

PLANNING & ZONING COMMISSION  
TOLLAND, CONNECTICUT  
REGULAR MEETING MINUTES OF SEPTEMBER 13, 2010

MEMBERS PRESENT: Michael Cardin, Chair  
Marilee Beebe, Vice Chair  
Jack Scavone, Regular  
Dave Barrow, Regular  
John Hughes, Alternate  
Benjamin Stanford, Alternate

MEMBERS ABSENT: Sue Errickson, Secretary

OTHERS PRESENT: Linda Farmer, AICP, Director of Planning & Community Development  
Applicants and their representatives

1. **Call to Order:** Michael Cardin, Chair called the meeting to order at 7:37p.m. in Council chambers.
2. **Public Comment:** None.
3. **Public Hearing(s)**

- 3.1 **P&Z App. #803 – Town of Tolland** – Special Permit request to convert a Frontage Lot into a Rear Lot. Location: 172 Cook Road. Mr. Cardin seated John Hughes for Sue Errickson. Ms. Beebe read the legal notice.

Ms. Farmer provided an overview, saying that when the Carriage Crossing subdivision was done, there was a road that came through the subdivision that connected to Cook Road. It was renamed Ladd Road and it continued out to the Ellington town line. She said the Town owns the Open Space on the left (westerly) side of the road and it has development rights and an access easement on the Crystal Peet & Humus property on the right (easterly) side of the road. She said at this time it seems prudent to vacate a portion of the road. She said this leaves a piece of property that meets the requirements of a rear lot. There is a driveway via a 35' strip of land that was legal frontage along Cook Road.

Ms. Beebe read the August 4, 2010 memo from Steve Lowrey. Ms. Farmer said there were two A2 surveys done on this road that needed to be reconciled and this was done for the town by Loureiro Engineering. She said the property owner has also given approval to convert the lot to a rear lot. Ms. Beebe confirmed that if this application is approved, the frontage reverts to the property owners.

Jack Scavone/Marilee Beebe motion to close the Public Hearing. Motion was unanimously approved.

3.2 **P&Z App. #762 – Tomlen, LLC** – Request for a Special Permit/Site Plan revision to change the use from a 66 unit Age Restricted development with single-family detached dwellings to a 66 unit Multi-family development with 50% of the dwellings duplexes. Location: Belvedere Ridge, 601 Old Post Road. Continue Public Hearing which commenced August 9, 2010.

Ms. Beebe read the September 9, 2010 from Linda Farmer to the PZC into the record. Attorney Michael Romano, representing the applicant, addressed questions and statistical issues raised at the August 9, 2010 public hearing. He recapped that he first came to the PZC in April to explain that there had been only two sales out of a potential 66 units in this development, and that they feel the age-restriction is no longer marketable here. He said the developer did not want the project to languish, and they therefore submitted a formal application to lift the age-restriction on August 9.

Attorney Romano provided a September 13, 2010 handout comparing statistical information between an age-restricted development and a traditional development on site-generated trips in the peak morning and evening hours, both west and east of the site drive. The findings showed that there would be a 9 percent increase in morning traffic and a 10 percent increase in evening traffic if the age-restriction were removed. The findings also showed the impact on queuing of vehicles to be an increase of one in the morning and one in the evening if the development moved from an age-restricted to a traditional development.

Attorney Romano distributed a handout on multi-unit housing statistical data dated September 13, 2010 along with a compilation of data sheets, which showed potentials for the number of school children if the age-restriction was lifted on the development. He qualified that it would be impossible to predict with certainty how many school children could end up living in the development, but that it would be statistically probable that they might have two children for each of the three school buses (elementary, middle, and high school) that would stop at the development.

Attorney Romano distributed a September 13, 2010 market data handout which spoke to a comment at the August 9, 2010 hearing that Belvedere Ridge might not have been properly marketed. He said they had three different national companies that marketed Belvedere Ridge and all three of them put the development on their MLS listings, which get internet exposure. In addition Belvedere Ridge has its own website. Attorney Romano said many of the models have first floor master bedrooms that would be attractive to older adults. He said the prices of the units were modified at the suggestion of the national companies and they also offered preconstruction bonuses to would-be buyers. He added that the units are very attractive and most have two-car garages.

Ms. Beebe read the August 24, 2010 letter from Mark Peterson of Gardner and Peterson to Linda Farmer into the record, along with a September 8, 2010 letter from Mr. Peterson to Linda Farmer.

Mr. Peterson distributed copies of a reduced Sheet 5 of PZC members' sets of plans. He discussed the plans for added walking trails. In the proposal they added a trail from Belvedere Drive to the recreation area where the gazebo is located. It would be a 4' wide stone dust trail. The proposal also calls for an added nature walk off Marlen Way that goes around the detention basin (9 times around the basin would be one mile), and a sign would be added to the entrance. Attorney Romano distributed photos taken September 11, 2010 of

the area. The plan also includes several proposed benches for people to rest, congregate and visit with each other.

Mr. Hughes said he likes this addition; however, he still wishes there were a way to connect trails to other parts of town. He said this is still something the PZC needs to address town-wide at a later time. Ms. Beebe asked if the emergency access road to the Star Hill Athletic Center was gated. Ms. Farmer said there is no vehicular access, but people can walk through. Mr. Peterson said the gate is on Star Hill property. Ms. Beebe said the pathway suggestions are a good start and it might be enticing to buyers if there were a pathway that could get people in the development down to Star Hill. She said statistically that homes built with walking/biking trails that run behind the properties have an increased property value. She suggested putting some unobtrusive markers that would direct people to the nature trail and to the Star Hill Athletic Center. Mr. Cardin added that they might want to reach out to the owners of the nearby CNC Software property as they also have walkable paths on their property.

Mr. Peterson distributed a set of road pictures from the entranceway to the development and also a reduced version of Sheet #3 identifying traffic calming measures they are suggesting. He said there are eight white pine trees on the left side of the road at the sharp turn that they would recommend removing and replanting elsewhere. Their plan also recommends adding two 6' wide, 20' across cobblestone strips in an area where traffic needs calming. Drivers can feel the texture on their tires and it is a natural slowdown measure. Additionally, he recommended adding a "Slow – Bus Stop Ahead" sign near the exit that warns motorists of the approaching bus stop at the project exit.

As for changes to the proposed bus drop off area, Mr. Peterson recommended adding a 500' drop off area, and adding a hatched walkway to move students from the drop off area to Old Post Road. A 6' tall, 100' long fence was also proposed which, with the slope of the land, would result in its being about 10' higher in elevation than the edge of the pavement. The fence is proposed to be 1' inside the Belvedere Ridge property line. Ms. Beebe asked if 1' would be enough distance to allow maintenance of both sides of the fence, and after a brief discussion, Mr. Peterson recommended installing it 2' inside the property line. Ms. Beebe also noted that the Prudential sign was not shown on the drawing. Mr. Peterson and Ms. Farmer both said the sign has been removed. Attorney Romano said his client found an attractive, natural wood, tongue-and-groove style fence that should be aesthetically pleasing to the abutting neighbors. Mr. Peterson also said dogwood trees would be planted near the gazebo with two benches placed below them.

The Public Hearing was opened to public comment. Karen Sladyk of 594 Old Post Road said she was not opposed to change as Attorney Romano suggested some residents were, and feels Tolland needs to have a strong tax base. She added that the proposed Belvedere Ridge community is beautiful but that there are consequences to those who live on the exit of it. She added that she took exception to the traffic data provided by the applicant because with Belvedere Ridge being largely unsold, the traffic coming out of the development right now is zero so they need to look at the increases based on what they are today.

Lynn Caley of 593 Old Post Road said she likes the common areas, gazebos and paths proposed. However, she said these items were part of the original plan and they did not get built, so she still feels Tomlen, LLC did not do all they could to market the development. She said the property manager has said he does not want to change the character of the

development, but feels maybe they need to do this to attract buyers. Ms. Caley added that she does not feel they should label the bus stop as temporary since if the age restriction is lifted, it will be permanent. She said she feels there are many safety issues related to the bus stop and she said there are many unanswered questions such as—where will the children exit out, the driveway or the grass area? And, how will the children get to the hatched area? She said a dangerous situation would be created at the end of the driveway during rush hour, adding that the sight lines are still dangerous for children to be congregating there. Ms. Caley added that she has concerns about the narrowness of the parking area and she questioned how cars dropping children off would be able to turn around and go back into the development. She also expressed concerns about there being a sufficient buffer between the Belvedere Ridge property and hers. She said there is a steep slope that will need to be graded and erosion of this area could cause damage to trees on her property.

Robin Hoburg of 593 Old Post Road said there has been a lot of talk about the gazebo and walking paths, but she feels this is an abstract, and that in reality such things do not get done. She said she cares about the impact this plan will have on her property as an abutter. She was particularly concerned about air quality issues as a result of idling cars waiting to drop off or pick up school children. She said ideally she would like to have a 50' buffer, and if this cannot be done, they are ready to pursue the issue further if necessary. She said presently she is in the process of getting a land survey done and locating the pins on her property and she asked that no decisions be made until they can get that completed. Ms. Hoburg added that she felt the estimates of added school children to the development seemed low and asked who obtained the number of school children information on the other developments. Mr. Peterson said he gathered the data.

Ms. Beebe asked what grading of slope was being proposed adjacent to the paved shoulder. Mr. Peterson said it is a 2 to 1 slope, with a 4' total change in elevation from the curb to the property line in 10' of distance.

Mike Ritter of 54 Woodside Drive said he favors lifting the age restriction. He said he agrees with adding the proposed fence and suggested adding a small bus shelter up where the children would be waiting for a school bus. He suggested that adding a small center island at the second set of proposed cobblestones might work better for traffic calming. Mr. Ritter said he and his wife currently walk to the Star Hill Athletic Center and a stone dust path would be a nice addition.

Kathy Ritter of 54 Woodside Drive said there is already a bus stop at the end of Belvedere Ridge to pick up a boy on Old Post Road, so they would not be adding a new stop if the age restriction was lifted.

Ms. Beebe read the September 9, 2010 letter from Robert and Kathleen Bagioni of 50 Woodside Drive. She also read the September 13, 2010 letter from Karen Sladyk of 594 Old Post Road, and the September 13, 2010 letter from Robin Hoburg & Lynn Caley.

Ms. Hoburg pointed out that the proposed drop off area does not fit clearly with any of the particular zoning regulations she and Ms. Caley referenced in their letter. She said the current regulations call for 9' for a parking stall, but it is not clear whether this drop off area is a parking lane or a stall. Ms. Farmer said it really is a "none-of-the-above" situation, and is not addressed in the zoning regulations. She said the parking area is basically a bumpout

and the hatchway is not a sidewalk. Mr. Stanford asked if the road the bumpout is on is private property. Ms. Farmer said it is private property within the development.

Ms. Farmer addressed the buffer area referred to in Ms. Caley and Ms. Hoburg's letter. She said when this development was approved in 2003, there were different regulations in place that dealt with frontage. She noted that the frontage can presently be reduced to 50' with 4 votes from the Commission, and this development is grandfathered. She said the 10' buffer area that was being discussed is part of the parking regulations, and that from the proposed bumpout to the property line, it just meets the 10' requirement. Ms. Hoburg asked that this distance be surveyed because she said she measured the distance and in some areas it falls below the 10' minimum. She said the buffer gets wider as you go along the road. Ms. Farmer said the distance would need to be quantified by an engineer. Ms. Beebe concurred saying they need to verify the existing edge of the road in relation to the property line.

Mr. Barrow asked why school buses cannot come into the development. Ms. Farmer said the official stance from the bus company is that they are not allowed to come onto private property. Mr. Stanford asked if the road needs to remain 24' wide or if they could consider shrinking the road a bit to meet the buffer requirements. Mr. Cardin asked what the length of the common boundary was between Belvedere Ridge and the Hoburg/Caley property. Mr. Peterson said it is 300'.

Mr. Hughes said they need to determine whether the drop off area is a bump out or a parking area. Mr. Scavone asked if the zoning regulations apply to a private road. Ms. Farmer said some can, and this would need to be evaluated.

Ms. Beebe addressed traffic on Old Post Road. She verified with Ms. Farmer that the State of Connecticut would have authority over determining if a traffic light is necessary at the intersection of Old Post Road and Route 30. Ms. Farmer said it would be good to get input from Public Safety, either John Littell or Clem Langlois on the Old Post Road issue. Ms. Beebe stressed that the PZC has limited ability to ask for improvements on town roads, but it would be good to get their input. She said budgetary issues are always a concern, so having a critical mass of people drawing attention to the issue might help to overcome obstacles.

Mary Anne Delaney Tuttle, Town Council liaison to the PZC, asked if the intention is to keep the roads within the Belvedere Ridge development as private, rather than town roads. Ms. Beebe said that is correct.

Ms. Beebe said she agreed with Ms. Hoburg's concerns about air quality issues caused by idling cars and said there is a DEP law that prohibits idling. She suggested the developer post that prohibition at the drop-off if this application was approved.

Ms. Beebe said she understands the original age restriction was a condition placed on the development by another body. Ms. Farmer said this is correct. The original submission was for condominiums and apartments, and an application was submitted and later postponed. She said the age restriction was a condition set by the WPCA and that the PZC never evaluated the development as non-age-restricted. Ms. Beebe also confirmed with Ms. Farmer that the Town Engineer will verify the bonding numbers. She asked that the added items from this hearing tonight such as pathways and the bus stop area would be added to the bonding. Ms. Farmer said anything modified on the site plan would need to be included in the bond.

Ms. Ritter said she would not expect there to be too many cars at the drop off/pick up area as high school and middle school age children tend to prefer to walk to their bus stops, and on good days, parents tend to walk their elementary school age children to and from the bus stop. Therefore, she said the concern would likely be limited to cold winter days or rainy days.

Ms. Hoburg said that while they would have initially preferred a wood fence between their properties, an 8' vinyl fence would be longer lasting and result in maximum privacy.

James Whitney of 607 Old Post Road agreed that a vinyl fence would be more attractive and durable.

Attorney Romano said they picked out the wood fence based on the neighbor's expressed preference but would be willing to work with them to provide something suitable that would work for everyone. He closed by saying his client is a committed developer and, if their request is approved, will be sensitive to the needs of the neighbors.

Jack Scavone/John Hughes motion to close the Public Hearing. Ms. Beebe asked if they could request technical information at the next meeting. Mr. Farmer said they could. A vote was taken on the motion, and it was unanimously approved.

#### **4. Action on Public Hearing(s)**

4.1 **P&Z App. #803 – Town of Tolland** – Special Permit to request to convert a Frontage Lot into a Rear Lot. Location: 172 Cook Road. Commission to take action on September 13, 2010 Public Hearing item. Jack Scavone/Marilee Beebe motion to approve P&Z App. #803 Motion was unanimously approved.

4.2 **P&Z App. #762 – Tomlen, LLC** – Request for a Special Permit/Site Plan revision to change the use from a 66 unit Age Restricted development with single-family detached dwellings to a 66 unit Multi-family development with 50% of the dwellings duplexes. Location: Belvedere Ridge, 601 Old Post Road. Commission to take action on August 9, 2010 and September 13, 2010 Public Hearing items.

Mr. Cardin asked that members provide Ms. Farmer with a list of technical items they would like to see at the next meeting. Ms. Beebe said she would like to get clarification on the paved shoulder/buffer issue. She would also like to verify if there are pins in the corners of the property. She asked also that they check on the existing edge of road and existing property boundary. Ms. Farmer was asked to evaluate which zoning regulations as referenced in the Caley/Hoburg letter would apply to the drop off area. She was also asked to obtain public safety input for Old Post Road from Mountain Spring Road. Mr. Cardin asked her to get some general input from the bus company on the safety on Old Post Road.

Mr. Scavone said he thought Belvedere Ridge was a driveway, but saw that it is an actual road. He said he would like to investigate the option of installing a possible significant sidewalk and bus stop shed as an alternative to the bumpout. He said a sidewalk and shed would be more attractive. Ms. Farmer said they don't have any specific regulations that address bus stop sheds, so she would assume they fall under regular shed regulations which would then need to meet setback requirements.

## 5. **Other Agenda Items**

5.1 Discuss Sign Regulations and Enforcement. Ms. Farmer has a report from Bolton's Sign Committee which was put together after a year of study. She welcomed members to review it as it has some useful information and will provide copies of part of it.

6. **Approval of Minutes** – Approve minutes of August 9, 2010 and August 23, 2010 Regular Meetings. John Hughes/Marilee Beebe motion to approve the minutes of the August 9, 2010 meeting. Mr. Hughes, Ms. Beebe, and Mr. Scavone voted to approve. Mr. Cardin and Mr. Barrow abstained. Motion passed. Jack Scavone/Marilee Beebe motion to approve the August 23, 2010 meeting minutes. Motion was unanimously approved.

## 7. **Activities & Updates**

- Tolland Village Area
  - Presentation to EDC – Ms. Farmer said that Heidi Samokar of Planimetrics presented to the Economic Development Commission. She said she felt it went well and was helpful for them. Jack Scavone and Dave Barrow attended this meeting.
  - Meetings with property and business owners – Ms. Farmer said Heidi Samokar and Glen Chalder of Planimetrics will be meeting with property and business owners this Wednesday from 10:00A.M. to 12P.M. at the Lodge.
- Page Property – 12 Cedar Swamp Road. The PZC reviewed the September 9, 2010 memo from Steve Lowrey. Mr. Cardin asked Ms. Farmer to check with Steve Lowrey to see if he could find a way to set weekly benchmarks for cleanup. She said Rick Page is doing some work, but she agrees that there is much he could do to clean up that would not cost anything.

8. **Town Staff Comments:** None.

9. **Announcements** – Upcoming Meetings

9.1 September 14, 2010 – Planimetrics presentation to Town Council. Mr. Cardin said he cannot attend. Ms. Beebe said she will plan to attend. Mr. Scavone said he will try to also, but he has another meeting before it so expects to arrive late.

9.2 September 27, 2010 – Tolland Village Area workshop with Planimetrics on revised Concept Plan.

10. **Reading of Correspondence** – Ms. Farmer referred to her September 9, 2010 letter regarding a request to open a hookah parlor at a unit at Meetinghouse Commons. She said she spoke to Town Attorney Rick Conti and it does not appear to fit into any of the permitted uses of the Gateway Design District and is therefore prohibited.

11. **Communications and Petitions from Commission Members**: None.

12. **Public Participation**: None.

13. **Adjournment**: Jack Scavone/Dave Barrow motion to adjourn the meeting and pay the clerk at 9:55p.m. Motion was unanimously approved.

Respectfully submitted,

Annie Gentile  
Clerk