

TOWN PLAN & ZONING COMMISSION

MINUTES

Thursday, April 26, 2012

The Town of Bloomfield Town Plan & Zoning Commission held a meeting on April 26, 2012 scheduled for 7:00 p.m. at Town Hall, 800 Bloomfield Avenue in Bloomfield, Connecticut with the following members present:

Present:

Barry Berson, Chairman
Abraham Ford, Jr.
Fannie Gabriel
Pamela Gray
Charlotte Gregg
Alfred LeFebvre
Byron Lester
Elene Needelman
Nick Panke
Barbara Reid

Also Present: Thomas Hooper

Absent: Maureen Sullivan,
Recording Clerk

Mr. Berson called the meeting to order at 7:03 p.m.

1. Application of Ginza Corp. for outdoor dining at 14 Wintonbury Mall, BCD zone.

Mr. Lester read the Legal Notice that appeared in The Hartford Courant on April 13, 2012 and April 20, 2012. Mr. Berson discussed procedures for Public Hearings.

Mr. Alex DePratti, General Manager of the restaurant, stated the applicant would like to have a small patio in the courtyard behind the restaurant for outdoor dining. There will be 24 seats and an exit at the rear of the restaurant. There will be a small fence around the perimeter of the patio, as well as an entrance to the patio.

Mr. Hooper discussed his memorandum of April 17, 2012 and asked what the applicant would do about the bait stations. Mr. DePratti stated the restaurant is a FDA regulated restaurant and is considered a manufacturing facility. The FDA regulations make it impossible to get rid of the bait stations. Mr. Hooper asked how the diners are enticed to eat in the patio while seeing the bait stations. Mr. DePratti replied their product and reputation speak for themselves. The bait stations are part of a pest control program and Mr. DePratti did not think the bait stations would deter diners from dining outside. The bait boxes were described. Mr. Hooper asked about keeping the storage or service entryway clean. Mr. DePratti replied the applicant will rearrange how their day-to-day business is handled. Any boxes will need to be broken down inside and brought to the dumpster.

Mr. Hooper stated the applicant needs to work with the Fire Department and Health District. The fencing is required by the State Liquor Control Commission. Mr. DePratti stated the Fire Marshall signed off on the application.

Questions from the public:

Mr. Kevin Gough of 5 Bear Ridge Drive agreed that outdoor dining is very popular. Mr. Gough asked if the applicant could work with the Thai restaurant and the pastry shop and expand forward to put in a patio and get rid of some of the parking area. Mr. DePratti replied the back area is a vacant space and the actual courtyard of the mall is not being used. The

parking lot was discussed. The restaurant offers valet parking on Friday and Saturday evenings due to parking issues.

Questions from the Commission:

Ms. Gregg asked if the applicant worked with the Fire Marshall and the Health District. Mr. DePratti explained the first step was to come to the TPZ. The Fire Marshall already approved the request. Ms. Gregg asked if there was a way to camouflage the bait. Mr. DePratti replied the applicant can look into making them more attractive or less visible. The bait stations were discussed.

Ms. Gabriel wanted to make sure the health officer approved this. Mr. DePratti replied that is the next step. The applicant will not be able to move forward without the Health Department's approval.

Mr. Panke asked the hours of operation. Mr. DePratti replied the restaurant is open Sunday through Thursday until 10:00 p.m. and Friday and Saturday until 11:00 p.m. Mr. Panke asked about the lighting at night. Mr. DePratti replied while the patio is open, there is sufficient lighting provided in the courtyard mall and the applicant plans on doing low voltage lighting. The patio will be cleaned after everyone leaves. Mr. Panke asked about vandalism with the furniture left outside. Mr. DePratti replied the Thai restaurant leaves their patio furniture outside and has not had any issues. There will be sufficient lighting at night.

Ms. Needelman suggested patio boxes with flowers in front of the bait containers. Mr. DePratti thought that was a great idea. The trash is put in the dumpsters in the parking lot. The applicant will work on a process to bring material to the dumpsters when the patio is not being used. The outside tables will look onto the green. The applicant will rehabilitate the garden and the bench seats in the courtyard.

Mr. Ford asked about the food garbage. Mr. DePratti discussed the process for food garbage and there are about two bags of garbage a day. The area that will be fenced in was shown on the plans. Mr. Ford asked how the applicant decided on 24 seats. Mr. DePratti replied the applicant consulted with the Health Department and decided what worked with the applicant's business. Mr. Ford asked if additional parking will be required to which Mr. Hooper replied no.

Mr. LeFebvre asked if the exit on the far end was an emergency exit to which Mr. DePratti replied no. There are three entrances on the rear of Ginza and the doors were discussed.

Ms. Gray asked about the renovations that will be made to install the fence. Mr. DePratti replied the applicant will not rip up pavers. The pavers will be power washed and cleaned up. Mr. DePratti explained the pavers will be cut where the fence needs to go. The fence will be three feet high and will blend in with the rest of the mall.

Mr. Berson asked about access to the patio. Mr. DePratti replied customers will need to walk into the restaurant to be seated in the patio. The applicant is not looking for customers to seat themselves in the patio.

There were no comments from the public.

Comments from the Commission:

Ms. Gregg thought the outside dining would be a good idea as long as the criteria are followed.

Ms. Gabriel is concerned about a health approval from the officer.

Mr. Panke stated he does not have a problem with the outdoor facility as long as all the concerns of staff and the Commission are met. The Commissioner was concerned with maintenance, lighting and vandalism. Mr. Panke wished the applicant success.

Mr. Lester thought this was a nice addition to a good restaurant and looked forward to this.

Mr. Ford wished the applicant luck.

Mr. Berson wished the applicant luck. The Commissioner stated the problem with melding all the establishments is some tenants have liquor licenses, some do not. The parking spaces were discussed and the sidewalks cannot be impeded.

Mr. DePratti thanked everyone for their good wishes.

Mr. Panke made a motion to close the public hearing. Ms. Gabriel seconded the motion and it was approved unanimously.

Mr. LeFebvre made a motion to approve the application of Ginza Corp. for outdoor dining at 14 Wintonbury Mall, BCD zone. Ms. Needelman seconded the motion and it was approved unanimously.

**2. Application of residents of
Duncaster Road to designate
Duncaster Road as a scenic road
pursuant to the Town of
Bloomfield's Scenic Road
Ordinance.**

Mr. Lester read the Legal Notice that appeared in The Hartford Courant on April 13, 2012 and April 20, 2012. Mr. Berson discussed procedures for Public Hearings.

Ms. Vikki Reski of 52 Duncaster Road handed out an outline that lists qualifying factors for a scenic road designation. Duncaster Road is a paved road, bordered by mature trees. It has stone walls, a mix of ages of houses built at different times with different setbacks. The travel portion of the road varies from 20 to 30 feet wide. It has scenic views. There are a lot of bikers and walkers on the weekends. The street blends naturally into the terrain and it has some interesting curves. There are historical houses along the road. The overall linear frontage of the road is about 42,000 linear feet.

Mr. Hooper discussed his memorandum of April 18, 2012 regarding a scenic road application. A scenic roadway ordinance is intended to preserve the quality of life and character of the roadway and the right of way into the future. Mr. Hooper strongly recommended the Commission move forward with the designation.

Questions from the public:

Ms. Alex Whitney of 117 Duncaster Road asked if the designation will have any impact on the CL&P or the town cutting down trees on the roadway. Mr. Berson believed CL&P has the right to cut trees in any right of way. Ms. Whitney discussed the tree canopy on Duncaster Road. Mr. Berson commented about the trees down on Duncaster Road after the October 2011 storm. Ms. Whitney asked if there was a way to work with CL&P on their cutting down trees with the designation criteria for a scenic road. Mr. Hooper replied normal maintenance is allowed to continue, including tree trimming, removal of dead trees or hazardous obstacles.

Questions from the Commission:

Ms. Gray asked once the scenic road designation is put into place, would a Special Permit be required if a homeowner wanted to repave their driveway. Mr. Hooper stated the driveway contractor would need a permit to do work in the right of way so the town would be able to determine the scope of the project.

Mr. LeFebvre commented he did not see an advantage to the scenic road designation. Ms. Reski commented she thought there is a certain amount of protection to get the designation of a scenic road. Ms. Reski believed with the scenic road designation CL&P will be doubly careful to work with homeowners. Ms. Reski also believed it will give the residents pride about the road and homeowners will take care of their properties a little more.

Mr. Panke asked Mr. Hooper to explain the section in his memorandum about “the roadway shall be maintained so as to preserve its scenic and rural characteristics, compatible with safe road operations.” Mr. Hooper replied the town, or an authorized agent, will require work in the right of way to come before the TPZ if they want to widen or put in curbing. The idea is to preserve its scenic and rural characteristics and make sure the roadway is safe. Mr. Panke discussed speeding traffic on the road. Mr. Panke asked if there will be scenic road signage to which Mr. Hooper responded he hoped the neighborhood group would support the installation of appropriate signs.

Mr. Berson asked about the length of Duncaster Road being approximately 21,389’ to 22,803’. Mr. Hooper replied staff came up with a ballpark figure from using GIS maps to paper maps. Mr. Berson also stated the total number of linear feet in frontage along the road should be 42,090’.

Comments from the public:

Ms. Kathryn Litt of 244 Duncaster Road commented she was one of the people collecting signatures about declaring Duncaster Road a scenic road. The speed limit was discussed. Neighbors said they bought their homes because they wanted to be on a quiet street and on a scenic road. Ms. Litt stated every signature she received; everyone wanted the street to stay the same way.

Mr. Bob Nolte of West Hartford is a cyclist and commented Duncaster Road is one of the loveliest parts of a 20 mile road that he takes.

Ms. Alex Whitney of 117 Duncaster Road moved to her home 13 years ago. Ms. Whitney stated she has seen a lot of changes and many not to her liking in terms of development. Ms. Whitney was not in favor of putting up a designated sign as it may generate more traffic. Traffic, speeding and police presence on Duncaster Road was discussed. Ms. Whitney commented about a traffic engineering study from the University of Connecticut which indicates that when lines are painted on roads, it decreases the number of accidents but speeding increases. Ms. Whitney asked why the lines were painted on the roads. Mr. Berson believed that did not pertain to the TPZ. Street lights were discussed. Mr. Hooper commented he would like to see as few changes on the road as possible.

Mr. Doug Morrell, a Simsbury resident and a cyclist, commented one of his favorite routes is on Duncaster Road.

Mr. Mike Merrigan of 40 Duncaster Road commented he appreciates and loves driving on Duncaster Road. Mr. Merrigan believed it was the town’s responsibility to preserve the road. Speed limits were discussed.

Mr. Kevin Gough of 5 Bear Ridge commented he strongly supported the designation. Hoskins Road and Adams Road are also on the list of potential scenic roads. After TPZ takes affirmative action, he and Mr. David Mann will work on Adams Road and Hoskins Road. The unique trees on Duncaster Road were discussed, as well as trees cut down by CL&P. Mr. Gough would like to see added protection to trees.

Mr. Michael Drena of 84 Duncaster Road discussed the history of the area and commented we are responsible for trying to preserve this.

Ms. Frances Moulton of 125 Duncaster Road would like CL&P to be required to mention to the homeowners that they are going to cut down trees. CL&P should use a little more discretion on what they cut down.

Ms. Anne Carpenter of 114 Duncaster Road moved from Simsbury and commented she could not think of a road in Simsbury that is prettier than Duncaster Road.

Comments from the Commission:

Ms. Reid commented the road sounds wonderful.

Mr. LeFebvre commented he was almost convinced it is a good investment.

Ms. Needelman commented she was on the subcommittee for the Plan of Conservation and Development and a goal was to protect these roads because it is important to the residents and those that travel on the roads. Ms. Needelman looked forward to seeing the plan accepted. Ms. Needelman thanked the residents for their attendance.

Mr. Lester thanked everyone for coming and commented this was a great designation for our town.

Mr. Panke commented he was on the Plan of Conservation Commission in 2000 and at that time felt Duncaster Road, Adams Road, Hoskins Road and Filley Street had qualities to be scenic roads. Mr. Panke still felt it was a good idea.

Ms. Gabriel believed this was an example of people power and making something positive and good happen.

Ms. Gregg was glad Duncaster Road was being proposed as a scenic road and believed it should be preserved.

Mr. Berson was startled to hear about the traffic on Duncaster Road. Mr. Berson commented Duncaster Road is a scenic route; it is a rural road and believed this would be a great step in preserving the quality. In terms of future development on Duncaster Road, Mr. Berson did not believe there was much open space left on Duncaster Road. The TPZ looks at all subdivisions that come into town.

Ms. Vicky Reski made final comments.

Mr. Panke made a motion to close the public hearing. Ms. Gabriel seconded the motion and it was approved unanimously.

Mr. LeFebvre made a motion to approve the application of residents of Duncaster Road to designate Duncaster Road as a scenic road pursuant to the Town of Bloomfield's Scenic Road Ordinance, and the TPZ agreed with the suggestions of the Town Planner in the memorandum dated April 18, 2012 as the highway is bordered by mature trees, blends naturally into the surrounding terrain, parallels or crosses over brooks, streams, lakes or ponds, has buildings, structures or places of historic significance, etc. as outlined in the Town Planner's memorandum. Mr. Ford seconded the motion and it was approved unanimously.

3. Zoning Regulation Amendment Concerning Floodplain Management Regulations

Mr. Hooper provided the Commission with suggested changes the Town Engineer would like made to the Floodplain Management Regulations. Staff recommended the Commission schedule a public hearing on the revisions at the May meeting.

The Commission unanimously agreed to schedule a public hearing on the revisions at the May meeting.

4. Draft of Plan of Conservation and Development

Mr. Hooper distributed a draft Plan of Conservation and Development to the Commissioners. Mr. Hooper suggested discussing it at next month's meeting. There will be a public hearing in June for the hopeful adoption of the plan. Mr. Hooper noted that he would go over the Draft with the Commission at their May meeting to prepare them for the public hearing.

**5. Discussion re: Support Letter for
Hawk Hill Farm**

Mr. Panke made a motion to approve sending a letter of support for Hawk Hill Farm. Byron Lester seconded the motion and it was approved unanimously.

6. March 22, 2012 Minutes

Ms. Gabriel made a motion to approve the minutes of March 22, 2012. Mr. LeFebvre seconded the motion and it was approved unanimously.

Mr. Lester made a motion for the meeting to adjourn. Ms. Gabriel seconded the motion and it was approved unanimously.

The meeting adjourned at 8:45 p.m.

Byron Lester, Secretary

Maureen Sullivan, Recording Secretary