

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
NOVEMBER 6, 2017**

ROLL CALL:

Members Present: Eric Prause, Chairman
Michael Stebe, Secretary
Jessica Scorso

Alternate Members Sitting: Patrick Kennedy
Teresa Ike

Absent: Andy Kidd, Vice Chairman
Timothy Bergin
Julian Stoppelman

Also Present: Gary Anderson, Director of Planning
Renata Bertotti, Senior Planner
Nancy Martel, Recording Secretary

The Chairman opened the Public Hearing at 7:00 P.M. The Secretary read the legal notice when the call was made.

ORANGE HALL CORP. – To allow a place of worship at 72 East Center Street. – Special Exception (2017-083)

The applicant was not present.

WORKOUT HARDER FITNESS – For a recreational facility at 134 Pine Street, a.k.a. 136½ Pine Street. – Special Exception (2017-081)

Ms. Deb Litwinko, an owner of Workout Harder Fitness, introduced herself. Ms. Litwinko reported that the fitness center at 134 Pine Street will hold small group training, with 12-15 members per hour.

Mr. Prause requested a description of the site.

Ms. Litwinko pointed to the site plan and described the area, entrances, area buildings and parking spaces. She reported that the gym would open at 5 A.M. and the classes will be held at 5 A.M., 6 A.M., 7 A.M., 8 A.M., 12 noon, 2 P.M., 4 P.M., 5 P.M. and 6 P.M.

Mr. Prause inquired whether the depicted adjacent property is to the north or the east, to which Ms. Litwinko replied it is to the north. Mr. Prause asked if the remainder of the building is currently occupied and Ms. Litwinko affirmed.

Mr. Prause questioned the parking requirements for the building's other tenant.

Ms. Litwinko responded that the business only employs a couple of people and has no traffic.

Mr. Prause asked about the potential traffic flow.

Ms. Litwinko clarified that the classes will be 45 minutes in length to avoid traffic concerns between classes. At a maximum, there would be 15 people at a time, she reported. Pointing to the site plan, she demonstrated the traffic flow and explained that there is plenty of parking.

Mr. Prause asked for a description of the traffic flow.

Ms. Litwinko pointed to the site plan and described the inflow and outflow.

Mr. Prause stated that part of the special exception criteria refers to the impact to the neighborhood and asked Ms. Litwinko about the potential effects.

Ms. Litwinko pointed to the area with the majority of traffic and to an area where they intend to beautify the landscaping. The majority of the traffic would enter from Pine Street rather than the adjacent residential neighborhood, she stated, and there would be a maximum of 15 cars.

Mr. Stebe referred to the current parking area and noted the report that the owner of the property will be paving and striping.

Ms. Litwinko reported that in the past the parking area was paved, but it is broken gravel at this time. She stated that the owner will have that completely repaved.

Mr. Stebe questioned whether there will be a handicapped space.

Ms. Litwinko noted that there is currently a handicapped space and displayed its location. At Mr. Stebe's request, she pointed to the entrances.

Ms. Scorso inquired whether the Commission is still awaiting the recommendation from the Cheney Commission, to which Ms. Litwinko reported they had approved. Ms. Scorso asked if there is a notification from the Cheney Commission.

Mr. Anderson responded there should be a memo in the file recommending approval of the application and reported that the Commission did not make any other comments.

Ms. Scorso requested clarification that the sign would be a 6' x 4' green wood to be characteristic with the area, to which Ms. Litwinko agreed.

Ms. Litwinko explained the gym will be community-based and would work with any community concerns.

Mr. Prause referred to the statement that there will be landscaping added, and asked whether there is a landscaping plan.

Ms. Litwinko stated that the Cheney Commission asked to have the property landscaped, though there is no plan in place. She explained that she informed the Commission there would be no problem beautifying the property.

Ms. Bertotti reiterated that the application was presented to the Cheney Commission, who recommended approval of the application without changes, though they recommended that the sign be made in Cheney green colors, she reported. Ms. Bertotti explained that the application was reviewed by the Traffic Engineer, who had no concerns regarding parking or traffic generation. The application has an outstanding comment from the Engineering Department requiring the applicant to revise their plans regarding the proposed paving area, she reported. In a previously-paved area which has degraded, the Engineering Department allows waivers at the applicant's request, Ms. Bertotti stated. However, the spaces are inconsistent and are larger than necessary, she reported, and Ms. Michelle Handfield, Assistant Town Engineer, requested the applicant revise the plan with standard parking dimensions.

Ms. Litwinko informed the Commission that will not be a problem.

Mr. Prause requested clarification that the Town offers a storm water management waiver if there was existing pavement, under the assumption that the area is sufficient in the current state.

Ms. Bertotti explained that waivers are meant to cover situations with minimal added paving areas. For example, she explained, if an applicant proposes five parking spaces on a site, waivers are generally considered if the site has been previously paved and is presently degraded. At that point, it then depends on how much of that site will be paved, Ms. Bertotti said. In the current situation, with an area that is larger than what is normally allowed, it can now be considered and Engineering is willing to accept.

Mr. Prause reiterated that the current state is permeable, and if the applicant intends to pave it, they should do a minimal amount. Ms. Bertotti agreed that they need to minimize the area.

Mr. Prause inquired if the applicant agrees to the parking spot changes, to which Ms. Litwinko agreed. He asked Staff if the application is a detailed site development plan or a preliminary plan.

Ms. Bertotti explained that it is a combined application for special exception; e.g., it is both a preliminary and detailed plan.

Mr. Prause requested confirmation that there will not be a further detailed site plan forthcoming.

Ms. Bertotti confirmed there would not be further details.

There were no members of the public to speak on the application.

MOTION: Mr. Kennedy moved to close the public hearing. Mr. Stebe seconded the motion and all members voted in favor.

Mr. Prause contemplated whether to consider the Orange Hall application in view of the fact that the applicant was not in attendance.

Ms. Bertotti noted that the Commission has time to open the public hearing until November 20, 2017. She advised that the Commission can revise the agenda and move on to New Business. Ms. Bertotti reported that she called the applicant earlier in the day and was unable to reach them. All information was mailed to the applicant and if the applicant does not come to this meeting, she would recommend the item be moved to the next meeting, which would be within the 65 days to open the public hearing.

Mr. Prause asked if it would be appropriate to table the application. Ms. Bertotti responded that the matter has not been opened and she recommended setting the item aside until the end of the meeting in the event the applicant does arrive.

Mr. Bergin speculated whether the Commission should revise the agenda.

MOTION: Mr. Kennedy moved to adjust the agenda by moving the public hearing on Orange Hall Corp. to the conclusion of the business agenda. Mr. Stebe seconded the motion and all members voted in favor.

The Chairman closed the public hearing at 7:17 PM.

I certify these minutes were adopted on the following date:

December 11, 2017
Date

Eric Prause, Chairman