

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
FEBRUARY 18, 2015**

ROLL CALL:

Members Present: Eric Prause, Chair
Horace Brown, Secretary
Michael Stebe

Alternates: Pat Kennedy (sitting)
Teresa Ike (sitting)

Absent: Andy Kidd
Susan Shanbaum
Julian Stoppelman

Also Present: Mark Pellegrini, Director of Planning
Renata Bertotti, Senior Planner
Matthew Bordeaux, Environmental Planner
Karen Logan, Recording Secretary

The Chairman opened the Public Hearing at 7:00 p.m. The Secretary read the legal notice for the application when the call was made.

COMMUNITY HEALTH RESOURCES - Under Art. II sec. 9.14.02 (b) for a use which requires parking in excess of 60 parking spaces for a new medical office building at 444 and 470 Center Street – Special Exception/Preliminary Site Development Plan (2014-104)

Ms. Heather Gates spoke on behalf of Community Health Resources. She described the proposed project, a medical office building which will be located at the corner of Center Street and Henderson Road. The proposed building would house outpatient services, community outreach programs, and programs currently run in the East Middle Turnpike location with some expansion of services. The activity on the site would be predominantly therapy for individuals who have mental illnesses and addiction disorders, Ms. Gates said.

Ms. Gates introduced Ms. Susan Odell, project architect, who provided details regarding the project. Ms. Odell explained the site is bordered on the East by Henderson and on the West by Proctor Road and said there is an existing building on 470 Center Street that would be removed. She said the lots are zoned for business except for the rear of 444 Center Street, which is zoned residential. The site is also in the design overlay zone. Ms. Odell said the building would be on the northeast corner of the property with parking behind it and a primary entrance off the parking lot to accommodate handicap dropoff. The first story of the proposed three story flat-roofed building would be articulated with brick and upper stories would be EIFS, Ms. Odell said. A more entry-like feature was added on the Center Street façade in response to staff and now it was proposed to pull that feature forward 8 inches and push it about a foot above the parapet, she said. A sign would be located on the corner of Center and Proctor streets. Ms. Odell explained that the first floor would consist of waiting rooms, check-in, therapy and group rooms, staff

areas, and a pharmacy. The second floor would house a reception area, therapy and group rooms, a large room for medical records, and two roof terraces. The third floor would be more therapy, a children's area, staff areas, a primary care physician, a lunch room, a large meeting room, and a lobby. Mechanicals would be located in the center of the roof and would not be visible from the ground, Ms. Odell. In response to a question from Mr. Prause, Ms. Odell said the roof terraces would be more visible from West Center and Henderson streets.

Ms. Odell showed photos of neighboring buildings including 487 Center Street, 576 Center Street, and 432 Center Street. 487 Center Street is another CHR building which has a sister building that was approved last fall. 576 Center Street is a three-story, brick, flat-roofed structure. 432 Center Street is a mini mart. Across Center Street it is typical to see three-story buildings where the third story is in the sloping roof, Ms. Odell said. In lieu of the landscape architect, who was unable to attend the meeting, Ms. Odell also discussed the parking layout, saying that the proposal provides 144 parking spaces as the regulations require for a medical office building of this square footage. She said two proposed driveways are primarily exit and entry and there is another driveway. The Town and the traffic consultant requested a right turn only out to prevent traffic going back down Proctor Road. Two bio-retention gardens were included. The site is fairly flat but will be sloped for drainage and the bio-retention gardens would be recessed. There is a 6-foot stockade fence and the dumpster enclosure is taller than that. Ms. Odell displayed the proposed site trees and landscape materials.

Mr. Joe Perrugini, Project Engineer, said site runoff is not handled well on the site currently. The site is mostly impervious with some drywells which fill up and spill over the adjacent roadways. He said the proposal attempts to improve this situation while meeting drainage regulations and reducing the peak rate of runoff off the site. Along the border to the residential properties there are retaining walls, stockade fence, and chain link fence. The fencing would be replaced with new 6' stockade fence. Green space would be added. On the northern and western half of the site, clean runoff from the roof will be directed through piping into an underground detention area and will be able to be infiltrated into the subsoils. The property is within an aquifer protection area so only clean runoff is allowed to infiltrate. If anything exceeds capacity, it will outflow to the existing system. Runoff will be treated before being discharged into the existing drainage system at the corner of Proctor Road and Center Street. The remainder of the site will be controlled by five catchbasins. Runoff will spill into two 3-4 foot deep bioretention basins that will treat runoff and below that an underdrain system will drain the runoff through a series of pipes and ultimately into an existing manhole on West Center Street. Below that underdrain system, an impermeable PVC liner will prevent any infiltration of runoff into subsoils. Mr. Perrugini said there are 144 parking spaces and there is lighting throughout the site. The sidewalk around the building connects to public sidewalks that would all be replaced. Sanitary utilities would tie into the existing line on Henderson Road while water, fire, and gas would connect into those services on Center Street. Rather than a trench, the Town required the applicant to mill and overlay this section of road, so there will be improvement to the pavement, Mr. Perrugini said.

Mr. Michael Galante, the traffic consultant from Frederick P. Clark Associates, went through the traffic study dated December 2014. He said the morning peak hour at the site was 8:00 a.m. to 9:00 a.m. and the afternoon peak was 4:15 p.m. to 5:15 p.m. Traffic was evenly balanced in different directions and accident analysis showed minimal accidents, Mr. Galante said. A building of this type and size is expected to generate 72-107 trips during morning and afternoon peak. The driveway from Proctor Road would be a left-turn-in only and right-turn-out only

controlled with signs. The two driveways on Henderson Road would be evenly split, addressing traffic distribution. Comparison of build vs. no build conditions showed that the impact would be insignificant with the greatest increase in delay being 2.2 seconds, Mr. Galante said. Mr. Galante recommended stop sign controls at the proposed driveways, maintenance of sight distance at the driveways, that no parking be allowed on the applicant's frontage on the west side of Henderson Road, and that additional "no parking" signs be added on the east side of Henderson Road where parking is already prohibited.

Mr. Brown asked for clarification on where the parking restriction will be located and Mr. Galante answered that the east side of Henderson Road has no parking currently from Center Street to West Center Street; the proposal recommends adding another few signs to enforce that. On the west side, CHR's frontage, the proposal recommends no parking from Center Street to just below at least the southerly driveway. Mr. Galante added that no one really parks on Henderson Road currently.

Ms. Gates said CHR was notified of some concerns by neighbors. To address the concern about emptying of dumpsters during off hours, she said CHR is willing to agree that dumpsters be emptied only during normal business hours or restricted even later in the mornings. The second concern was about a retaining wall that had a crack in it. Ms. Gates said CHR will correct this, either by fixing the existing wall or by replacing this section, and by ensuring that no snow is plowed toward the dumpster.

Mr. Stebe asked if there would be activity between this proposed building and the two buildings owned by CHR located nearby on Center Street. Ms. Gates replied there would not, since the services for the people living in the support housing buildings are within those buildings, and the proposed medical building will operate like any other medical building serving an outpatient clientele.

Mr. Stebe asked for clarification on the height of the proposed stockade fence, noting that the perimeter fences were labeled 4' in documents while testimony referred to a 6' fence. Ms. Odell replied the fence will be 6' high all the way around and that the error would be corrected.

Mr. Brown asked if CHR owns all of the fences surrounding the property and whether those would remain where they are. Ms. Odell said CHR owns the existing stockade fence and if it also owned the chain link fence, it would be replaced with stockade fence. If CHR does not own the chain link fence, it would remain behind the new stockade fence. Mr. Brown also asked if CHR had considered using vinyl fencing and Ms. Odell replied that CHR has cedar stockade fence across the street at other properties and they feel that it weathers over time the best whereas vinyl needs to be cleaned frequently.

Mr. Prause asked why the proposed medical office building is needed and how the space inside would be used. Ms. Gates said the first floor will house a reception area, adult outpatient services, and a call center; the second floor would be all adult outpatient services, and the third floor would house child outpatient services and a primary care site that CHR is running jointly with First Choice.

Mr. Prause asked Ms. Gates to explain the need for the medical office building and what types of services would be taking place there. Ms. Gates explained that the building would offer outpatient services; the first floor would house a reception area, adult outpatient services, and a call center, the second floor would house adult outpatient services, and the third floor would be

child outpatient services and a primary care site that CHR is running jointly with First Choice. In response to questions from Mr. Prause, Ms. Odell confirmed that CHR would have someone clean heavy snow loads off the flat roof when necessary and that there would be two curb cuts on Henderson Street.

Mr. Prause noted that the property is in the Design Overlay zone and asked Ms. Odell to explain how CHR's proposal meets the criteria of protecting and enhancing the unique historical qualities of the overlay district. Ms. Odell said that the setbacks along Henderson Street and Center Street are respecting the Design Overlay zone requirements. She said that while Center Street's history is primarily 3-story residential-looking buildings with the third story tucked under the sloped roof, there are also retail buildings that do not hold the street edge. She said CHR's building would improve what is already a retail area by holding that street edge. Mr. Prause noted that the Design Overlay zone requires using best practices as far as materials and asked how CHR came up with the look of their proposed building. Ms. Odell replied that since CHR will have 3 buildings in close proximity to each other; they wanted to reference, but not copy, the buildings across the street. The other two CHR buildings are primarily residential so they have sloped roofs and fiber-cement siding above the brick, but because this proposed building is an office, they chose to keep brick on first floor but above have EIFS and a flat roof. Blue metal panels between the stories of windows are also meant to reference the panels on the other CHR buildings, Ms. Odell said, but are slightly darker blue. Mr. Prause asked how CHR took into consideration the residential houses across street and to the south. Ms. Odell said the existing site had a retail property in the middle with parking all around. CHR would be adding some parking and moving its building as far from the residences as possible, and would provide adequate screening through evergreens and fencing. She noted that the proposed use of the building would be quiet, because it's a business-hours building.

In response to Mr. Stebe's question, Ms. Odell confirmed the building will be located 15' off Center Street and 8' off Henderson Road. She explained the 8' setback is because it's holding the same landscape buffer required elsewhere for parking. Mr. Brown asked whether the sidewalks will be in the same location as they currently are. Mr. Galante explained that the sidewalks and curbs will be replaced in-kind as required by the Town's public improvement standards. He added that sidewalks that may not be built to the Town's standards now, CHR would construct to comply with the Town regulations. In response to Mr. Brown's recommendation that a snow shelf or tree belt be added, Mr. Galante said he agreed but the room available between the curb and property line would only allow for 5 feet of sidewalk and 2.5 feet of green space snow shelf.

Ms. Bertotti recommended that the applications be tabled until the applicants can respond to staff comments. She described these comments as numerous but technical and minor in nature. In response to a question from Mr. Prause, Ms. Bertotti said the applicant was not seeking a zone change because the previous use used the residential property in cooperation with CHR so it is a continuation of the previous use.

Mr. Prause asked if any member of the public wished to comment either in favor of or in opposition to this application.

Beatrice Tweedie, 91 West Center Street, said the parking lot for the proposed building abuts her property on its north and east side. She said the applicant said they would put up 8' fences but that the dumpster would be higher than the proposed fence. She proposed another place could be found for the dumpster and mentioned that the cement that holds the fence needed to be

reconstructed. She said she had no other problems with the proposal.

Susan Botein of 93 West Center Street said, because her property sits 6'4 below CHR's property, she would be looking up at the dumpster from her yard. She was also concerned that she wouldn't be able to get out of her driveway on weekdays with the addition of the proposed building, since it could already take her more than 5 minutes to get out on some days with no traffic coming out of Henderson Road. She said she was also concerned about privacy if the fence wasn't high enough to prevent passersby from looking down on her in her yard. Finally she said that having a view of a three-story building out of her second-floor windows facing north would reduce her property value, so she would prefer really tall trees for landscaping as opposed to bushes.

Ms. Odell said the issue of the damaged retaining wall would be addressed, agreeing with Ms. Tweadie that its condition was so poor that it would need to be replaced. She clarified that the fence was 6 feet tall, not 8 feet tall as Ms. Tweadie had stated, and that the dumpster enclosure would be 6' 8" tall. She clarified that the difference in elevations between the building site and the neighboring properties was about 5 feet at the point of the greatest difference. She clarified that the plantings planned for the perimeter were not just bushes, but rather a solid line of evergreen trees. In response to questions from Mr. Prause, Ms. Odell said she was unsure how tall the trees would be at maturity but they would be 10 to 15' when planted and would be between the stockade fence and the dumpster. Mr. Prause asked whether alternate locations for the dumpster had been considered and she replied that the proposed dumpster location was the best location and because the back of the lot is lined by residences, the dumpster would have to be close to some residence. She added that the view of the dumpster would not loom over neighbors and it would be obscured by plantings and the fence.

Ms. Bertotti said the only correspondence received was a letter from one of the neighbors who just spoke, which she had forwarded to the Commission previously.

Mr. Kennedy moved to close the public hearing.

Mr. Pellegrini noted that, once the hearing was closed, the Commission could not receive additional testimony from the applicants about the special exception application, although they could still discuss erosion control. He said the outstanding staff comments were technical engineering modifications. Ms. Bertotti recommended that, if the Commission wanted to put conditions on their approval, they should discuss that now.

In response to Mr. Prause's question, Ms. Bertotti stated that the only correspondence she received was a letter from Ms. Beautien, who presented her concerns at the hearing earlier.

Attorney Matthew Ranelli reiterated that, once the hearing is closed, the applicant couldn't provide more testimony. He requested, if the Commission had no more questions, that they consider voting this evening with a condition of approval being compliance with the outstanding staff comments. He noted that it would be helpful for the applicant to have the vote sooner than later.

Mr. Prause said he didn't think the Commission would make a vote tonight because they were not aware yet of what the outstanding staff comments were. He said he was supportive of the work CHR has done as far as supportive housing and that the location of the proposed building was good because it had been vacant for a while. He was encouraged that there were

bioretention gardens and appreciated the applicant's attempt to reclaim some of the water. Mr. Prause said his only concern was the impact on the abutting residential properties, because there would be some additional activity even though no people would be living on the site. He said the use seemed compatible and no additional questions needed to be answered beyond the public hearing.

In response to a question from Mr. Prause, Ms. Bertotti said she was not aware of anyone else in public who wanted to speak who was not here. She said all abutters were notified via direct mailing.

Mr. Kennedy renewed his motion to close the Public Hearing portion of the meeting.

Ms. Ike seconded the motion and all members voted in favor.

HIGHLAND OAKS CORPORATION – For a 35-lot development of one-family and duplex-type homes at 49, 89, 90, 99, 110, 115, 129, 130, 139, 149, 159, and 169 Castle Hill and 10, 19, 20, 29,30,39, 40, and 60 Collingridge Drive. -- PRD Zone Change and Preliminary Plan of Development (2014-111)

Attorney Stanley Falkenstein addressed the Commission as a representative of Highland Oaks Corporation, which is requesting a zone change to a Planned Residential Development (PRD) and approval of a preliminary development plan for a 9.8 acre site located within the Phase 5 of the Rieg Highland subdivision. He said the application includes a traffic report indicating there will be no adverse traffic impact because of this zone change.

The applicant is proposing to build 35 units on the subdivision, which was originally approved for 20 lots. The applicant is proposing to construct 5 single family homes and 15 duplex-style homes on the site, which is currently zoned Residence AA. He said the proposed single and two family homes, which in appearance will look very similar to the photographs provided with the application showing the houses this client built elsewhere, are no less beautiful than existing houses in this area. This zone change will result in no adverse impact to the Town utilities nor storm water drainage system. Mr. Falkenstein said the proposal satisfies the Town's Plan of Conservation and Development.

Mr. Falkenstein noted the application has support from some neighbors and that Mr. Thomas P. Pastor, homeowner at 205 Garth Road wrote an email to Mr. Grader in favor of the requested zone change. Mr. Falkenstein read the email into record.

Mr. Rob Hellstrom, of Hellstrom Land Surveying, described the existing subdivision of 20 single family lots and said the area proposed for the zone change is uniquely isolated at the end of the Rieg Highlands subdivision. The site is surrounded on three sides by the Town watershed land. The proposal is to divide 15 of the currently approved lots into two lots each. The proposed duplex units will have a one car garage on one side, on the other side a two car garage and the number of bedrooms will not be increased. The road design, configuration and public infrastructure within the road will remain unchanged.

Mr. Prause asked how the decision was made regarding which homes would be single family and which would be duplex-style. Mr. Hellstrom responded that the decision was mainly a matter of topography, meaning that the single family homes were located on lots that could not easily or attractively accommodate a duplex.

Mr. Buck Grader, a principal of Highland Oaks Corporation, gave a history of the development

and explained that the proposal was changed because of a lack of recent sales. He said that 51 lots sold between 2002 and 2007, but only one lot had sold since 2008.

Mr. Grader said the market for large single family homes is not strong, but he believes there is a market for these duplexes

Mr. Prause asked if the floor plans would match the plans the Commission received, and Mr. Grader replied they would. The building floor plans and materials are based on other projects built in Massachusetts and other similar areas, he said.

Mr. Bob Stewart, Stewart Appraiser Services, said he had completed a study to address the impact of locating duplexes on the site. He discussed the marketability of similar developments in Glastonbury and South Windsor, which are selling quite well. He estimated the value of the proposed units, which range in size from 2200 – 2500 square feet, would be somewhere around \$350,000.

In addressing the highest and best use of this property, Mr. Stewart stated that completing the neighborhood will promote activity and improve the appeal of the area. He indicated the duplex homes will have good quality finishes outside and in, similar to the quality and finish of the homes in the surrounding area, with extensive landscaping to add to the appeal. As far as the impact the duplexes will have on the property values of existing homes, Mr. Stewart felt that there would be no adverse impact on the value of existing homes or marketability.

Mr. Brown asked why Collingridge Drive ends as a stub and Mr. Grader replied that that was necessary for Town's access to watershed land.

Mr. Prause called for comments from staff. Ms. Bertotti indicated that staff has minor technical comments that can be addressed as modification on the final plans. She summarized the staff comments and noted that at the time of the original proposal for this development, sidewalks were required on both sides of the street and that is no longer the case, so the decision on sidewalks is up to the applicant whether to build one or two sidewalks.

Mr. Prause then called for public comments. Mr. Leonard Horvath, 40 Castle Hill Drive spoke in support of the project. He clarified that the area is safe and the activity such as loitering, motorized vehicles and the like has been eliminated. . He went on to note his home is close to Garth Road. He said that he doesn't have an issue with this project and he has been very happy with the developers.

Mr. Prause asked how many residents of Highland Oaks the developers spoke to about the project. Mr. Falkenstein replied they had only spoken to a handful, but Mr. Horvath indicated he had spoken to some of the neighbors and the response had been generally positive. Most residents would like to see progress on the vacant lots.

Mr. Brown commented that he doesn't believe the proposed development meets the definition of suburban character as defined in the Town's Plan of Conservation and Development. However, the project seems in character for the neighborhood and met the intent of the PRD zone.

Mr. Kennedy moved to close the public hearing. Mr. Stebe seconded. The motion passed.

The Chairman closed the public hearing at 9:35 p.m.

At this point, the members voted for a brief recess.

I certify these minutes were adopted on the following date:

April 1, 2015
Date

Eric Prause, Chairman

**NOTICE: A DIGITAL RECORDING OF THIS PUBLIC HEARING CAN
BE HEARD IN THE PLANNING DEPARTMENT.**