

Relevant snippets from past PZC Meetings. Important items highlighted in red.

October 26, 2009

New Business

1. Discussion on current status and desired direction involving the Comprehensive Residential Rezoning Initiative with Town Planner.

Town Planner, Rob Phillips told the commission that he and Glen Chalder of Planimetrics met with Pioneer Farm Credit to look at the value factors for farm land as it relates to their ability to borrow funds. The existing highest and best use of the land; i.e. number of building lots the land will yield, is one of the factors in determining the amount a farmer can borrow. Glen is proposing to change the zone on the northwest area of town which has the largest percentage of farm land from very low density to low density.

Chairman Arlo Hoffman felt that the farmers are having a very hard time with milk prices and are in need of financing. He does not want the town to be responsible for causing farmers to have to sell out. There are not many farmers left in Ellington.

Rob Phillips took the Ryefield Subdivision as an example because it was originally 24% acres of farm land. They were able to get 20 lots and fee in lieu for open space. Under the proposed zoning they would be required to give open space and the subdivision as it is today would equate to a density factor of .7. A low density factor under this proposal would be .4 and very low would be .3. Commissioner R. Hoffman reiterated that farming is an acceptable use of open space.

Chairman Hoffman stated that the town needs to be trying to work with the farmers, not against them. It is a perception problem. The farmers work at a loss now and their ability to borrow is very tentative. The commission should not do anything to erode their ability to borrow. Ben Moser, 6 Windermere Village Rd, agreed with Mr. Hoffman and felt that the town should wait on these changes until the financial position of the economy changes. He felt the commission should go slowly with the changes.

Mr. Hogan felt that the commission has been working on this for so long; it is time to make a decision. He suggested that a phase in over 5-10 years with low density factor phasing over to very low.

Rob Phillips stated that no farmers came forward for farmland preservation funds. He is going to look into doing something different with the northwest corner of the town. Next month he will bring the original paperwork with density tables so that the commission members can refresh their memories regarding density factors and also speak to Glen about bringing the case studies to review again for each option on the density table.

November 23, 2009

Unfinished Business

1. Discussion on current status and desired direction involving the Comprehensive Residential Rezoning Initiative with Town Planner.

Rob Phillips told the Commission that the next step should be one last meeting with Planimetrics and a public hearing. The Farmland zoning is still outstanding. Chairman Hoffman stated that while the town is trying to slow down the growth, it needs to be fair and equitable. Lori Spielman stated that the arguments are that land is not as valuable because they will get fewer lots with new the density factors.

The other argument is that they are more desirable and attractive lots and that offsets the value.

Comm. Hogan stated his opposition to a RA Zone in the western part of town only. It would be too attractive to developers to purchase farm land and develop it. Rob Phillips stated that the phasing in of the change for that portion of town will create a moratorium effect with developers trying to get in before the phase in.

Chairman Hoffman felt that there is no rush to do this while the recession is ongoing. Comm. Hogan stated that an R4 density factor for the western portion of town would be a good compromise. **The ultimate goal is to reduce potential development.** Rachel Dearborn stated that in the areas with poor soils such as Angel Trace and Crystal View Estates and the Crystal Lake area in general, the number of lots was determined by septic system placements.

Chairman Hoffman stated that what is good for the farmer is good for Ellington. The members agreed that the delineation for the farmland areas on the map were correct. Commissioner Hoffman proposed density factors of R4 for very low, R5 for low and R6 for medium. It was agreed that the commissioners would think about this more and report back with their individual preferences next month.

New Business

1. Presentation by Karen Cullen, Concord Square Development, the consultant working on the Incentive Housing Zone Study- Current Status.

Karen Cullen gave the Commission an update on what Concord Square Development has completed since last month's meeting on the Incentive Housing Zone Study. She and Adam have done a survey of the town and found several areas suitable for this zone. Both age restricted communities in Ellington are in trouble and would be a good fit for incentive housing. Center Village is 21.5 acres and would qualify for 72 units under an I HZ. That would be a large increase; however the duplex would have to be dealt with. Town Planner, Rob Phillips stated that the increase in sewer usage allocation would have to be looked into with the WPCA. Windermere Village is 42 acres and was approved for 123 units. Under the I HZ, the increase would be 15% to 141 units. This community may be a better fit.

Concord Square Development also looked at some property in the center of town. The Commissioners were more interested in looking at property on Maple Street than Main Street. **The West Road corridor on Route 83 was looked at and the Commission felt that it was the ideal location for incentive housing. Rob Phillips stated that he refers to this area as the gateway to Ellington.**

Karen Cullen reiterated to the commissioners that the State would grant the Town \$2,000 per unit proposed and another \$2,000/unit when the building permits are pulled. These funds are available for the Town to use for anything it feels. She is not sure what the State situation for funds is at the present time. She asked the Commissioners for guidance for the next step in the process.

The Commissioners gave her the directive to look further into the West Road Corridor, Windermere Village, Center Village and the North side of Maple St.

December 21, 2009

Unfinished Business

1. Discussion on current status and desired direction involving the Comprehensive Residential Rezoning Initiative with Town Planner.

Chairman Hoffman opened up the discussion stating that he has some problems with the density factors because of the other parameters such as frontage, setbacks etc. that are in place with the current regulations. Town Planner, Rob Phillips stated that most of the flexibility comes when the subdivision is in the sewer service area. Chairman Hoffman feels that most subdivisions will not have the flexibility and wondered what is different than the current regulations? Mr. Phillips stated that it is the increased protection of sensitive resources and the reduced yield to limit future development and the fiscal impacts on the town.

Commissioner Hogan stated he felt that the commission needs to implement the program and then make some changes to work out some of the problems that may arise. **Mr. Wehr felt that the new density factors would help to avoid bankruptcy to the town and strain on municipal services. He asked if there were some way to find out how many residences the town can support.**

Scott Luginbuhl stated that this zoning works best in the sewer service areas. In the other areas the septic systems and wells dictate how many and how the lots are to be configured. Commissioner Strom stated that in Granby the flexibility was in the areas of sidewalks and width of the road.

Several commissioners felt that the farmers and developers would have a problem with the density factor zoning. Commissioner Hogan stated that it is this board's decision on how to zone the town and not a popular vote. There will be a public hearing required before a vote is taken by the board. After much discussion, the Chairman polled the commissioners on where they could support the density factors being set.

Chairman Hoffman stated his support for a 0.4, 0.5, and 0.6 density factor (0.4 being very low and 0.6 being moderate) with the western farm belt being 0.5. Commissioners Zahner and Prichard agreed.

Commissioners Strom, Hogan, Kupecky and Wehr supported a 0.3, 0.4, and 0.6 with the farm belt being a 0.4. Commissioner R. Hoffman proposed a 0.33, 0.44 and 0.66 with Farm being a 0.44.

No decision will be made tonight. The Town Planner will try to get figures on how each set of figures affects the potential build out of the town.

January 25, 2010

Unfinished Business

1. Discussion on current status and desired direction involving the Comprehensive Residential Rezoning Initiative with Town Planner.

Rob Phillips went over the spreadsheet he designed showing the amount of lots based on the current zoning and the difference in lots allowable when put through each density factor. He explained that the commission should not dwell too much on the actual numbers as there are a large set of assumptions involved, however the relative reductions in density are important. He then went over what each column meant in the table.

Chairman Hoffman stated that the commissioners need to be very cautious with this. Commissioner Wehr stated that the commission is trying to manage the tax burden. Attorney Capossela stated that for non-sewered property, it doesn't matter what type of zoning you have as it will come down to the suitable soils for septic and wells areas. He continued further explaining that he did not agree with this approach and stated that he supported another planner's approach which relied on soil suitability to guide development. Mr. Phillips stated that that sounded like soils based zoning and is an option that some towns have considered or adopted.

After much discussion on the merits of why each section of town should be a certain density factor, the commissioners agreed with the following densities:

Farmbelt- 0.5; SW/5 Corners area- 0.5; South Central Sewer- 0.6; North Central Non Sewer- 0.5; and Eastern Highlands/Lake Area - 0.4.

In order to move forward with this process, Rob Phillips will bring these recommended density factors to Planimetrics and resume the contracted work.

February 22, 2010

Unfinished Business

1. UPDATE- Concord Square Development, the consultant working on the Incentive Housing Zone Study- Current Status.

Rob Phillips told the commissioners that he, Karen Cullen, the Town Engineer and the WPCA Chairman met regarding the Town's sewer policy. The densities required for the Incentive Housing Zone will be difficult to achieve without the sewer capacity. Properties cannot be removed from the sewer service area. They are on a holding pattern at the moment and will discuss with OPM their options. This specifically affects the Route 83 gateway area option as it doesn't appear that a conversion at the existing age-restricted developments is possible.

2. Discussion on current status and desired direction involving the Comprehensive Residential Rezoning Initiative with Town Planner.

Glenn Chalder of Planimetrics put together a document summarizing the density factors agreed to and a new zoning map. The main change is on the western side with intermediate density.

Vern Bahler who has been farming in Ellington and Tolland for many years spoke to the Commission and asked that they consider this change very seriously. The land is all they have to borrow from because the price of milk is too low. He asked that the Commission not make it any harder than it already is to borrow money. The appraisal of the land is a factor when borrowing.

Mr. Chalder stated that when he spoke to Keith at First Pioneer they told him that the acreage was the first factor in the appraisal process and the yield is second. He told him that the loan is based on farm acreage of the land. He also noted that a 0.5 density is effectively the same as changing to 2 acre zoning. However, 2 acre zoning makes most current lots nonconforming.

Comm. Wehr asked if anyone had considered the town subsidizing or bridging the gap between changing the density to control development and the funding for cash flow that the farmers require.

Comm. R. Hoffman stated that they tried to be mindful of the farmers when they raised the density factor for the agricultural area.

Mr. Chalder suggested that Rob Phillips speak to the Town of Tolland and ask how the change to the yield value has affected them.

Comm. Hogan asked if an appraisal could be done based on both scenarios to see what the change or difference in the value would be. Comm. R. Hoffman agreed with that request and asked if it could be a specific piece of property. Mr. Chalder agreed that he could contact Pioneer with that request. However, he felt that the appraiser would be most ready to take a hypothetical piece of property and value it using the present zoning and the new density factors rather than a specific piece privately owned.

Attorney Capossela stated that the Town needs to *give* something at the same time as taking something for their benefit. Mr. Chalder pointed out the 15% density bonus for choosing the Open Space Residential Development option as well as the added flexibility that goes along with it.

Chairman Hoffman told Mr. Chalder that he has been told that the Build-Out Study for the eastern portion of Town may be inaccurate as to how many lots can be developed because of the poor soils. Mr. Chalder stated that they did not get soil samples, but looked at subdivisions that are in place and the character of the land.

The decision was made to get more information for next month's meeting on the appraisal process and value as the zoning currently is in place versus the 0.5 density factor to be placed on agricultural land.

March 22, 2010

New Business

1. Discussion with Water Pollution Control Authority (WPCA) on town sewer policy, potential for additional capacity, and the progress of the facilities plan update.

Dan Parisi, Chairman of the WPCA, introduced the WPCA members Ed Duell and Shawn Koehler and handed out the current flow allocation policy. Peter Williams, WPCA Administrator stated that Jim Thompson is doing a facilities plan to see if the 1998 bedroom count is accurate to see if Ellington has reserve flow based on the zoning maps. Commercial flow is estimated at 300/gallons/day/acre.

He told the commission that Vernon is hesitant to give out more flow because they are unsure of their flows and they have several other towns vying for flow. The Town of Ellington is at 50% of the allocation of the build out study.

The best way to estimate the flows will be according to the zoning plan. He cautioned the commissioners about changing industrial and commercial to residential. When adding density in the Sewer Service Area the excess flow allowance gets drained. The WPCA has to make sure there is enough capacity to service the lots purchased in the sewer areas that the owners are already paying for. They are looking for ways to reduce infiltration which uses up flow also.

April 26, 2010

Unfinished Business

1. UPDATE - Concord Square Development, consultant, regarding the Incentive Housing Zone Study.

Mr. Phillips told the commissioners that nothing has been happening with the IHZ study. The Town does not have the sewer capacity to get to the densities required for this zone. Karen Cullen has written to OPM for a waiver of the density requirements or designated target locations consistent with "Smart Growth" principles.

June 28, 2010

Public Hearings

2. #Z201015- Ellington Planning and Zoning Commission for a regulation amendment to modify various sections of residential zoning in an effort to establish a density-based residential zoning system and provide for greater preservation and conservation while allowing for greater development flexibility.

Town Planner, Rob Phillips, introduced Glen Chalder of Planimetrics. He stated that the Planning and Zoning Commission has been working on ways to change residential zoning to reduce overall development, to preserve the character of the Town and to promote more flexible options for development. This undertaking is a result of the conclusions made from the Build-Out Study and Plan of Conservation and Development and it has arguably the greatest impact on the town's future development and the associated fiscal impacts of residential construction.

Mr. Chalder presented a PowerPoint presentation of the proposed new density factors and the OSRD (Open Space Residential Development) option. The proposal is an effort to reduce build-out, while allowing for greater developmental flexibility, limit the creation of existing lot size non-conformities, and protect sensitive natural resources. The eastern section of town area is to be assigned the lowest density factor and the western farm belt has also been assigned to a low density factor. The center of town which has access to sewers would have the highest relative density factor. Other western areas will be at an intermediate density factor similar to the western farmbelt. These factors are intended to only affect new subdivisions of five lots or more. There will be a density bonus for choosing the OSRD (open space residential development) as well as a proportionate increase in open space in exchange for the increased density and relaxation of lot size restrictions. This option will be up to the developer and the particular site restrictions and / or configuration. The amendment before the commission also adds text for a new open space zone to at least provide text to an already existing zone which lacks it. It is only for potential legal concerns. There is no intention to increase lands under this zone as they are almost entirely state and town owned.

Diane Aborn, 16 Meadow Brook Rd, asked that the presentation be repeated and Mr. Chalder did so.

Cornrn. R. Hoffman asked why the lower density in the western portion of town and Mr. Chalder stated that it is a result of the Build Out Study. Mr. Phillips stated that residents feel this portion of Town is a significant resource and the goal is to preserve the natural characteristics of the land, including agriculture, which was a conclusion of the Plan of Conservation and Development.

Diane Abom 16 Meadow Brook Rd, asked about the percentage of land that is open space that may be given to the Town. Mr. Chalder stated that if the developer uses the conventional method, the density factor is applied and the standard open space requirement is instituted. When the OSRD option is used the open space requirement increases but in exchange, there is flexibility in how the lots are configured. It won't always be feasible but when it is it will benefit both the developer and the town. The set aside land is open space and can be preserved for farming through an easement or transferred to the Town; the commission retains the right to determine how to preserve the open space.

An example is a subdivision of 150 acres, with other unbuildable land (steeps lots, wetlands) that nets 130 buildable acres. With a density factor applied of 0.5, there are 65 lots allowed.

Under the OSRD, the density factor is 0.56 with 7 4 lots allowed but 40% of the land is open space with no frontage restriction etc., which affords more flexibility in planning the placement of the lots.

John DeRham, Thompson Family Farm, stated that North Center Health District has zero flexibility and that this concept will only work on developments with sewers available.

Town Planner, Mr. Phillips agreed that this option is site specific and will not always apply, but at least it is an option for a developer to consider.

Peter Charter, 516 Somers Rd, stated that 40% set aside of land is too much and he disagrees with the concept because the Town gets no tax revenue from this land. He also feels this is a land eater.

Town Planner, Mr. Phillips explained that the alternatives of "doing nothing" or increasing minimum lot sizes across the board are more of a "land eating" practice leading to excessive sprawl.

In addition, Mr. Chalder stated that the open space piece could go to the town, state, land trust or development rights. It doesn't have to be deeded to the town in every case.

Comm. Wehr stated that collecting no taxes on a property costs the town less in services than large developments with multiple children in each house, so that is not a valid argument.

Comm. R. Hoffman stated that the OSRD is only an option added in conjunction with a base requirement. He would like everyone to keep in mind that the base requirement would be a change to a density based system. He stated that the alternative to this is up to 2 acre lot minimums across the town.

Ben Moser, 6 Windermere Village Rd, asked whether the farmland that is reserved can stay in the name of the farmer. Mr. Phillips stated that it can be and it preserves the land for farming. He stated that the commission can choose the "form of preservation" and it can include the acquisition of development rights or an "agricultural easement" over property instead of fee simple transfer to another entity. This was recently accomplished on a small subdivision to the satisfaction of all involved; land owner, commission, and farmer.

Chairman Hoffman stated that the question of whether this devalues the land for borrowing is a question that has arisen. He has heard comments such as less yield equals less value.

Mr. Chalder stated that when they met with representatives from Pioneer Farm Credit they were told that the bank looks at the "farm value" of the property. Mr. Wehr stated that

Attorney Caposella told him that he spoke to the same appraiser and that he was told the opposite or different story. Mr. Phillips added that he had gotten the impression that they were reluctant to get involved in a local land use decision making process and that may be why they were speaking differently to different people.

Harris Cohen, 107 Frog Hollow Rd, stated that any change to the value of the property changes the ability to borrow money. It is a fact.

Skip Aborn, 16 Meadow Brook Rd, stated he received the same answer from the loan officer. He feels that this would be like giving 1/2 of the land value away.

Mr. Chalder stated that he worked as an appraiser in years past and knew the industry and he restated that the farm value of the property is primary determination when lending.

Various other factors are considered but that is the driving force. Chairman Hoffman stated that it looks like there is no definitive answer. He stated that his common sense tells him that less density is less money or value.

Sandy Cohen, 61 Frog Hollow Rd, stated that the problem is that the Town of Ellington needs too much money, the taxes are too high and the farmers are bearing the burden. He stated that the farms are the rustic charm that everyone loves about Ellington and if they are forced out, or their families do not continue to farm, they won't be here. He asked why push to develop?

Mr. Phillips stated that this is not the intention. Rather it is to have something in place, not if but when, land is ultimately sold. The current development pattern in town is simply not a sustainable practice, both from a land development standpoint and a town fiscal standpoint. Mr. Coyle, of the Thompson Farm, felt that this new zoning would give more options to sell and develop the land either the old way or a new way while keeping the right to farm. He asked what in the zoning would change.

Chairman Hoffman stated that after much deliberation, the Commission set the density factors at 0.4 for the Crystal Lake area, 0.5 for western farm belt and residential and 0.6 for the Route 83 and sewer service areas, and this is what is being presented at this evening's Public Hearing.

Peter Charter, 516 Somers Rd, stated that the set aside for open space is 20% now, and there must be a better way to preserve land than to just take it from land owners.

Rob Phillips reiterated that this is to help the town as a whole. The desirability of a town is primarily based on a few factors; the quality of its education system and simple aesthetics/services. This rezoning attempts to preserve those factors in the best way possible by limiting future build-out population and providing for residential design flexibility.

Skip Aborn, 16 Meadow Brook Rd, felt that smaller lots mean that they are valued lower and that should limit the numbers of children in the school system.

John DeRham, Thompson Family Farm stated that he asked for an analysis on the land to see how it is affected and did not receive it. He felt there should be no exclusions to small subdividers.

Mr. Phillips and Mr. Chalder stated that the exclusion was just an arbitrary number given with the intention to not overburden small subdividers with few lots. The number could be changed or eliminated altogether but as the subdivision gets smaller, the flexibility becomes more limited and thus ineffective.

Mr. Chalder stated that the some of the goals outlined in the POCO contain the desire to get away from the standard cookie cutter style of development.

Cornm. R. Hoffman stated that the farms on the western section of the town were originally in the most restrictive density factor category but that the Commission brought that into a middle density factor in an effort to appease the farmer's concerns. However, he emphasized that the Commission is trying to slow down development. The Town Planner from Granby spoke to the Commission, upon request by Mr. Phillips, about a flexible residential design standard that have that is similar to this proposal. They have instituted this option for zoning and he stated that the more flexible lots are more desirable and

therefore worth more. It is the attractiveness of the lots and the community in general. They go hand in hand.

Comm. Strom stated that this Commission has to do something; the survey of the residents indicated it. We can change the entire town to two acre zoning which would be easier; but this alternative with the density factors would be best because of the flexibility.

John DeRham, Thompson Family Farm, stated that the farm business requires land. Rachael DeRham asked why the Town would want farm land for open space when the farmers are no longer around to farm it. She stated that it just becomes tall grass and weeds.

Diane Aborn, 16 Meadow Brook Rd stated that the State pays for the rights of the land, but the Town wants to just take the land.

Comm. Wehr stated that the phone survey results were that 65-70% of those surveyed stated that they wanted to preserve the open space/farms and that they were willing to spent \$100 per year to do so.

Comm. Slavens felt that the phone survey was flawed.

Harris Cohen, 107 Frog Hollow Rd asked why the Town is taking land and why can't they purchase it instead. The Town should buy land through bonds just like everyone else.

Rachael DeRham, Thompson Family Farm, stated that she spoke with the Town of Somers and they have done a wonderful job purchasing farmland. She felt that 2 acre zoning is not good for wildlife. She asked where the density factors came from.

Chairman Hoffman stated that the result is the same as two acre lots or close to it.

Comm. Prichard stated that he felt that this density factor method gouges to pockets of the people on the west side of town.

Comm. Slavens stated that NCHD controls density. Sewer capacity is full right now and with septic this proposed OSRD option will not work due to the NCHD's strict policies.

Comm. Wehr asked why NCHD is the final say and how to change this. Mr. Philips stated that the health district has to follow the state health code and that the interpretation from district to district is what can vary in some cases. A way to change that would be if the town wishes to hire their own Sanitarian, but they would still be required to follow state health code.

Comm. Strom stated that if the Commission does nothing, no one will be able to afford to live in Ellington. Others agreed that this does not promote affordable options.

Mr. Phillips stated that the town doesn't have any real affordable options now and that the only way to work on that is to provide for incentive zoning regulations which is what the commission is already doing via a state grant. They must be treated as separate issues.

The Commission is also looking at other ways to accomplish this including a recent zoning change where 20% of the units at Windermere Village will be considered affordable at initial point of sale.

Comm. Kupecky stated her agreement with Comm Strom and that she wanted to be on this commission in the first place because of the runaway building in Town. She stated that the commissioners' hearts should be for the Town. She felt the Commission has to do something to control growth.

Comm. R. Hoffman stated that he agreed with Comm. Kupecky. The problem is finding the best solution for everyone. OSRD is confusing the issue. Most of the opposition tonight is about the open space issue but open space requirement exists now even if no changes are made. The density zoning should be addressed which will decrease the yield.

Chairman Hoffman stated that when the commission changed the open space requirement from 10% to 20%, the case could be made that this helped with the density problem. He felt that this new zoning devalues the land and hurts the farmer. What is good for the farmer is good for Ellington. There was a suggestion that perhaps the new factors could be implemented everywhere except in the western farm land and see what happens when the first subdivision comes in.

Comm. R. Hoffman stated that the subdivision exemption of 5 lots or less makes it unfair to other farms not located on the west side of Town.

Harris Cohen, 107 Frog Hollow Rd, asked if the town could buy land, develop it and sell some to purchase open space as needed.

Mr. Phillips stated that if land purchases are bonded, the Town cannot be into flipping of real estate while still under bond.

Rachel DeRham, Thompson Family Farm, asked if the town is looking into more sewers or any new schools planned. Mr. Phillips stated that the Board of Education does the studies for schools. There is limited sewer capacity within the sewer service areas and the state will not allow expansion outside of those designated areas. If the town were to violate that requirement then it would be at risk of losing future state funding across the board.

John DeRham, Thompson Family Farm, stated that the farmers do not have the resources to bond land and sewer etc. to develop the land. They would sell to developers first. If the Town takes up to 50% of the land that will affect all of us.

Town Planner, Rob Phillips pointed out that some of the zoning on the map needs to be revised around Crystal Lake; east of the lake. Due to this and the need to clarify with the capital region council of governments that the zoning map is proposed to be changed, he suggested that the commission continue the hearing.

Chairman Hoffman then asked the commissioners if they would like to close the hearing and vote no on the amendment.

February 25, 2008

Public Hearing

8. #Z2007806—Autumn Chase, LLC for a special permit & site plan modification for an 80-unit multi-family development expansion and relocation of access drive on property located at 115 West Road, APN 037-008-0000 in an MF Zone.

Ken Peterson, Gardner & Peterson came forward and reviewed the plan with the commission. He explained that they would build 80 units; 40 units will be one bedroom and 40 units will be two bedrooms all with garages. There would be 96 tandem spaces and 64 additional spaces, which is adequate parking and above the amount required in the regulations. **The entrance to the development would be the existing Autumn Chase entrance off of Route 83 with an additional entrance for emergency purposes on Highland Avenue.** The existing access to Ellington Avenue would be abandoned.

The units would be connected to sewers within Autumn Chase. The storm drainage would run to a storm water treatment area. Mr. Peterson also added that the stone dust walking path would be extended through the project. Trash would be in the same location as well as the mail boxes. Autumn Chase would have the trash picked up more times.

Chairman Hoffman asked if the access drive was permanent. Mr. Peterson explained that it would be permanent and paved.

James Bubaris P.E., Bubaris Traffic Associates, explained that there would not be much of a change in the flow of traffic in and out of the project. He reviewed the traffic study with the commission and, with or without the 80 more units, it would not cause any larger problems on Route 83.

Commissioner Strom read Jim Thompson's letter dated 2/25/2008.

Commissioner Hogan asked if there would be additional lighting to the project. Mr. Peterson replied that the lighting would be on the buildings themselves.

MOVED (HOGAN), SECONDED (B. HOFFMAN) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #Z200806 – AUTUMN CHASE, LLC.

MOVED (HOGAN), SECONDED (B. HOFFMAN) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITIONS #Z200805 – AUTUMN CHASE, LLC.

CONDITIONS:

1.) APPROVAL BASED ON PLANS REVISED TO 1-18-08.

2.) REMOVE “EMERGENCY” NOTATION FROM PLANS AND MAKE THE PROPOSED ACCESS ONTO HIGHLAND AVENUE PERMANENT.

3.) SUBMISSION OF CERTIFICATION THAT THE LOT CONSOLIDATION DEED AND MAP WAS FILED ON THE TOWN LAND RECORDS.

4.) MUST COMPLY WITH TOWN ENGINEERS LETTER DATED 2/25/2008 WHICH INCLUDES THE REQUIREMENT OF AN ACCESS DRIVE TO, AND AN EASEMENT OVER, THE DETENTION BASIN AND FOREBAY TO ALLOW TOWN MAINTENANCE SHOULD THE OWNER FAIL TO DO SO. FURTHER, THE PLANS MUST INCLUDE THE DESIGN OF THE FOOT BRIDGE ON TURKEY BROOK, PER THE TOWN ENGINEER'S LETTER TO THE INLAND WETLANDS AGENCY DATED 1-14-08.

5.) SUBMISSION OF DIGITAL DATA UPON COMPLETION OF THE PROJECT.

6.) THE REQUIREMENT THAT THE WATER MAIN BE EXTENDED IN A MANNER APPROVED BY THE FIRE MARSHAL'S OFFICE AND THE CONNECTICUT WATER COMPANY, INCLUDING SIZE(S) OF FIRE MAIN, LOCATION OF AND QUANTITY OF FIRE HYDRANTS, AND INTERVALS BETWEEN SAME. FURTHER, THE ABANDONMENT OF THE EXISTING EMERGENCY ACCESS WILL NOT BE PERFORMED UNTIL THE PROPOSED CONNECTION TO HIGHLAND AVENUE IS COMPLETED AND APPROVED BY TOWN STAFF PER THE FIRE MARSHAL'S MEMO DATED 2-4-08.