 5:0:0.

J.Larson MOVED that the request for the minor modification to the approved subdivision plan be considered a minor modification, and for it be turned over to Agent J.Hallisey for adjudication with the applicant after it receives Inland Wetlands and Watercourses Commission approval and the engineer concurs in the design. SECONDED by S.Nelson.

J.Larson reiterated that J.Hallisey will only review the subdivision plan after it obtains Inland Wetlands and Watercourses Commission approval, and once he confirms that the Town's engineer agrees with the changes made to the plan.

J.Hallisey raised that the original permit had the condition that the Town engineer will approve the final design for the culvert.

There was discussion about the excavation required for the original and the new culvert. S.Person stated concern that G.Correia will be substantially digging, as the culvert will be 20' wide and 3'6" deep.

There was discussion if the application needs to return to the PZC if it obtains Inland Wetlands and Watercourses Commission and engineer approval. J.Larson asked G.Correia if voting on the project in November would delay his project. G.Correia confirmed it would not.

A.Crème asked how the site fared with the rainstorms this summer since the project was approved, and if the design would be able to handle this volume of water in the future. G.Correia stated there was not much change to the stream after the two large summer storms

this year; there was limited displacement and piling of natural debris and sediment. J.Larson stated he shared the same observation, and stated that the culvert openings in the plan will be sufficient.

By roll call vote, MOTION CARRIED 5:0:0.

- b. Discussion Item - Request for Feedback on potential Meditation Center/accessory uses at 131 Route 6.

Nilakshi Parndigamage, Patrick Lynch, and community members on behalf of the Connecticut Meditation Center (CTMC) were present.

CTMC would like to purchase White's Tavern to serve as a church and a rectory. The rectory will house 2-3 monks, and the church will support the existing community for meditation and fellowship. The CTMC plans to open up the property to Andover as a community gathering space for communal events, including mediation and yoga worships. CTMC is a non-profit organization, so any services offered to the larger public community will be free of charge.

P.Lynch stated they may need to build a second structure for CTMC's religious services and education. They will also need a parking area, whose size will be determined based on the size of the temple they build.

P.Lynch asked the Commission for feedback regarding concerns and restrictions that CTMC should be aware of. S.Person asked if the government put any restrictions on the property when it was deemed The White Tavern. J.Hallisey stated that being on the National Register of Historic Places, there are not specific restrictions or covenants. J.Larson stated the Town's Regulation 4.15 – Historic Preservation by Way of Adaptive Historic Reuse seems to be very liberal with what it would allow. This would require a special permit with a public hearing, and will give the CTMC the most latitude in what can be constructed.

P.Lynch stated they intend to respect the White's Tavern and do not intend to demolish it, however they cannot commit to anything yet since they have not investigated the tavern's needs.

P.Lynch stated they are not sure how many parking spots the CTMC will need until they size the building. This is something they plan to discuss with the Commission. The entrance will be from both Hutchinson Road and Route 6, and they are willing to be flexible with this.

J.Larson stated that a church is an allowable site within a business district. Based on P.Lynch's projection of 120 seats within the gathering space, the Commission would allow 24-40 parking spots. J.Larson stated he doesn't see any obstacles that prevent the CTMC from using the property with their intended uses.

The Town's Regulation 4.15 Historic Preservation by Way of Adaptive Historic Reuse requires that any other buildings added to the site need to have a style consistent with the Tavern. N.Parndigamage stated architecturally, there will be nothing unusual in the plans for the new structures, the goal is to blend in. N.Parndigamage confirmed the site plan would include the new second structure for the temple and gathering space.

J.Hallisey stated an additional consideration for the CTMC is that the state traffic commissioner or the CT DOT may need a change of use.

J.Larson confirmed he does not foresee any issues for the CTMC to use the property for the rectory and new temple.

B.Kalansuriya asked if they need to provide site plans signed by a licensed surveyor and PE for site plan approval, as per the Regulations Section 23. J.Larson confirmed since this is a significant project, they will need to follow the checklist for the special permit application form. J.Larson stated a public hearing is not required for a site plan approval; the church is an authorized function for site plan approval within the business zone, so likely a public hearing will not be necessary. However the commission has the right to hold a public meeting if they deem it necessary, based on the application.

c. Report/Discussion Item - Blight/Citation Ordinances.

J.Hallisey reported that at the recent town meeting, revisions to the existing Blight Ordinances were discussed to redefine what is considered blight. Additionally, now the blight enforcement officer is able to cite and impose a fine. This requires that a public hearing officer is appointed, who can overrule any other citation. This is potentially a precursor to using citations for violations.

There was discussion regarding the effectiveness of the ordinance, and why the Commission was not consulted on the issue.

d. Discussion - Proposed Amendments to the Zoning Regulations.

J.Larson discussed the drafted changes to the Zoning Regulations.

K.Arnesen stated section 4.9.3 and the building setback line definition also need the language changed from "width" to "frontage".

J.Hallisey noted that some of these subdivision regulation changes may need to carry over to Zoning Regulations since it refers to specific regulations.

Discussion on this item will continue next month.

e. Action Item - Approval of Regular Meetings (PZC) for the 2022 Calendar Year.

J.Larson MOVED to approve the Planning and Zoning Commission Regular Meetings for the 2022 Calendar Year. S.Person SECONDED. By unanimous vote, MOTION CARRIED 5:0:0.

f. Action Item - Planning & Zoning Commission Endorsement of Multi-Use Path along Route 316.

J.Larson described Ed Sarisley's plan for a Multi-Use Path along Route 316 for pedestrian use. J.Larson presented a letter on behalf of the Commission in favor of E.Sarisley's plan to connect the east and west sides of Route 316.

S.Person MOVED to approve the letter from the Planning and Zoning Commission to approve the multiuse track along Route 316. S.Nelson SECONDED. By unanimous vote, MOTION CARRIED 5:0:0.

7) APPROVAL OF MINUTES

Action Item - Regular Meeting of September 20, 2021.

J.Larson MOVED to approve the Regular Meeting of September 20, 2021. S.Person SECONDED. By roll call vote, MOTION CARRIED 4:0:1 with L.Hutchinson abstaining.

8) CORRESPONDENCE. None.

9) ADMINISTRATIVE REPORTS/ENFORCEMENT ACTIONS

J.Hallisey reported the building office is busy this time of year; there is a lot of accessory structures and building. The building office is getting used to the new permitting program, and is in the process of hiring a new employee in the near future.

J.Hallisey is working with Steve Barnett on Route 6. He has not informed him of the blight ordinance yet, which J.Hallisey projects will cover some of the items S.Barnett has on his property.

10) COMMISSION DISCUSSION/MISCELLANEOUS

a. Discussion of the Gravel Pit Site (497 Route 6)

J.Larson stated that back in June, the Commission approved a 6 month extension to the gravel pit. J.Larson hasn't seen a lot of activity there, so the Commission should start considering an extension again.

J.Hallisey discussed with Chris Bell, the engineer for the gravel pit owner, William Genovese. They discussed moving the gravel removal operation closer to the gas station, but they could not get in contact with the land owner, Marshall Martin, for permission to extract the mound of material that is within 50 feet of his property.

J.Hallisey reported that two to three loads were removed last week, and he reported if Bell is not done within the project time frame, they will be leaving it as is and this will not include

remediation. The project's 6 month extension from July 1 will bring them to the end of December.

J.Hallisey stated that the mound within 50 feet of Martin's property is a preexisting feature.

This discussion will continue at next month's meeting to hear from Chris Bell.

11) PUBLIC COMMENT: None.

12) ADJOURNMENT

J.Larson MOVED to adjourn the meeting at 9:22 p.m. S.Person SECONDED. By unanimous vote, MOTION CARRIED 5:0:0.

Respectfully submitted by Abbie Winter,

Abbie Winter

Please see the minutes of subsequent meetings for the approval of these minutes and any corrections hereto.