

**MINUTES OF PUBLIC HEARING
HELD BY THE PLANNING AND ZONING COMMISSION
JULY 20, 2020**

VIRTUAL MEETING HELD VIA ZOOM

ROLL CALL:

Members Present: Eric Prause, Chairman
Patrick Kennedy, Vice-Chairman
Michael Stebe, Secretary
Jessica Poland
Jessica Scorso

Alternates: Julian Stoppelman
Teresa Ike
Bonnie Potocki

Also Present: Gary Anderson, Director of Planning
Megan Pilla, Senior Planner
David Laiuppa, Environmental
Planner/Wetlands Agent
Kyle Shiel, 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.

RIVERSIDE PLAZA, LLC – Request a special exception under Art. II, Sec. 9.14.02(b) for construction of two office buildings (5,000 sq. ft. and 10,000 sq. ft. respectively), one on each lot, together with site grading, erosion control measures, parking and driveways, landscaping, site utilities, and storm water drainage at 501 and 521 North Main Street. – Special Exception (2022-022)

Mr. Alan Lamson, FLB Architecture and Planning, introduced himself as representing the applicant. Mr. Lamson explained that the proposal is for the development of the above-referenced site for general office and medical office uses.

Mr. Lamson reported that the special exception is required because there is parking of more than 60 spaces. The project will also require an inland wetlands permit for the upland review area disturbance, which encompasses most of the site; an erosion and sedimentation control plan; and a flood plain permit.

Mr. Lamson displayed the property and noted that it has public water and sewer. He went on to point out the properties surrounding the proposed site, including an industrially zoned property; a Business II zoned area with a vacant commercial building; an office building to the west, which

is the former Cheney Brothers Power Plant, also zoned Business II; and North Main Street to the south, across which is also a Business II zone. Mr. Lamson pointed out that, at the southeast corner of the site, there are two single-family residential lots.

The site is approximately 4.26 acres and contains the Hockanum River; the north property line is actually the north shore of the Hockanum River. The proposal is to construct two office buildings on the site, one of which will be 5,000 sq. ft. and the other 10,000 sq. ft. He stated that there will be 72 parking spaces, of which 4 are accessible at each building, and noted the driveway access points.

Mr. Lamson said that the site restrictions include an existing drainage easement from North Main Street at approximately the intersection of Stock Place. He reported all of the restrictions associated with the easement, the wetland area, the river itself, the upland review area, the flood plain, a flood hazard zone, a channel encroachment line and a floodway along the Hockanum River, which have been avoided. They are retaining a fairly wide undisturbed area along the south side of the Hockanum River. Mr. Lamson described the grades in detail.

Architecturally, according to Mr. Lamson, they are proposing a 10,000 sq. ft. building to the west with a full basement, and a one-story 5,000 sq. ft. building to the east with a full basement. Mr. Lamson pointed out the entrances to both buildings. Dumpster enclosures will be provided, which are depicted on the submitted plans. He displayed the floor plans for each building. The applicant seeks a more modern style building than the adjacent power plant. Mr. Lamson described the red stone-colored veneer on the lower wall. The materials for the upper portion of both buildings and the window choices were detailed.

Mr. Andrew Bushnell, Bushnell Associates, introduced himself, stating that they prepared the site plan. Mr. Bushnell explained that they will be utilizing the existing water lines on North Main Street and existing gas lines for natural gas service, with underground utilities to be split between each building. He noted that there is an existing manhole down at the west end of the site and an 8th District existing sanitary sewer lateral that runs through the property next to the pump station across the street on North Main Street by the river. Mr. Bushnell described the 5 ft. sidewalk to be installed along North Main Street to connect the sidewalks located at each end of the site. The storm drainage plans were reported in detail.

Mr. Bushnell reported on the erosion and sedimentation control plans. He noted that they have prepared a detailed erosion and sedimentation control on the detail sheet on how to construct the site and stabilize it as quickly as possible to have the least amount of disturbed areas. Mr. Bushnell pointed out the areas for the dumpsters, parking, sidewalks, and entrances.

Mr. John Alexopoulos, Licensed Landscape Architect, introduced himself. He commented that the site is very interesting with the river in the back. The streetscape and surrounding areas were shown and the landscaping was described in detail, as well as the importance of each.

Mr. Lamson added that the trees along the river will remain. He reported that they had received several pages of comments, which were addressed, and they resubmitted drawings approximately 10 days prior.

Ms. Potocki questioned whether the existing penstock will be removed. She inquired whether all the rough drainage is going to the plunge pool.

Mr. Bushnell said that the penstock will be removed. He explained to Ms. Potocki that it is not at the top of the slope.

Ms. Potocki asked whether the plunge pool could be moved, as she questioned how stable that will be there. She wondered if it could be moved between the buildings.

Mr. Bushnell assured her that those areas will be leveled off somewhat when the foundations are installed. He added that they must stay away from the flood plain and the wetlands; between the two buildings there is a 30” RTP outlet.

A conversation was held between Ms. Potocki and Mr. Bushnell about the locations of the penstock and plunge pool, and whether there was any low-impact development proposed. There was also a discussion about the soil class.

Ms. Potocki questioned whether there was thought about some visibility toward the river from inside the buildings.

Mr. Lamson responded that there will be full glass on the first and second floors in the rear. He reminded the Commission about the type of property on the other side of the river. There will be a determination regarding the vegetation in the rear of the property.

Mr. Stebe commented that the Town has a right-of-way for the tail end of the Pitkin Trail. He was unsure when viewing the site drawings where that trail falls in proximity to the buildings.

Mr. Bushnell acknowledged the trail, noting that there is a significant drop back there. They have worked to ensure it is accessible for pedestrians.

Mr. Lamson reported that there is no trail at the location of the easement. The trail along the river, once on the subject property, is hard to follow.

Ms. Potocki reported that it does not extend past the culvert.

Mr. Lamson explained that the trail was meant as a way to access the Town property after the purchase of 100 Union Street.

Mr. Stoppelman noted that the usage in his paperwork is “medical office building” and wondered if that was the only use allowed.

Mr. Anderson responded that they are building a medical office building but, in terms of uses, anything that is allowed by right in that zoning district will be allowed.

Mr. Prause questioned Mr. Alexopoulos about his comment on the American Elm Tree as an alternative to elm trees that are more susceptible to Dutch Elm Disease. He stated that he was not aware of any species of elm trees in North America that are free from disease.

Mr. Alexopoulos explained that the trees are hybrids which have been proven over time and do not get the disease.

Mr. Prause asked whether there will be any segregation between the two buildings about which parts of the parking lot will be targeted for which building, or if it is a common parking lot that can be used for either building. He also questioned the regulation used to determine the parking requirements.

Mr. Lamson explained it is two different lots. The one-story office building has a smaller number of spaces; the two-story building has the larger proportion of parking. At this time, the intent is to utilize the entire piece. If at some time it is divided, there will be an easement over part of the lot for adequate parking. Mr. Lamson noted that a certain percentage of the square footage is medical office, which has a higher requirement, and a portion of the building is general office.

Mr. Prause inquired whether there were any concerns about traffic impacts of the property and line of sight.

Mr. Bushnell stated that there is sufficient line of sight from both driveways. He also looked at the crash data and did not see an alarming pattern of crashes in that area of North Main Street.

Mr. Lamson interjected that, initially, the eastern driveway was designed opposite Stock Place, but with the proximity of the driveway into the storage facility, it became complex. Therefore, it was moved to the east, which also aided the sight line.

Ms. Potocki asked whether an ambulance bay is anticipated. Mr. Lamson explained that is not contemplated.

Ms. Pilla noted that Staff reviewed the application and there were several comments. She explained that they have received revised drawings and most of the comments were addressed. There are a few minor items that are being resolved, which she detailed.

The meeting was opened to the public and there was no member of the public to speak.

Mr. Laiuppa reported that the wetlands are far removed and pointed out the official FEMA flood plain with part of the floodway crossing into the parking lot. The elevations are probably not consistent with the FEMA stated elevations, meaning they are paper lines, not elevation-driven lines. He explained that the plans were adjusted accordingly. The requirements are related to no more fill in the flood plain than already exists and the plans take that into account, according to Mr. Laiuppa.

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

ROBERT & GRACE R. ZAPOR – Request a special exception per Art. II, Sec. 18.03.07 to run a bed and breakfast in the Historic zone at 99 Hartford Road. – Special Exception (2020-029)

Mr. and Mrs. Robert and Grace Zapor, 99 Hartford Road, introduced themselves. Mr. Zapor explained that they purchased the Austin Cheney House with the intent of revitalizing it and turning it into a bed and breakfast. He reported that there are no site plan changes. There are four parking spaces dedicated for guests and others if necessary. The proposal is that the bed and breakfast will utilize the library, the dining room, and the parlor. Mr. Zapor stated that the guest bedrooms are on the second floor. They propose to have three bedrooms on opening, four within a year, and a fifth bedroom in the future. Their living quarters will be on the third floor.

Mr. Anderson reported about the applicant's visit to the Cheney Commission. Mr. and Mrs. Zapor attended the Cheney Brothers Historic District Commission meeting recently. He stated that the Cheney Commission was very excited about the application, especially as the property has been vacant for a long period of time. The Commission is excited about the plans the Zapors have to rehabilitate the historic structure and make it into a bed and breakfast, noted Mr. Anderson. The Cheney Commission expressed unanimous support of the application and recommended approval to the Planning and Zoning Commission.

Mr. Prause observed that, in terms of the special exception criteria and neighborhood compatibility for the use, there is another bed and breakfast in the area. He sought confirmation that there will be sufficient parking on-site, which was confirmed. There will be adequate public utilities, i.e., water, gas and sewer, Mr. Prause surmised. He assumed the site is acceptable for emergency access, which Mr. Zapor confirmed.

Mr. Prause inquired what type of work will be done to the exterior of the building, such as patios.

Mr. Zapor replied that maintenance will be performed, such as wood rot and painting. The patios will also remain.

Mr. Stebe interjected that a number of the Commission members have been in the building on a number of occasions in the past. The previous owner came before the Commission seeking a special exception for the parking spaces and the walkway, and Mr. Stebe assumed those were completed, which Mr. Zapor confirmed.

Mr. Prause noted that the previous owner made some improvements to the home. He questioned whether any of the improvements would impede a bed and breakfast.

Mr. Zapor reported that none of the improvements will hinder the bed and breakfast. He did note that they are repairing some of the mill work done by the prior owner.

Ms. Pilla noted that the Staff reviewed the application and had no concerns.

Mr. Prause assumed Staff has reviewed with the applicant the requirements that are in Art. II, Sec. 18.03.07 about making sure that the owner resides at the property, that the bed and breakfast does not have more than six guest rooms, and that guest stays cannot exceed 14 days.

Mr. and Mrs. Zapor stated that they do understand the regulations.

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

The public hearing was closed at 8:00 P.M.

I certify these minutes were adopted on the following date:

August 17, 2020
Date

Eric Prause, Chairman

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