

PLANNING & ZONING COMMISSION
TOLLAND, CONNECTICUT
REGULAR MEETING MINUTES OF FEBRUARY 28, 2011

MEMBERS PRESENT: Michael Cardin, Chair
Sue Errickson, Secretary
Dave Barrow, Regular
Jack Scavone, Regular

MEMBERS ABSENT: Marilee Beebe, Vice Chair
John Hughes, Alternate
Benjamin Stanford, Alternate

OTHERS PRESENT: Linda Farmer, AICP, Director of Planning & Community Development
George Mantak, Chair, Economic Development Commission
Christine Fields, Economic Development Commission
Kevin Bouley, Economic Development Commission
Stephen Hurlbut, Alternate, Economic Development Commission,
Karen Kramer, resident

1. **Call to Order:** Michael Cardin, Chair, called the meeting to order at 7:35p.m. in Council Chambers.
2. **Public Comment:** None.
3. **Public Hearing(s):** None.
4. **Action on Public Hearing(s):** None.
5. **Other Agenda Items**

5.1 Joint Meeting with Economic Development Commission

- Tolland Village Area Discussion. Mr. Cardin explained that they have been working with Planimetrics for just under a year on this proposal, and on March 7, 2011 they will be unveiling a 3-D model based on the results of the Visual Preference Survey. The concept sketch for the TVA was displayed on the screen. Mr. Cardin said if the new proposed zoning regulations are adopted, there will be great potential for this area, where the EDC can work with prospective developers. He said Mike Taylor, the property owner of the southwest portion of the TVA, has met with Linda Farmer, Town Council Chair Fred Daniels, and Town Manager Steve Werbner to talk about creating linkage to the Crandall Park area.

Mr. Mantak said it will be important to get existing property owners on board with this plan, and they have an advantage in Mike Taylor in that he is ready to move forward. He said if this happens, there may be funding available in a couple of years to help develop a project of this size. He said the EDC wants to show their support of the concept and to show the property owners the upside for them both individually and collectively in coming on board.

Ms. Farmer said that Planimetrics has put together several high and low infrastructure cost calculations, and another one based on the 3-D model. They are also working with her and Walter Lawrence, town assessor, to determine what can be done from a tax generation standpoint. Mr.

Mantak said that talk has always focused on maximizing the remaining developable land in Tolland and noted that while only one percent of Tolland land is zoned commercial/industrial, it generates about 7 percent of the grand list. He said this project could quite conceivably increase the tax base substantially without increasing the amount of land zoned for commercial use. He said this is a really important selling point for property owners in the TVA.

Ms. Farmer said it would help a good deal if the EDC reached out to the property owners. She said she has and so has Planimetrics, but it is important to have different faces that can provide a different take. Mr. Mantak agreed, although he said he would not want to project an impression that after zoning regulations are in place and a Public Hearing is held that the town is handing things off to the EDC; rather, he would like to show that the PZC, the Town Council, the Town Manager, and the EDC will continue to be heavily invested. Ms. Farmer said they want the eight property owners plus the town to fully understand the process.

Mr. Mantak said the EDC has been talking about getting the State to relinquish the nine-acre Open Space parcel that the town owns, to allow them to use it for commercial purposes. He said they have also initiated discussions to put forward legislation to relocate the commuter parking lot to Mike Taylor's property. He said in order to make the project work, it is incumbent on the town to get the property owners on board.

Mr. Scavone said they need to prove to the stakeholders that the dollars and cents will work for them, and he said Planimetrics has done a lot of work to show that the topography can work also.

Mr. Mantak noted that with Mike Taylor's property combined with the town's property, this amounts to about 60 percent of the project area. He suggested that beyond just inviting the other property owners to the March 7 meeting, they go one step forward and ask Steve Werbner or Fred Daniels or both of them make a personal call. He said they need to emphasize that this is a big deal for the Tolland community and for the property owners. He also noted that the majority of the people who attended the Visual Preference Survey were in favor of this project. Ms. Farmer agreed that the younger demographic were definitely excited about the possibilities, adding that the town is working with Steve O'Neill from VHB to provide an assessment on the proposed connector road to Cider Mill Road. The connector road is expected to alleviate some of the traffic on at the Cider Mill Road and Route 195 intersection. She said Mr. O'Neill will also be looking at what kinds of improvements might be needed on Route 195 to accommodate the TVA. The findings will all go to the Town Council and the PZC for review.

Mr. Cardin said he would want to see a forum with the property owners, the PZC, the EDC, the Town Council, the ZBA, and other interested parties to look at this.

Mr. Mantak said that national or large regional developers in this economic climate are looking for projects that are ready right now to move forward. He said local or smaller developers might be interested in doing portions of the project. He said before they can approach any large developer, they need to be sure they have a level of commitment from the property owners. Ms. Farmer said between Mike Taylor's interest in moving forward and interest in a potential pharmacy, things may begin to look more enticing for developers.

Mr. Barrow agreed that because the other 40 percent of the TVA is owned by individual property owners, it will be imperative to get their buy-in. Mr. Scavone said the good thing about this plan is that it is not an all-or-nothing scenario, and parts of it can be developed, if necessary, in piece-meal.

Mr. Bouley said their task is to provide the property owners with the economic inducement to buy in. Otherwise, they won't be motivated to move forward. Mr. Barrow said on the opposite side of the road from the Mike Taylor property, Steve Williams is the biggest property owner. Mr. Mantak said they should show the square footage property owners would be allowed to build now on their property vs. the increased square footage they could go with under the proposed new regulations.

Mr. Bouley said basically they need to show a financial model for them of “what’s in it for me?” He said that by showing the change in the economic value of the property, it will create an inducement to act.

Ms. Fields asked what concerns were expressed by the property owners in previous meetings. Ms. Farmer said there were fears that the town would try to push out existing businesses. Ms. Fields suggested that they need to acknowledge their concerns and show the benefits to them in the context of those concerns.

Mr. Mantak said the large developers won’t differentiate between the profits from one piece of land vs. the other. Rather, they will look at it as a whole and determine its worth as an assemblage.

Mr. Hurlbut agreed that they need to show the potential for square footage both with the zoning regulations as they exist now, and what they could have with the new regulations. Mr. Scavone said they should also provide specific examples, for example showing that 1/3 of the property on the back of the Dunkin’ Donuts could be lopped off, and the owner could keep his business while still making a substantial amount of money on the sale. Likewise, he said Pete Anderson could turn a piece of his property into cash, selling it at a big profit, while keeping his business.

Mr. Mantak asked if the proposed regulations will track the master plan for the TVA. Ms. Farmer said the regulations would enable it. She said property owners would be required to furnish an Area Development Plan and show connectivity to how it could be a piece of the whole. Mr. Mantak suggested that individual property owners might want to hire a broker to sell their parcels collectively.

Mr. Bouley agreed that the whole is much greater than the sum of the individual parts, and in reality they would want to coalesce a group. He said the key is to create a large enough incentive that will bring them together, to show that their property is worth “x” amount alone, but significantly more as a multiple partnership. He said they need to market not only the model, but a financial plan. He noted if property owners go the individual route then no one will want to move first, because each successive property owner to come on board will find their property more valuable as the pieces come together.

Mr. Scavone noted that Mike Taylor’s residential project will bring in residents, which will begin to create a demand for services. He said there has always been interest in a hotel in the area and if they can get that piece in place, then the two pieces together might create the momentum for the others to join in.

The PZC and EDC talked about the potential for a pharmacy. Mr. Mantak noted that large chain pharmacies like CVS or Walgreens will only locate on a corner, only at a light, and only with a drive-thru.

There was consensus that the EDC will look over the draft zoning regulations and design guidelines and provide their comments to the PZC.

- Sign Regulations. Ms. Farmer summarized the draft sign regulations. She and Mr. Cardin noted that some of the changes include removing the white halo lit only restriction and allowing these as of right. The draft regulations also clarify that corporate logos are not prohibited, and also clarifies the amount of time signage for real estate and construction can be displayed.

Mr. Mantak said the EDC has felt in the retail commercial district that corporate logos should be allowed if they come forward with their design. He said they also feel that small businesses need to be allowed periodic signage opportunities, such as roadside signs for advertising periodic specials.

Mr. Barrow said he would like to see the restriction lifted on banners and streamers at businesses from Thursday through Saturday, the most important retail sales days for businesses. He said sandwich board signs have not proven to be a big issue, but if they don't allow them, then they might find a lot of businesses using their vehicles for signage.

Ms. Fields said she had read about some sign regulations in use out west where specific signs required permits, but not others and it was based on the impact regulating such signage would be on town staff. She said the cost of a sandwich board sign can run about \$100 to \$200 so to tack another permit fee on top of it seems excessive. She said a small business has to do a lot of business before that sign can be paid for, and suggested that small portable signs should not require a permit.

Mr. Scavone said he feels if a business is going to have a sandwich board sign that the town should have some say on how it looks. He suggested that they could do a permit for these types of signs that lasts a year, and said business owners could come in, get their sign approved, and then have a sticker they put on the back of the sign that shows the expiration. He said it would help to maintain the character of the town.

Ms. Farmer said the problem has always been how to differentiate between effective signage and unattractive signs that negatively impact the town's character. She said the draft signage regulations right now are a work in progress. Mr. Cardin said they hope to have something permanently in place by the summer. Mr. Mantak noted that if they want to have corporate companies in town, then they have to allow them their logos and colors. He said, however, that they don't want signage regulations to be a cumbersome process for small, local businesses.

Mr. Bouley said he understood from Mr. Scavone that the PZC was considering signage regulations that are designated by regions or zones in town. He asked if this has been incorporated into the regulations yet. Ms. Farmer said they have not. Mr. Barrow said he expects that after they have finished with the TVA, then the proposed Technology Zone will be the next place to address and signs in that area will need to be different than in other commercial areas in town.

Ms. Farmer noted that another proposed change to the regulations is maximum size. She said in the last regulation change the maximum sign size went from 125 sq. feet down to 32 sq. feet, and in their preliminary draft they are considering allowing signs to be larger than 32 sq. feet with four concurring votes from the PZC. The allowable size would tie into the distance the business is from the street and the speed of passing traffic. On a similar note, she said they have found that directory signs are not effective when traffic on the main road is moving past them at high speeds, and they need to address this also.

- Implementation Schedule – Plan of Conservation and Development. Mr. Cardin said the Town Council discussed the Implementation Schedule last October. Ms. Farmer said the EDC was added into several policies and tasks that they were not in previously. Ms. Errickson noted that the Town Council added a Level 4, “No Action” to the Schedule.

Mr. Cardin said that after the May 23, 2011 Public Hearing, they should set up a workshop in June to discuss this further.

- Tolland Economic Development Action Plan – February 2002 (Stakeholders Report). Mr. Mantak said that Steve Werbner has asked them to come up with a 5-year strategy looking at the Plan of Conservation and Development and the 2002 Stakeholders Report. He said despite its age, the Stakeholders Report is still a good working document and they want to combine updating that report with a five-year broad-based strategy for economic development. He said the TVA will be a key component in that report. Ms. Farmer said the original consultant Brian Miller has expressed his willingness to come back and help fine tune this report.

Mr. Mantak said it is important to have a broad-based plan because so much that happens in town is impacted by the two-year electoral cycle. He said they want to have a neutral plan that can stand on its own merits and that will stay with the community no matter who is serving.

5.2 Tolland Village Area

- Discuss draft Zoning Regulations and Design Guidelines. Ms. Farmer said she is working with the Design Advisory Board on the Design Guidelines which will be part of the Zoning Regulations, and there is a need to get the Zoning Regulations to the town attorney for his review in case there are any global issues involved. Ms. Farmer ran through the proposed changes to the Zoning Regulations, including an added note that the Design Guidelines will be a part of the Zoning Regulations. The changes highlighted in yellow on the draft regulations were done by Planimetrics from previous PZC comments, and Ms. Farmer's comments are in red. Some minor typographical errors were also corrected in the draft regulations.

Ms. Farmer clarified that some towns allow drive-thrus for banks, pharmacy's and even dry-cleaners, but not for fast-food restaurants so just because they allow a drive-thru pharmacy does not mean they have to allow drive-thru restaurants. There was discussion about whether they could allow drive-thru coffee shops, but not restaurants, and there was consensus to get the town attorney's input.

Ms. Errickson expressed concerns about allowing drive-thru restaurants saying she most often hears complaints about the cooking odors from such restaurants and trash problems. She said they should consider how this will impact the residential neighbors if they were allowed. She said the talk in the past has been about bringing in restaurants with outside dining that suggested a more relaxed atmosphere than the rush-rush of fast food fare. Mr. Scavone said he understands a lot of residents don't want to see drive-thru fast-food restaurants but would like to see a drive-thru coffee shop. Ms. Farmer suggested with regard to banks, they might want to disallow a drive-thru bank on the Main Street, but to allow it in area off the main road.

Ms. Errickson asked where trash and dumpster locations are addressed in the draft regulations. Ms. Farmer said she would make a note to add this. She said they will need to address how trash will be policed if they allow drive-thrus. Mr. Cardin asked if there is any way to regulate how trash is handled. Ms. Farmer said under the Special Permit process they can ask a developer to present a program about how they will eliminate trash in a parking lot. She said they may need more performance standards that show how restaurants with drive-thrus would not negatively impact the walking area and other areas of the TVA.

- Review Low Impact Development Guidelines. Ms. Farmer said the LID guidelines were combined from two previous documents and will be added to the end of the Design Guidelines.
- Update on Traffic/Roadway Concept Plan – VHB. Ms. Farmer said she met with Town Engineer Jennifer Usher, Heidi Samokar and Glenn Chalder of Planimetrics, and Steve O'Neill of VHB and she expects we will receive information on this plan in about two weeks.
- Update on Commuter Lot & Town Parcel. Ms. Farmer said she met with Steve Werbner, Jennifer Usher, George Mantak, and Rich Allen from the Department of Transportation. She said she received a report on the criteria for moving the lot and they hope to tag onto the Special Act revision which is going to the legislature. They would like the State to agree to relocate the lot under certain conditions. She said she was also pleased to hear from Rich Allen that they can have a walkway between Dunkin' Donuts and the commuter lot, which had previously been turned down. Ms. Farmer said she will contact the owner of Dunkin' Donuts.
-

- 5.3 **P&Z App. #806 – 31 Kingsbury Avenue LLC/Lori O’Connor** – Special Permit/Site Plan request to operate an Adult Day Care Center at 31 Kingsbury Avenue (former Moose Lodge). Commission to set Public Hearing date. The Commission discussed an April 9 date. Ms. Farmer said she will not be here, but Steve Lowrey could attend in her place. Dave Barrow/Sue Errickson motion to set the Public Hearing on P&Z App. #806 for April 9, 2011. Motion was unanimously approved.
- 5.4 **8-24 Referral** – Proposed utility easement to AT&T. Ms. Farmer said AT&T would like to bring a fiberoptic line to the cell tower. She said they have a utility easement on all town roads and they could come up Kate Lane, but that would require tearing up all the driveways and patching them. The easier option would be to come down the existing utility pipe and dig and lay a new pipe from that terminus to the cell tower near the high school. This proposal would go to the Board of Education for their approval and then on to the Town Council. Sue Errickson/Jack Scavone motion to forward a positive 8-24 Referral for the proposed utility easement to AT&T. Motion was unanimously approved.
6. **Approval of Minutes** – Approve minutes of the February 14, 2011 Regular Meeting. Dave Barrow/Sue Errickson motion to approve the February 14, 2011 Regular Meeting minutes. Dave Barrow, Mike Cardin, and Sue Errickson voted to approve. Jack Scavone abstained. Motion passed.
7. **Activities and Updates**: None.
8. **Town Staff Comments**: Ms. Farmer noted that the former Savings Bank of Manchester sign and clock near the 7-11 has broken and the new bank that is taking over as of the merge with NewAlliance Bank would like to repair it. Ms. Farmer said she feels they should be allowed to do so as it has not been an abandoned use. There was consensus from the PZC that this is acceptable.
9. **Announcements** – Upcoming Meetings
- March 3, 2011 – Design Advisory Board meeting, 7:00p.m., 4th Level Conference Room C.
 - March 7, 2011 – Tolland Village Area – Public Workshop, 7:30p.m., Crandall Lodge
10. **Reading of Correspondence**: None.
11. **Communications and Petitions from Commission Members**: None.
12. **Public Participation**: None.
13. **Adjournment**: Jack Scavone/Dave Barrow motion to adjourn and pay the clerk at 9:45p.m. Motion was unanimously approved.

Respectfully submitted,

Annie Gentile
Clerk