

**COVENTRY PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES
MONDAY, JULY 11, 2022**

CALL TO ORDER

By: Jobbagy

Time: 7:06 p.m.

Place: Annex and Zoom

ROLL CALL:

		PRESENT	ABSENT
REGULAR MEMBERS:	Steven Hall, Secretary	X	
	Bill Jobbagy, Chairperson	X	
	Ed Marek – remote	X	
	Christine Pattee, Vice Chairperson – remote	X	
	Darby Pollansky – remote	X	
ALTERNATE MEMBERS:	Bob Burrington		X
	Carol Polsky – remote	X	
	Brian Murray	X	
STAFF:	Eric Trott, Town Planner	X	
	Heidi Leech, Permit Technician/Substitute Recording Clerk	X	

AUDIENCE OF CITIZENS:

None

NEW BUSINESS:

Jobbagy jumped to New Business Item 1 - 8-24 Referral Acceptance of Easements Associated with the Hop River Road Bridge Project, because Town Staff was present to present.

1. 8-24 Referral Acceptance of Easements Associated with the Hop River Road Bridge Project. Todd Penney, P.E., Town Engineer for the Town of Coventry was present.

Penney pulled up plans for the bridge replacement showing the required easements for highway purposes. Both lanes will be widened which requires widening of easements on both sides of the road and drainage easements for culverts. Penney said this project is now 100% federally funded. The project started out 80%/20% but became part of the infrastructure bill and is now 100% funded. The Town will earn \$3000-\$4000 on the Easterly and Westerly sides for the easements. Penney asked the PZC if they had any questions.

Hall asked if the Town already owned the property. Penney said yes but not for highway purposes. He said the Town has to specify the easement for highway purposes. Hall asked where the parking for the Hop River Trail is going to be. Penny said it is up a bit on the map, near the area that shows the gate on the map. Hall asked if that parking area would be impacted by this project at all. Penney said no. Pattee said she believed she read in the materials that the State is paying a nominal fee for these easements. Penney said that's correct. Polsky asked why they are doing this project. Penney said that the existing bridge is structurally insufficient and functionally obsolete. It is a 50-year old, one-lane bridge, with maintenance issues. It was, at the time, deemed cost-equivalent to replace it with a two lane bridge or keep it as one lane, but one lane is not safe. Penney said again, it is now a zero-cost project due to federal funding.

MOTION: *The Coventry Planning and Zoning Commission recommends that the Town Council pursue the acceptance of the easements associated with the Hop River Road bridge project, as outlined in the correspondence submitted by the State of Connecticut Department of Transportation.*

Reason for Decision: The easements are integral to the Hop River Road bridge project.

Motion by: Pattee

Seconded: Pollansky

Voting:

For: Hall, Jobbagy, Marek, Pattee, Pollansky

Against: None

Abstain: None

Motion unanimously approved.

PUBLIC HEARINGS:

1. #22-03 – Subdivision application of Bushnell Associates for owner, Zachary N. Studenroth – Andrew Bushnell, Bushnell Associates, Professional Engineer was present.

Trott gave a quick reminder that this application had been delayed waiting for a response from the State Archaeologist. In the last year the procedure changed for archaeological studies and applicants are now required to get a consultant to do the study, then submit that study to the State Archaeologist for comment. The State Archaeologist then reviews the study and provides a letter to the applicant. In this case,

nothing was found in the test pits that were dug on the property and the State Archaeologist provided a letter to Staff.

Bushnell said that they are submitting site plans with one change to address concerns about Stormwater made by Mr. Motyka, an abutter. They are now including infiltrators from the roof gutters. Bushnell said all Staff Comments have been addressed and they have received approvals from EHD and IWA. This is one new lot and they are hoping for final approval tonight.

Trott asked for a couple of test pits to verify soils are suitable for infiltrators prior to construction. Trott asked if all of the Town Engineer's comments had been addressed. Bushnell said yes. There were no comments from the audience so the Public Hearing was closed.

MOTION: *The Coventry Planning and Zoning Commission approves application #22-03 – Subdivision application of Bushnell Associates for owner, Zachary N. Studenroth for a 2-lot subdivision at 445 Goose Lane (Assessor's Account No. R06044) – GR-40 Zone.*

The Commission also approves the following waivers:

- Chapter 4, Section 3b – report of plant/animal species
- Chapter 4, Section 4 – hydraulic study
- Chapter 4, Section 2.8 – road network
- Chapter 4, Section 3.a – plan scale

With the following condition:

- Test pit verification of suitability of soils to be submitted prior to construction

Reason for Decision:

The application complies with the applicable criteria.

Motion by: Pattee

Seconded: Pollansky

Voting:

For: Hall, Jobbagy, Marek, Pattee, Pollansky

Against: None

Abstain: None

Motion unanimously approved.

2. #22-09 – Application of Karoli Stachowiak to Rescind Scenic Road Designation of North School Road – GR-80 Zone.

Karoli Stachowiak was present as well as several other residents of North School Road who also signed the application to rescind the scenic road designation. Trott gave a brief history. North School Road was designated as a Scenic Road in the early 1990s by

the PZC at the request of the residents due to limited development, natural beauty and nature of the landscape along its frontage. When a road is designated as a scenic road, it limits the nature of physical improvements that can occur in the road right of way that may impact the qualities that reflect the designation. This includes drainage and road surface improvements. Over the years, it has become increasingly difficult for the Town to maintain the road at certain times of the year due to the nature of the subsurface of the road, the prevalence of frost thaw due to groundwater impacts, especially, during the late winter — early spring timeframes. The road gets quite soupy in late winter/early spring. Vehicles get stuck. The Town has not put in the CIP Budget wholesale repair money to make improvements to the road. This causes impairment of vehicle travel, including plows, school buses and emergency vehicles. Earlier this year the Post Office discontinued mail delivery to North School Road. Trott cautioned that this should not be a quick decision. That they should seek input from the Director of the Department of Public Works and the Town Engineer. He suggests they open the Public Hearing tonight and continue.

Karoli Stachowiak – 30 North School Rd: She has lived there since 1979 and is listed as the primary applicant but represents 7 of the 8 land owners on the street. The original purpose in getting the scenic road designation is no longer relevant. When they requested it they were fighting microwave towers and cell towers. But now due to irregular maintenance North School Road has deteriorated over the last 30 years. Everyone has had a different interpretation over the last 30 years of what can be maintained. We all agree with the current acting Chief of Police’s statement in response to our application that the road is treacherous. It’s closed up to a month a year. The trap rock that DPW has put down as a solution flies up at you. It’s unsafe. We want improved safety, access for emergency vehicles and cleared up ambiguity.

Martha Hannon – Bread & Milk St: She lives on the corner of North School and Bread & Milk St, but owns property on North School Rd. You can do improvements on a scenic road but if you take the scenic road designation away what more can you do that you can’t do now? You may need approval from Council now but can you do anything? Would the Zoning Change if the scenic road designation drops?

Staff said that’s why we need the input from DPW. PZC can approve alterations to scenic roads. The Density Multiplier for Subdivisions/Substandard Roads is used to mitigate issues. If you improve the road, you could see additional house lots, could create more additional traffic stream – Bread & Milk to Merrow to 195. There is a lot to look at from a planning point of view/Plan of Conservation and Development.

Hannon asked if there were things that could be done in a small manner or in stages. Jobbagy said she is asking the right questions.

Hannon said it will become a cut through. She said you can still make improvements but keep it scenic. She thinks it should be kept scenic to limit development. She’s afraid it will be a cut through and of more houses.

Phillip Lee – 235 North School Rd: He’s been there for 3 years. The big problem for him has been the mail. He said he spoke to the Postmaster. He’s a resident of Coventry himself. The Postmaster said he called the Town and the Town told him that they won’t do anything about the condition of the road because it’s scenic. The Post Office has sent their safety unit out to evaluate the road and they deemed it unsafe. The Postmaster wants assurance from the Town in writing that the road will be safely maintained year-round before they will deliver again. Lee says he likes the road unpaved. Lee said the Postmaster says if the road can be maintained to the level that Hop River Road is maintained, they will deliver mail. Lee fears that if the scenic road designation is not removed, the Post Office won’t deliver.

Trott said he is not sure who the Postmaster spoke to but Scenic does not mean it can’t be improved. Trott said that the subsurface and water table are not necessarily comparable to Hop River Road. The Town can still elect to improve North School Road with Town Council/PZC approved improvements. Trott said he is planning to share these minutes with the DPW Director and Town Engineer. Lee said he doesn’t want the road paved but he wants the mail delivered again.

Jennifer Vaughn – 45 North School Rd: She says she isn’t very informed with the regulations but her kids are 5th generation on the property. For historic preservation she’d love to preserve the designation. This application says the number one concern is mail and then safety and that doesn’t make sense to her. She doesn’t understand what they’re hoping to accomplish. She’d like it to stay unpaved. Would it be nice to have mail delivered? Yes, but she doesn’t think that taking the trips to the Post Office is that big a problem.

Roberta Wilmot – 317 Woodbridge Rd: She has a very dear friend who lives on North School Rd. She has lived in town for 55 years and has traveled North School Road the whole time and it has never been this bad. Her husband traveled the road even longer as a cop until her retired. Every Town Council/Town Manager/DPW/PZC puts out their own ideas but the road continues to deteriorate. The Town Official she talked to, who was one of the top officials in the Town, told her you can’t do anything to it because it’s scenic and grants can’t be applied to scenic roads. Wilmot asked how many scenic roads are in town. Trott said four – Skinner Hill Rd, South, River View Dr and North School Rd. She asked if North School is the only unpaved scenic road. Trott said yes. Wilmot said that safety is the highest priority, access for ambulance and emergency vehicles.

Evan Vaughn – 45 North School Rd: He’s been in Fire/EMS for 25 years in Wallingford and they have lots of dirt roads. He doesn’t know where hydrants are near him. He says mailboxes could be placed at the top or the bottom of the road. He would like the road to be safe for ambulances. Please address that. But the complaints are mostly about mail. They live on family property and they want to keep it that way. He is not opposed to paving but maintain and improve the road and keep it that way.

Pattee said she appreciates hearing all of these neighbors’ points of view and she urges all to speak up.

Dan Stachowiak – 30 North School Rd: He has lived there for 30 years and likes the dirt, scenic road but the last five years has been terribly muddy. Is one solution to move the mailboxes up by the main road? What about parcels? They'd have to add a bin for parcel deliveries. He enjoys getting his mail delivered to his mailbox in front of his property, like everyone else in town. Even as a scenic road they still get their fair share of speeders and people who miss the stop sign. The reason they say they need to rescind the scenic road designation is because whenever they ask the Town about improvements they are told no because it is a scenic road.

Mike Kingsbury – 300 Bread & Milk St: He owns property on North School Rd. Removing the scenic designation does not guarantee improvements and it removes preservation protections.

Joe Milazzo – 231 North School Rd: Everyone has good points. When it's muddy it's bad, it requires four-wheel drive. This past winter it was for months. Ambulances wouldn't have been able to pass. Scenic or not, whatever gets the road maintained, gets his vote.

Pollansky said first of all she is very upset that someone misrepresented the Town and gave the Postmaster an answer that is incorrect and has erupted into this whole situation. This needs to be addressed. We could have addressed this with the Capital Improvement Budget. What are we really dealing with here – does the scenic road designation actually interfere with road improvements? Having sat on the PZC for over 30 years, we're too often the last to know things like we seem to be here. What can be done under the current ordinance to make improvements to make the road safe? As the PZC, we should make this kind of decision.

Pattee said, as Trott suggested at the start, continuing this application is totally the way to go. She would like to know if what Wilmot said earlier is true, that grants can't be applied to scenic roads. She wants to know more about that. Pattee said she looks forward to the research involved in this.

Hall asked if Todd Penney, Town Engineer was asked about this. Trott said that the DPW Director was asked for a referral, not Penney. Hall said that the applicant has spoken to Senator Blumenthal about it. Hall said his daughter's car sunk on North School Rd nine or ten years ago. It was like liquid. He said there were no warning signs on the road at all. Hall said where the money is going to come from, that's the question. There should be some sort of long-range plan if cars can literally sink.

Murray asked what has changed if the road conditions are getting worse. Trott said potentially milder winters and moisture content, other climate-related changes. Trott said infrastructure money being made available federally highlights the need for safety. Mail is important but safety is the number one concern.

Marek asked what type of maintenance is provided in the summer and winter for scenic roads. Trott doesn't know. He needs to hear from DPW. There have been various DPW Directors over time with different methods.

Karoli Stachowiak – 30 North School Rd: Wants to thank Darby for her explanation. Joe has been filming his car sinking in the mud for 17 years. Stachowiak says she has met with Congressman Courtney, Senator Blumenthal and Senator Murphy and discussed the Great American Roads/Infrastructure Program. She's also been in contact with Lisa Thomas who has met with John Elsesser about the North School Road issue. Ms. Stachowiak apologizes to the PZC – she didn't realize their role in the matter.

Trott said this matter will obviously be continued to the next agenda with hopefully some answers.

OLD BUSINESS:

None

ADOPTION OF MINUTES:

Motion: The Coventry Planning and Zoning Commission approves the minutes of the June 13, 2022, meeting.

Motion by: Pollansky

Seconded: Hall

With Correction: Page 5, Last Paragraph, Second Line, Change "are" to "our"

Voting:

For: Hall, Jobbagy, Marek, Pattee, Pollansky

Against: None

Abstain: None

Motion unanimously approved.

COMMUNICATIONS:

- 1. Town of Andover Referral –Signs, Liquor/Cannabis Establishments – no comments**
- 2. SECOG Hazard Mitigation Plan – no comments**

STAFF REPORTS:

1. Cannabis Establishments – Draft Regulation Status – The latest draft regulations were given out for review. Trott asked if anyone had comments. Hall asked if the State has conveyed any licenses yet. Trott said not yet. Some towns have passed regulations but the State hasn't approved any licenses yet. Hall said, do they have applications in towns that say "pending my license with the State, I want approval to..." Trott said yes.

Trott said he will have a final draft of the regulations for acceptance at the next meeting.

2. Appointment of Interim Zoning Enforcement Officers – ZEO Alexa Gorlick's last day was June 23rd. We received no applications during the first run so we extended the application deadline and have so far received one application. Trott said that the Town of Bolton uses a Consultant ZEO and speaks highly of him. He is a Certified Planner/Certified ZEO. We are looking to contract his services for 6-8 hours per week until we can hire a new, fulltime ZEO. Hall asked if there is any consideration of pooling staff with other towns. Trott said that is often done with Building Officials and Assessors but because Zoning Regulations differ so much from town to town, it's not usually an attractive option. In the meantime, hiring a part-time consultant is a good option for us. If litigation comes up, Trott will be the ZEO for those matters.

Motion: *The Coventry Planning and Zoning Commission appoints Eric Trott, Coventry Director of Planning and Development, and Mike D'Amato as Interim Zoning Enforcement Officers for the Town of Coventry.*

Motion by: Pollansky

Seconded: Hall

Voting:

For: Hall, Jobbagy, Marek, Pattee, Pollansky

Against: None

Abstain: None

Motion unanimously approved.

3. Housing Affordability Plan – Appendix C – An intern from Tufts University put together Appendix C – Resource Toolkit. The Public Hearing will be on July 25th. The Consultant SLR will be there. The public will be given the opportunity to speak. Pattee gave her compliments to the intern from Tufts. She asked what time the hearing would be. Trott said 7:00, the regular PZC meeting time.

ENFORCEMENT:

Five matters were sent to the Town Council for referral to the Town Attorney for legal enforcement. Council approved and sent them on. The Town Attorney is currently checking for conflicts of interest and will begin legal enforcement action from there.

Pattee gave compliments to Alexa, now she sees that Alexa was spending a significant amount of time doing all the grunt work on these enforcement matters.

ACKNOWLEDGMENTS:

#22-10: Zoning Regulation Amendment of Coventry Planning and Zoning Commission to revise Section 6.01.h of the Zoning Regulations to extend the moratorium on Cannabis establishments for an additional 120 days.

Trott mentioned that a Special Permit application was received from Cassidy Hill Vineyard. A Public Hearing will be held on August 8th to allow time the Town of Tolland to review referrals including the Traffic Study and respond.

ADJOURNMENT:

Jobbagy adjourned the meeting at 8:35 p.m.

Respectfully Submitted,

Heidi A. Leech

Heidi A. Leech, Substitute PZC Recording Secretary

PLEASE NOTE: These motions 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 motions.