

**COVENTRY PLANNING AND ZONING COMMISSION  
MINUTES  
MONDAY, JUNE 14, 2021**

**CALL TO ORDER**

By: Jobbagy

Time: 7:03 p.m.

Place: Virtual

**ROLL CALL:**

		<b>PRESENT</b>	<b>ABSENT</b>
<b>REGULAR MEMBERS:</b>	Steven Hall, Secretary	X	
	Bill Jobbagy, Chairperson	X	
	Ed Marek	X	
	Christine Pattee, Vice Chairperson	X	
	Darby Pollansky	X	
<b>ALTERNATE MEMBERS:</b>	Bob Burrington		X
	Carol Polsky	X	
	Arianna Mouradijan	X arrived 7:38 p.m.	
<b>STAFF:</b>	Eric Trott, Town Planner	X	

**AUDIENCE OF CITIZENS:**

No one wished to speak.

**PUBLIC HEARINGS:**

- #21-04 – Resubdivision application of Valerie D. Sweeney, to create 3 lots, property located on North School Road, (Assessor’s Map 4, Block 11, Lot 42A1C), GR 80 Zone.**

Andrew Bushnell, Bushnell Associates, and Brian Sweeney were present. Bushnell gave an overview of what was discussed at a previous meeting. This project is for a 3 lot subdivision of 26.19 acres. There are to be 8.93 acres of conservation easement as part of the open space subdivision. The lots are larger than typical due to the layout, wetlands, and North School Road being a substandard road. The only change from the previous meeting

was that the conservation easement had not been hammered out. Town staff met with Bushnell on the property and a conservation easement layout was arrived at that meets everyone's goals. The easements will be privately owned by the individual lot owners. The easements protect the wetlands and the upland area of the wetlands as these are the headwaters of Coventry Brook while allowing Mr. Sweeney access to the rear that would be adequate for agricultural use. The Health District has approved the three lots. Todd Penney, Town Engineer/Wetlands Agent, provided some comments today that can be addressed. The applicant received a non-jurisdictional ruling from the Inland Wetlands Agency.

Staff and the Conservation Committee provided comment about the stone walls. Stone walls on this property include those running front to back with a fair amount in the buildable area. Pollansky said the Conservation Committee generally comments when walls are running along the road. They are concerned about walls internal to the property now? Staff replied in the affirmative. It is prudent to identify what will be retained with the initial building activity. In the long term there is not much the PZC can do about stone walls being disturbed unless they are in a conservation easement area. Bushnell will indicate with solid hatching what walls will be removed for the initial building.

Brian Sweeney indicated the public hearing signs were put up on June 4, 2021.

Public comment:

Joe Milazzo, 231 North School Road – Asked if any consideration has been given to the road itself with these three new lots and the fourth one at the other end of the road. Staff said there are limitations to mitigate development on substandard roads. Mr. Milazzo asked if the road can be improved in the future. Staff said there may be some improvements but based on the traffic and the subsurface he does not foresee significant improvements.

Mike Kingsbury, 300 Bread & Milk – Sees the land on that road as an asset. At some point would there be a race to subdivide the land in order to plan for houses before reaching a maximum of house lots on this road. Staff said the selection for a development would be on an improved road; this would not be a target for a subdivision. Over time we have seen very low subdivision activity on this road. There is a low number on this road as the road is not conducive to much traffic.

Hall asked how they are going to cross the wetlands on lot 2 to do activity on the other part? Staff said the least impactful crossing of the wetlands was identified. The IWA felt it is reasonable to get to the back land.

The public hearing was closed.

**2. #21-05 Subdivision application of Alexis Deslauries and Jesse McLain, to create 1 new lot, property located at 750 Cedar Swamp Road (Assessor's ID #R04957)**

Andrew Bushnell, Bushnell Associates, and Alexis Deslauries and Jesse McLain were present. Bushnell recalled the discussion from the previous meeting. This is a 20.14 acre property with an existing house, driveway, well, and septic. The owners want to make this into two lots. Lot 1 would encompass the existing house; lot 2 would be a rear lot of 18.53 acres with 182' of frontage. The driveway would be upgraded to a common driveway.

The common portion would be asphalt and then gravel to the back lot. A feasibility plan was created for a private driveway for lot 2 per the regulations. The wetlands have been flagged. The IWA provided a non-jurisdictional ruling. The Health District has approved lot 2.

Alexis Deslauries said Mary Harper dug three holes for the archeological study and did not find anything over the three hours she was on the property. Her report should be received shortly.

Mouradijan joined the meeting 7:38 p.m.

The issue of open space was discussed back and forth between Staff and the applicants. Deslauries is not in favor of having open space. Bushnell said the wetlands to the east keeps extending to the back of the property and it is so overgrown. If a conservation easement were required, surveying it would be a nightmare. Mr. Bushnell feels doing that would do more damage than good to hack down the mountain laurel back there. A survey would be very costly and disturb the area. Jobbagy asked how much possible open space are we talking about? Bushnell said it could be less than an acre. Pattee said she feels tiny bits of open space are not useful. Bushnell said it is hard to set up surveying equipment in wetlands and he would hate cutting down mountain laurel to get lines of sight. Additionally, mountain laurel never drops its leaves when it may be easier to survey.

Staff said the PZC looks to consistency between decisions regarding open space. That is why Staff compared it to the recent Durkin subdivision. Pollansky said a family subdivision does not need open space. Bushnell said lot 1 will be sold to Deslauries' parents. A family subdivision must be for no consideration. Pollansky does not see a future in the property being further subdivided. She does not see a purpose in requiring an open space conveyance. Jobbagy said this area is fairly isolated. Behind it is woods and no open space.

Hall asked how often do we have a similar situation where the property owners have gotten a waiver not to comply with open space? Hall asked Staff as the Town Planner does he feel this will undermine the open space policy. Staff said if the PZC is inconsistent in granting waivers there has to be sound reasons for the decision. Hall said the open space issue was very hot years ago; Coventry kind of led the way with this policy. He is hesitant to undermine the policy going forward. Staff said the PZC looks at waivers on a case-by-case basis to make these distinctions. The thought process we are hearing this evening is that a requirement for open space here would cause more harm to the environment to delineate and cut through and the wetlands are going to remain in the natural state and not be changed. Staff said it would be a negative to impact the state plant and the natural features. With these the wetlands are already protected. Also the costs and hardship to get to the area have been discussed. Hall said he is hearing the chance of that area being developed is nil because of the wetlands. Any further development would be on the parcel in the front.

Public comment:

Norman Gessay, 762 Cedar Swamp Road – His property abuts on the north of this property. He can attest to the fact that the northeast stake exists on this property. Right now it is probably under water. There is a brook that runs across his property and fills a pond. The property is wet. Gessay does not see a development possibility. Mr. Gessay

said his concern is that building in the area not cause more water coming onto his property. Bushnell Associates said there should not be an impact. Gessay has looked at the plan and the waivers – they are accurate and reasonable. He supports the request.

The hearing is closed.

The public hearing sign was posted on June 4, 2021 per Ms. Deslauries.

### **OLD BUSINESS:**

None

### **NEW BUSINESS:**

#### **1. Preliminary discussion – courtesy review – East Point Energy – energy storage project – North River Road**

Scott Connuck, East Point Energy, was present.

Mr. Connuck said East Point Energy is developing a project named the Coventry Energy Center. The project is under the jurisdiction of CT Siting Council but they would ultimately like to get support from the town for the project. His company develops energy storage projects as solutions to peak demands and help with the reduction of black and brown outs. These augment an electrical substation; they do not generate any new electricity. The proposed location of the facility is 160' from wetlands and 130' from the fence line to the road. The location adheres and exceeds zoning setbacks. Most of the vegetation from the road will be left intact.

Jobbagy asked if there will be any lighting at night and if noise is generated. Connuck said the plans typically have motion sensor lighting that is aimed downwards. There is a small amount of noise at roughly 55 decibels at 100' assuming no screening or objects are in the way. This will not be audible at the road. There are transformers at the Eversource substation to the south. This facility will be a similar distance off the road. The facility needs attention very infrequently so there will be virtually no traffic after construction.

Staff send amending the screening is a good idea because of trees being affected by blight causing thinning of the current vegetative screening.

There is no environmental impact with no air or water emissions. The batteries degrade over time so those would be replaced. The plan calls for placement 160' from the wetlands, it is not in a flood zone, there will be insignificant traffic, it will be screened, and no audible from the road. Fifty-five decibels is the equivalent of standing next to a refrigerator while it is running. Fire safety standards will be adhered to although the risk of fire is very low. In the event of a fire the batteries are in a fire suppression, non-toxic system.

Mike Kingsbury, audience member, asked if there are any cooling requirements for the batteries. HVAC noise could be a concern as could liquid cooling leaching or water draw

from the water table. Mr. Connuck said there will be HVAC in each container. He cannot answer the other concerns right now.

Marek asked what maintenance routines will be needed and the frequency of those? Connuck said batteries would be recycle every 7 – 12 years. The maintenance on the vegetation of the property will be once per week. There will be a fence around the projects so animals cannot get in there. The motion sensors are aimed inward so they are not picking up creatures in the woods. Pattee asked if sabotage or other destructive episodes have been taken into consideration. Mr. Connuck said the motion sensors would go on, there will be cameras, there will be connection to the internet. If an incursion is detected the monitoring center would notify local authorities. Hall asked if these will be lithium ion batteries to which Connuck replied in the affirmative. Hall said based on recent incidents he gathers there is a reluctance from the insurance industry to insure the plant because of thermal runaway. The technology is still being defined. It is difficult to extinguish lithium ion fires. Hall does have concerns with Coventry being a test site. This technology is not without risk. Mr. Connuck said that is true but it is very low compared to electrical substation. To Mr. Connuck's knowledge they have had no issue with insuring other projects they have built but he will look into that. These projects are being built in much more developed areas. The state legislature is looking at setting mandatory goals of storage by 2030. The application to the Siting Council is months away. Endorsement of the town would be beneficial to have as part of the application

Pattee is inclined to be supportive of this type of project but is hearing the PZC is not ready to make a stand. How do insurers view these projects? Bring that information back to us and that will make her feel better. How risky do insurance companies see these projects?

Marek asked what the timetable projection is? Connuck indicated they roughly anticipate full operation by 2024. These are slow projects to develop and this is at its very early stages.

Hall would like to get more information how the industry responded to the fire in Arizona. What is the fire suppression and training for these types of fires that cannot be extinguished for multiple days? Hall is concerned and what has the industry done since that fire in Arizona. Connuck said there are more robust fire suppression systems in each enclosure but he will get more information.

## **DECISIONS:**

**Motion:** The Coventry Planning and Zoning Commission approves Resubdivision application #21-04 of Valerie D Sweeney, to create 3 lots, property located on North School Road, Assessor's Map 4, Block 11, Lot 42A1C, GR 80 Zone.

The Commission approves the waiver requests of the applicant outlined in the letter to the Commission from the application dated May 19, 2021.

With the following conditions:

- The applicant shall comply with the comments outlined by the Town Engineer in his memo dated June 14, 2021.

- The applicants shall identify the stone walls to be preserved on site and noted on the final plans pursuant to the Conservation Commissions comments.

Reason for Decision:

The application complies with the applicable criteria.

By: Pattee

Seconded: Pollansky

Voting:

For: Hall, Pattee, Marek, Jobbagy, Pollansky

Against: None

Abstain: None

**Motion:** The Coventry Planning and Zoning Commission approves Resubdivision application #21-05 of Alexis Deslauries and Jesse McLain, to create 1 new lot, property located at 750 Cedar Swamp Road, Assessor's ID # R04857.

The Commission approved the waiver requests, with the exception of #3, of the applicant outlined in the letter to the Commission from the application dated May 19, 2021 at the May 24, 2021 meeting of the PZC. The Commission now approves waiver request #3. The reasons for the approval request of waiver #3 is due to the impact to the natural resources and impact on site, the fact that the wetlands are already protected by the Inland Wetlands regulations, and the hardship/challenge cost impacts caused by the wetlands limits.

With the following conditions:

- The applicant shall submit the archeological study findings for the file for the record to indicate none were found.

Reason for Decision:

The application complies with the applicable criteria.

By: Pollansky

Seconded: Pattee

Voting:

For: Hall, Pattee, Marek, Jobbagy, Pollansky

Against: None

Abstain: None

### **ADOPTION OF MINUTES:**

#### **1. May 24, 2021**

**Motion:** The Coventry Planning and Zoning Commission approves the minutes of the May 24, 2021 meeting.

By: Pollansky

Seconded: Pattee

Voting:

For: Pollansky, Pattee, Marek, Jobbagy

Against: None

Abstain: Hall

**COMMUNICATIONS:**

None

**STAFF REPORTS:**

Staff spoke about the approach the PZC would want to take with upcoming meetings and the expiration of the Executive Orders allowing virtual meetings. Legislation is expected to allow hybrid meetings to take place. Jobbagy said the PZC can take this on a case-b-case basis depending on the agenda. Pattee said Zoom meetings are more convenient to her. Staff will provide more information to the PZC as it become available.

Pollansky wants to revisit the conditions of the wall and trees at Walgreens. The wall is increasingly bad which she has heard as a concern of a few people. She asked the Members to pay attention to what they see when they drive by. The wall is off great concern. The wall has gone backwards. Trott said he can take photos as a baseline and look at the conditions of the decision regarding the wall and trees to see what would be enforceable.

Polsky has heard rumors about a couple of businesses in town – the former Reid’s and Sanborn’s. Staff said Reid’s has a new lease for a breakfast/lunch operation. There is an issue that is being discussed with the new lease using the upstairs office space as an apartment. There have to be improvements up there for that to be considered living space. At the Sandborn’s property someone is looking to put in antique cars. The ZBA approved the location as a dealer/repairer. These will be compact cars from Japan. If you can see into the fenced area in back there are some of the small cars there. These are being made road worthy. This is a destination type of purchase. The new owners love the site and want to be in the Village area.

Polsky said she attended a webinar of the Eastern CT Housing Forum. Some statistics on Coventry is that 116 people in rentals spend 50% of their income on housing, 70 spend more than 50% on housing, and the percentage of affordable housing is 2 – 3%. Staff said Coventry has just under 6% affordable housing.

**ENFORCEMENT:**

None

**ACKNOWLEDGEMENTS:**

None

**ADJOURNMENT:**

Jobbagy adjourned the meeting at 9:14 p.m.

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, PZC Recording Secretary

PLEASE NOTE: These minutes are not official until approved by the Planning and Zoning Commission at the next Commission meeting. Please see the next Commission meeting minutes for approval or changes to these minutes.