

APPROVED MINUTES

In attendance: Barry Berson, Byron Lester, Mark Jacobs, Nicholas Panke, Abraham Ford, Alfred Lefebvre, Barbara Reid, Dan Mara, and José Giner, Director of Planning, Laura James, Recording Secretary

Chairman Barry Berson called the meeting to order at 7:00 pm

Chairman Barry Berson stated first order of business was to elect officers and asked the Director of Planning to temporarily assume the Chair.

Mr. Giner asked for nominations for Chairman

Commissioner Lester moved to elect Barry Berson as Chairman. The motion was seconded by Commissioner Ford and was approved unanimously.

Commissioner Ford made a motion to elect Byron Lester as Secretary. The motion was seconded by Commissioner Lefebvre and approved unanimously.

1. Acceptance of Minutes

Chairman Berson noted that there were no minutes to approve since they had not been completed yet due to the Recording Secretary's resignation.

Commissioner Panke made a statement that the Commission is an elected board by the people and the Commission should be making decisions based on presentations, discussions, amendments, changes, etc., and should not be based on Town staff recommendations for motions.

Chairman Berson stated that they are suggestions not recommendations. The Commission votes and if a Commissioner feels opposition they are free to change the motion that is suggested. The Town has a Town Attorney and on many occasions we wind up in court. He feels that the recommendations made by staff are there to help guide the Commission towards a defensible decision. Commissioners are free to make any changes and the Town Staff is here to help and has often a better understanding of the issues because they deal with this day to day.

2. Request by Michael Swan for a Revised Site Plan at 297 School Street, R-15 & R-30 zones.

Mr. Michael Swan, 29 Woods Road, Bloomfield United Methodist Church stated that the Church is looking to expand the current building with a food kitchen. He stated that they feed 150 to 200 people every Saturday, and are in need of additional space.

Mr. Dan Russell, Architect, asked for approval of the Revised Site Plan at 297 School Street, R-15 & R-30 zones. He stated that the addition will match the existing features of the building including the brick, block and height.

Director of Planning, José Giner stated that there had been a map issue which was cleared up so as to confirm that the church and parsonage were on one single lot rather than two as indicated on the Assessors' records. He also stated that the zone line split across the building.

Commissioner Jacobs stated it is a sandwich ministry and asked if this will create more traffic problems. Mr. Dan Russell stated there was more than enough parking and there are driveways on each side of the church.

Mr. Swan stated the food kitchen serve meals from 11:30 am to 1:30 pm every Saturday morning only and there are no plans to change.

Commissioner Panke stated the addition is for a service and asked what type of service, church, a restaurant or catering? Mr. Swan stated it is a service only within the facility and that, although it is part of the mission of the church, they have volunteers and sponsors from other organizations in town.

Commissioner Panke stated the church has other property in back, and it abuts to other property. He asked if the Church intended to have buffers so that it doesn't impede on

other properties. Mr. Russell stated there are adequate buffers now and that the addition will not result in any change to the buffers.

Commissioner Ford stated that as part of this application the two lots would be joined together and make it one. Mr. Russell, stated that is correct.

Commissioner Lefebvre asked how the Church would use the extra space.

Mr. Russell stated it will be used for dining, bathrooms and extra room for kid classes. He stated there was currently no place for children during worship service

Commissioner Mara asked if there would be any objection to a condition that the Church file a deed as well as a map to memorialize the joining of the two lots.

Mr. Michael Swan stated that he did not object to the condition. The expansion of the church facility will be used primarily for the food kitchen, but the rest of the week used for church activities he did not want restrictions to be on the use.

A Motion was made by Commissioner Lefebvre to APPROVE the Revised Site Plan Application by Michael Swan, Bloomfield United Methodist Church, for a 2,968 +/- s.f. addition to an existing House of Worship located at 297 School Street, Bloomfield United Methodist Church In Trust, owner. This approval is subject to conformance with the referenced plans, as may be required to be modified, and the following conditions:

Referenced Plans:

"Improvement Location Plan (Proposed) Prepared for The Bloomfield United Methodist Church, 297 School Street, Bloomfield, Connecticut", Sheet 1 of 1, prepared by F.A. Hesketh and Associates, Inc., dated 8/21/2015 and revised to 10/20/2015.

Conditions to be met prior to the signing of plans:

1. The plans shall be revised to address any remaining staff or Commission concerns.
2. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns. A copy of this motion shall be placed on the final plans submitted for signing.

Conditions to be met prior to the issuance of permits:

3. The applicant shall file a survey and deed on the land records to memorialize the merging of the two lots.
4. Three sets of paper plans with any required changes shall be submitted for the Commission Secretary's signature.

Conditions which must be met prior to the Issuance of a Certificate of Compliance:

5. No Certificate of Compliance or other final approval be issued until the Zoning Enforcement Officer has signed off on the final work.

General Conditions:

6. This approval is for the specific use and structure identified in the application. Any change in the nature of the use or the structure will require new approvals from the Bloomfield Town Plan and Zoning Commission.
7. This project shall be constructed and maintained in accordance with the referenced plans and representations made for the record. Minor modifications to the approved plans may be allowed in accordance with the regulations, subject to staff review and approval.
8. All work associated with the construction of facilities as approved must be completed by November 19, 2020 or this approval shall be rendered null and void, unless an extension is granted by the Commission.
9. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

Motion was seconded by Barbara Reid and was approved unanimously.

Commission Panke commented that the church is a good neighbor and that he wants to make sure that it will not become a commercial venture. He stated that this does happen with some religious institutions and that he didn't want this to become a business.

3. Request by CT Bloomfield Developers, LLC for an extension of the subdivision approval for Garden Homes Subdivision, 1-75 Privilege Road.

Attorney Robin Pearson stated that the applicant is asking for approval of a five year extension of their permit. The subdivision was approved in 2007 and in 2009 it was amended from 80 lots to 74 because of wetland concerns and discussions with the Army Corps of Engineers. Due to a bad economy the Legislature automatically extended wetland and subdivision approvals by a Public Act which set the new expiration date of April 2016.

She stated that Mr. Giner had asked to provide proof the bond is in place. She stated that the applicant pays \$5,000 a year to keep a bond in place.

José Giner, Director of Planning, stated that the \$500,000 bond is in place.

Commissioner Reid asked where the access to the parcel is and how many houses approved? Attorney Robin Pearson stated that the access was through Privilege Road and that it currently was approved for 74 lots.

Commissioner Panke stated that he is in favor of the extension. Property is valuable and is a tremendous asset to the Bloomfield neighborhood.

Commissioner Ford stated that this is a good solution and believes this is something that people what people on Privilege Road bought into and thinks that the Commission is in a good place.

Chairman Panke made a motion to approve the request by CT Bloomfield Developers LLC for an extension of the subdivision approval for Garden homes Subdivision, 1-75 Privilege Road and including staff and applicant comments. The motion was seconded by Commissioner Jacobs and was unanimously approved to April 16, 2021.

4. Request by Shaun N. Allen re: nonconforming use at 1124 Blue Hills Avenue

Mr. Shaun Allen, 61 East Burnham St, stated he is pursuing the purchase of the property at 1124 Blue Hills Avenue, where he can do repairs. He stated that he is not trying to have a gas station and will be putting all chemicals in drums.

Jose' Giner, Director of Planning, as per handout, outlined the history of the property. He stated that originally it was a gas station, and in 1968 ZBA granted auto repair license, in 2011 there was an approval for a coffee shop and, as of the last approval, 2013, as kitchen space for a catering business with limited take-out. He cited the regulations which state that the TPZ may allow a change to another non-conforming use which is equally appropriate.

Commissioner Ford asked about the hours and if Mr. Allen planned on opening a second bay?

Mr. Shaun Allen stated that he would be working about 8am to 6pm and would only have one bay to start. He stated that he has been an Audi Tech Specialist for twenty years and that he plans on opening only one bay.

Commission Ford stated he would have a problem with a bunch of cars sitting outside waiting to be repaired.

Shaun Allen stated there are four parking spaces on both sides and that the car repairs can be controlled, so there isn't a lot of cars parked outside.

José Giner, Director of Planning, stated that the Commission could limit the number of cars as a condition of approval.

Commissioner Panke stated is there space available behind the building. He wants it to be better not worse.

Mr. Shaun Allen stated that he agreed that there is space.

Commission Jacobs stated that Mr. Shaun Allen has not purchased as of yet and asked if the soil had been cleaned up or inspected.

Mr. Giner stated that it is up to the applicant to do his due diligence before he purchases the property.

Commissioner Lefebvre made a motion to approve the request by Shaun N Allen for a determination that his proposed nonconforming use is an acceptable substitute for the previous one at 1124 Blue Hills Avenue, with understanding the he is would be coming back for a site plan approval. Motion seconded by Commissioner Lester and approved unanimously.

5. Request by TFC Housing Corporation for a Zone Change from I-2 and R-10 to MFER for Lot 2 Douglas Street (between Douglas Street and Cottage Grove Road) and Master Plan approval to construct an elderly housing project consisting of 41 units.

Commissioner Lester read the Legal Notice for the Public Hearing.

Dave Ziaks, of F.A. Hesketh and Associates, stated that the property is between Douglas Street and Cottage Grove Road, is 13.5 acres and has interesting features. This is one of the leftover I-291 parcels. The lower 1/3 is I-2 and the northern portion is R-10. The plan is to split into two parcels. The 5.4-acre lower piece is the subject of the MFER zone change request and the remainder 7.9 acres will remain as an R-10 zone. A lot of the parcel is

environmentally sensitive and has a lot of wetlands. His clients would be proposing to erect one building of 41 elderly housing units with a manager's office and patio with 62 parking spaces. The density is 8 units per acre. He stated that they are seeking master plan approval tonight.

Mr. Ziaks stated that there will be one single point of access at the bend on Douglas Street. He felt that this use will not generate very much traffic. He noted that there are extensive wooded buffers on the property. The site has been vacant for a lot of years. The applicants are asking for the master plan to allow for a 45 ft. height. He noted that the regulations allow the Commission to approve up to a 60 height in the MFER District. They are also asking for 3 stories where the regulations give the Commission authority to approve up to 4 (four) stories in height. He feels that this would be a good use for this location.

José Giner, Director of Planning, stated that he would recommend that the small triangle on the dotted line on the Eastern part of the property be changed to R-10 and included in the suggested motion. The entire property is currently owned by the Town of Bloomfield and the applicant has option to purchase.

The Chairman opened the hearing to questions from the Public. Hearing none he asked for questions from Commission.

Commissioner Lefebvre asked if the applicant had considered a stop light at the end of Douglas Street.

Mr. Dave Ziaks stated that property is very close to an existing signalized intersection and believes that the State of Connecticut would not allow another signal..

The Chairman then asked if there were any comments from Public.

Mr. Roger Tilley stated that the three stories seemed a bit much and the trees will not hide it.

Mr. Ziaks stated that this is a very unique property and will fit in nicely.

Commission Lefebvre made a motion to close the public hearing which was seconded by Commissioner Panke and passed unanimously.

Commissioner Panke made a motion to approve the Request by TFC Housing Corporation for a Zone Change from I-2 and R-10 to MFER for Lot 2 Douglas Street (between Douglas Street and Cottage Grove Road) and Master Plan approval to construct and elderly housing project consisting of 41 units and also include the small triangular remnant changed to R10 zone as shown on Master Plan to MFER with effective date of December 1. The motion was seconded by Commissioner Lester and approved unanimously.

6. Request by Richard C Heath (Church Home of Hartford Inc.) for a Special Permit and Site Plan Revision to allow building additions, new parking lots and realignment of the roadway with related site work at 200 Seabury Drive, PEC zone.

Commissioner Lester read the Legal Notice for the Public Hearing.

Ms. Renee Bernasconi, Chief Strategy Office, gave an overview of the history and vision of Seabury and the services that they offer. There is a one-time entry fee and monthly fee thereafter. They have provided 2.3 million dollars in benevolent support. She stated that Seabury was undergoing an expansion and face lift. The average waiting time for an apartment currently is three to five years. She felt that the time was right to act now with the expansion

Mr. Robert Hiltbrand, Principal Engineer and Surveyor gave an overview of the development plan. He stated that the site was 68 acres with about 28 acres being developed at this time, leaving about 40 acres as open space or green areas. He stated that the site has all utilities in place. Most parking is behind the structures and they will reconfigure and realign so the road is at level grade. There are currently 481 parking spaces on site and it will go to 622 spaces.

José Giner, Director of Planning stated that the Wetland Commission approval had been given on Monday. Phase A had been previously approved. This request was for the second and third Phase, B and C, with a parking garage under the 68 new apartment units. The Blue Hills Fire Marshall did not have any immediate concerns, pending review of all plans when formal building plans are submitted. Mr. Giner stated that he anticipated no impacts to surrounding neighborhoods from this work.

Commissioner Ford asked if the area in the back will be raised. Mr. Grimaldi stated that the drive aisles will be leveled and graded.

Commissioner Ford asked if there is an area in back for parking and is there a lot of fill? Mr. Robert Hiltbrand stated there is a lot of material being excavated and they will be trying to balance the site as much as possible.

In response to a question regarding pedestrian access and walkability Mr. Tom Grimaldi stated that there are a vast amount of existing sidewalks which provide access to areas. Seabury will also provide bus stops with covering. They also have a Trail Committee and everything is in walking distance and is accessible.

Commissioner Mara asked if on the new large addition if the apartments would be three stories above grade and the garage below. Mr. Tom Grimaldi stated there is nothing higher than three stories - everything will match existing heights.

Commissioner Mara asked if there is any parking underground currently. Mr. Grimaldi stated there are 33 spaces off Seabury Drive North.

José Giner, Director of Planning stated there were no objection from Fire Dept. as to what is seen so far. He stated that there was no formal report yet from Town Engineer. He noted that he did speak with Peter Castaldi and Jonathan Thiesse and the Town Engineer indicated he has no big problems and recommended a condition that the plans were subject to final approval by Town Staff.

Commissioner Berson stated if it is approved it has to be with condition of Fire Marshall Report and Engineering Staff signing off on the plans.

Jose' Giner, Director of Planning stated an email was received from Fire Marshall with no problems.

Commissioner Mara stated that the plan seems to integrate well with existing units.

Commissioner Lefebvre asked how many tenants currently live at Seabury. Ms. Bernasconi passed out a fact sheet and stated 235 people currently are in independent living.

Commissioner Ford stated that the plan was very impressive.

Commissioner Panke stated that he had problems initially with the development but over the years it has become quite an asset.

Commissioner Jacobs stated that this was a good presentation and hoped that the Town's population would continue to support Seabury.

Commissioner Jacobs made a motion to close the public hearing and Commissioner Panke seconded the motion

Commissioner Ford made a motion to APPROVE the Special Permit and Site Plan Application of Richard C. Heath on behalf of Church Home of Hartford, Inc. for a Special Permit and Site Plan Revision to allow building additions which include 68 new independent living apartments, expansion of the existing healthcare building, new parking lots and realignment of the roadway with related site and utility work at 200 Seabury Drive, PEC zone. Church Home of Hartford, Inc. owner. This approval is subject to conformance with the referenced plans, as may be required to be modified, the representations made on the record, and the following conditions:

Referenced Plans:

"Seabury, Church Home of Hartford, Inc., 200 Seabury Drive Bloomfield, Connecticut, 06002 Cover Sheet and additional 61 Sheets, prepared by R.R. Hiltbrand Engineers and Surveyors, LLC, dated October 26, 2015.

Conditions to be met prior to the signing of plans:

1. The plans shall be revised to address any remaining Engineering and Fire Marshal concerns.
2. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns. A copy of this motion shall be placed on the final plans submitted for signing.

Conditions to be met prior to the issuance of permits:

3. Three sets of paper plans with any required changes shall be submitted for the Commission Secretary's signature.
4. A copy of the Special Permit shall be filed on the Land records by the owner of the property.

Conditions which must be met prior to the Issuance of a Certificate of Compliance:

5. No Certificate of Compliance or other final approval be issued until the Zoning Enforcement Officer has signed off on the final work.

General Conditions:

6. This approval is for the specific use and structure identified in the application. Any change in the nature of the use or the structure will require new approvals from the Bloomfield Town Plan and Zoning Commission.
7. This approval is also subject to conditions of approval from the Inland Wetlands and Watercourses Agency which are on file separately.
8. This project shall be constructed and maintained in accordance with the referenced plans and representations made for the record. Minor modifications to the approved plans may be allowed in accordance with the regulations, subject to staff review and approval.
9. All work associated with the construction of facilities as approved must be completed by November 19, 2020 or this approval shall be rendered null and void, unless an extension is granted by the Commission.
10. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

The motion was seconded by Commissioner Lester and approved unanimously.

7. Request by Ed Lally and Associates, Inc. for a Special Permit to allow a manufacturing, storage and distribution facility at 374, 380, and 384 Woodland Avenue, I-2 Zone.

Commissioner Lester read the Legal Notice for the Public Hearing

Mr. Ed Lally, Licensed Professional Engineer, representing FS Realty 380 Woodland Avenue which is behind 360 and 390 Woodland Avenue. He stated that the property was 46.3 acres and was located in an I-2 zone.

Mr. Lally stated that the proposal was for a very clean hi-tech facility. He stated that there were a lot of robotics involved which kept the number of employees relative to the size of the building low. The existing entry is between 360 and 390 Woodland Avenue.

Mr. Lally stated that the site had been used as a sand and gravel excavation site and that most of the remaining material had been removed and used across the street at the new Deringer-Ney construction site. The proposed building would be 433,000sf, with a loading area, trailer parking and a small security facility. He stated that the building would be open 24/7 producing product.

Mr. Lally stated that he had met with the Fire Marshall. He stated that the facility has sprinklers with pump house and has easy access for Fire Department.

Mr. Lally stated that the development had received previous OSTA approvals. This building will not utilize as much parking as the regulations require and would go in for an amendment to their State Traffic Administration permit. He noted that the ZBA granted permission for 135 parking spaces which are shown on the plans. Car and truck traffic will be separate.

Truck traffic will come in and leave north of the site. Town asked for a photometric plan of the site. He stated that the lights would be shielded to direct light down.

Mr. Lally stated that the he is requesting approval for a sign at the end of the driveway that would be seen from the street. He summarized the drainage plan and stated that they would need a DEEP permit which is separate and can't be applied for until this Commission acts.

Mr. Lally stated that the parking lot in front has 135 parking spaces and that he was asking for a deferral of construction for 3.7% or five spaces which the Commission can approve by special permit. He stated that although the Commission can approve up to 25%, they are only asking for 3.7%. Current need is less than 130 parking spaces. The car parking area is the only area which doesn't use a formalized drainage system. Mr. Lally stated that he had used very conservative approach in designing that system. He stated that they had submitted a formalized landscaping plan which is more than adequate to make this an attractive facility.

Comments from Audience – None

José Giner, Director of Planning, stated he did a site visit five or six months ago with MDC, Eversource, Peter Castaldi and others. He also stated that the proposed bottling company had met on two other occasions with Town staff as well as MDC, utility representatives and state officials regarding their plans. He noted that the site is pretty well disturbed now. He recommended a condition to add a stop sign on Woodland entrance with right turn only for trucks directing traffic to the north. He also spoke with Jonathan Thiesse, Town Engineer,

and reported that he is aware of what is going on and had no major issues. He stated that that he is still tweaking a few things, and that his final report was not ready.

Commissioner Berson stated it's time to expand the Engineering Office.

Commissioner Jacobs asked Mr. Lally is this the first manufacturing facility that you have built? Mr. Lally stated it is his 21st building.

Mr. Lally stated that the bottling plant will initially have 38 employees and will possibly add more per production. There will be 130 parking spaces to accommodate both shifts.

Commissioner Ford stated he was very impressed with the size of building and production. He asked about the water supply. Ed Lally stated they will have 30' diameter water line at the street and that they would be tapping that with 16" pipe. Tanker trucks will also come in with spring water from springs throughout this state and perhaps other states. The water will be tested and the company will make its own bottles using small caps and a small amount of plastic which is very hi-tech.

Commissioner Lefebvre asked how many trucks will be coming in. Mr. Lally said there will be approximately 100 plus trucks a day over 24 hours. The driveway is wider than Woodland Ave. The State will tell us if the trucks are a problem and the key is to schedule the trucks during non-peak hours.

Commissioner Mara noted there were 130 parking spaces, which does not include truck storage spaces. He asked how many trailer storage spaces would be provided. Mr. Lally stated about 80 trailer parking spaces along the north end of the property.

Commissioner Ford made a motion to close the public hearing which was seconded by Commissioner Lester and passed unanimously.

Commissioner Panke made a motion to APPROVE the Special Permit and Site Plan Application of Ed Lally and Associates for a 433,000 +/- s.f. manufacturing, storage and distribution facility with associated site work at 374, 380 and 384 Woodland Ave., I-2 District, FS Realty LLC, owner. This approval is subject to conformance with the referenced plans, as may be required to be modified, and the following conditions:

Referenced Plans:

"Site Plan and Special Permit Plan Prepared for Ed Lally and Associates, Inc. 380 Woodland Avenue, Bloomfield, CT", 26 Sheets including Cover Sheet and Index, prepared by Ed Lally and Associates, Inc., dated October 2, 2015.

Conditions to be met prior to the signing of plans:

1. The plans shall be revised to address any remaining staff or Commission concerns.
2. The conditions of this approval shall be binding on the applicant, land owners, and their successors and assigns. A copy of this motion shall be placed on the final plans submitted for signing.

Conditions to be met prior to the issuance of permits:

3. Three sets of paper plans with any required changes shall be submitted for the Commission Secretary's signature.
4. A copy of the Special Permit shall be filed on the Land records by the owner of the property.

Conditions which must be met prior to the Issuance of a Certificate of Compliance:

5. No Certificate of Compliance or other final approval be issued until the Zoning Enforcement Officer has signed off on the final work.

General Conditions:

6. This approval includes the deferral of the construction of five (5) parking spaces in accordance with Section 6.2.H 3 -Reduction of Parking Facilities - Temporary Installation Deferral. The applicant shall accept, in writing, a requirement that the owner will file the Site Development Plan in the Office of the Town Clerk, stipulating that the owner, or the successor and assigns of the owner, will install as many of the deferred parking spaces as the Commission deems necessary within six (6) months of the Commission's request, when, in the opinion of the Commission, such Installation is needed.
7. This approval is for the specific use and structure identified in the application. Any change in the nature of the use or the structure will require new approvals from the Bloomfield Town Plan and Zoning Commission.
8. This project shall be constructed and maintained in accordance with the referenced plans and representations made for the record. Minor modifications to the approved

plans may be allowed in accordance with the regulations, subject to staff review and approval.

9. All work associated with the construction of facilities as approved must be completed by November 19, 2020 or this approval shall be rendered null and void, unless an extension is granted by the Commission.
10. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

The motion was seconded by Commissioner Jacobs and was approved unanimously.

8. Planner's report

Director of Planning Jose' Giner reported the following:

- a. Chairman Berson had participated in a panel discussion at Library on October 28 which had good attendance.
- b. Filley Park is 80% Complete – should be substantially complete by December. The utility company still has to move the Eversource box. Phase 1 should be completed by May, 2016.
- c. The Town is working to extend the sidewalk all the way down Mountain Avenue from Ocean State Plaza to Brown Street.
- d. The Town is looking to put together the final bid documents for Phase II of the Filley park project. We also will be looking at the possibly in the future of a sidewalk on cemetery side.
- e. There is progress in getting the final design for the east Coast Greenway from the Town Center up towards Tariffville.
- f. The Town is looking do a complete rebuild of Granby Street.
- g. In December the Jerome Ave apartments will be submitting site plan application for site plan review.

9. Adjournment

Commissioner LeFebvre moved for adjournment at 9:28 pm, Commissioner Lester seconded the motion. The motion passed unanimously.

Bryon Lester, TPZ Secretary
BL/lj