

PLANNING AND ZONING COMMISSION
December 8, 2014 Meeting Minutes

These minutes are not official until approved at a subsequent meeting.

Commission Members Present: Vincent Zimnoch, Alan Gannuscio, Jim Szepanski, Alexa Brengi, and Mike Forschino (Alternate)

Commission Members Absent: Curtis Ruckey, and Pat Sayers (Alternate)

Town Staff Present: Jennifer Rodriguez (Town Planner), and Dana Steele (Town Engineer)

I. Call to Order

Chairman Zimnoch called the meeting to order at 7:06 pm.

II. Roll Call

Commission roll call was taken. Mr. Forschino was seated for Mr. Ruckey by Chairman Zimnoch.

III. Approval of Minutes from the September 8, 2014, October 14, 2014, and November 10, 2014 Regular Meetings

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approve the September 8, 2014 minutes.

It was **MOVED** (Szepanski) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 3-0; Gannuscio and Brengi Abstaining) that the Planning and Zoning Commission approve the October 14, 2014 minutes.

It was **MOVED** (Gannuscio) and **SECONDED** (Szepanski) and **PASSED** (Unanimous, 4-0; Forschino Abstaining) that the Planning and Zoning Commission approve the November 10, 2014 minutes.

IV. Public Hearings (none)

V. Reviews

i. Site plan review, 73 Old County Road

The applicant was not present. Mr. Gannuscio suggested coming back to this item after the Senior Living project was discussed.

ii. Lot 2, Old County Road, Senior Living Project

Attorney Thomas Fahey, Kevin Johnson, Mike McCarthy, Fred Mielke, and Bob Kelly addressed the commission. Attorney Fahey pointed out that this review is the final phase for their project and thanked staff for all their help. He summarized that this will be a senior living facility with 36 independent units, 56 assisted living units, and 20 memory care units. Mr. Johnson discussed the orientation of the building and driveway, sidewalk locations, parking, and external and internal patio areas. They will be connecting to the public service utilities on Old County Road. When The Village was built twelve years ago a detention pond was constructed, but with this proposal there is less impervious coverage for this site and therefore is no need to increase the existing detention pond. There is an existing grease oil separator that was installed when The Village was built which they will use, but they will be adding an additional grease oil separator at the entrance drive. They are hoping to preserve some of the existing trees along Old County Road. Mr. Johnson then discussed the landscaping plan and the photometrics plan.

Attorney Fahey added that there is one common drive for the Assisted Living Center and for any future hotel/restaurant in order to minimize the number of curb cuts and because the DOT wanted the entrance to be a certain distance from the highway ramp. Also, the detention basin has a maintenance agreement between the properties which is recorded on the land records. A colored rendering of the proposed sign was distributed to commission members.

Chairman Zimnoch asked if an overview of elevations and materials being used could be provided to the commission. Mr. Johnson and Mr. Mielke discussed roof shingles, siding and trim, stonework along the foundation, the railings along the balconies, louvers, decks, and the porte cochere in front. Mr. Mielke added that the construction timetable will be 13 to 14 months from when they are able to get in the ground, and fill-up will be a year to a year and a half. Location of the dumpsters and type of enclosure was discussed as well as scheduling when trash pickup will be.

Ms. Rodriguez discussed her report dated December 5, 2014. Comments from the Fire Marshall dated December 3, 2014 were read into the record. Comments from WPCA/DPW in an email dated December 5, 2014 were read into the record. Comments from the Police Chief dated September 8, 2014 were read into the record.

Chairman Zimnoch asked about the issue regarding lighting. Ms. Rodriguez stated that the maximum foot-candles that are permitted in the zone were exceeded and there is an area on the data table that shows the ratio exceeds what is permitted. Mr. Steele said the applicant has indicated that they are willing to make whatever changes are needed to the lighting plan to conform to the requirements, which may mean adding another fixture or reducing the wattage of the fixtures. He added that staff is comfortable reviewing this if the commission would like to make this a condition of approval. Mr. Steele pointed out that those lights were approved previously with the hotel site, so since they're already approved, this AIOZ regulation

allows the commission to vary those requirements through the General Plan of Development (GPD) process. The presumption is that that waiver was already approved through the previous GPD process, so all the lights within Lot 2 will conform in height, and the others have already been approved. Attorney Fahey stated that the lighting contractor is amending the plan to conform, and they will submit the amendment to staff for approval.

Mr. Szepanski asked to discuss if the stone structure that supports the sign is included in the calculation of the sign or just the sign itself. Chairman Zimnoch felt the structure to support the sign is just that--a structure, and not part of the sign itself. Mr. Szepanski and Mr. Gannuscio agreed.

Before discussing his report, Mr. Steele had some questions for the applicant. He pointed out that the orientation of the building has a good southern exposure and asked if they have considered using solar power. Mr. Mielke replied that if staff would like to provide him with more information about the program, he would look at it. Mr. Steele asked for clarification on the patios and what their intended uses were. He also asked about the rear parking portion in the back of the building and the loading area and how often and what type of delivery trucks would be delivering. Mr. Steele went on to ask if the trees in the front along Old County Road would remain and if the area would be a manicured lawn or left wooded.

Mr. Steele then discussed his report dated December 8, 2014. The applicant indicated that the trash area will be enclosed, and Mr. Steele suggested that there be a detail or specification for that on the plan. Other suggested conditions to consider are: Fire hydrant location should be approved by the Fire Marshall and the hydrant location shown on the plan; and if the commission would like staff to review the lighting plan.

Attorney Fahey, Mr. Johnson, and Mr. Mielke discussed Mr. Steele's concerns. Attorney Fahey stated they were fine with all of the proposed conditions. Commission members discussed hours for trash pickup and decided between 9:00 am and 4:00 pm would be best.

Mr. Gannuscio commented that this was a very well planned out and presented project and it's good to see one of these every once in a while. He added that staff has done its usual fine job to work things out ahead of time.

It was **MOVED** (Zimnoch) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approve the site plan for Senior Living at Lot 2, Old County Road (AIOZ), with conditions listed in the Town Engineer's letter dated December 8, 2014, items 1 through 6, with an additional item 7, as required by the Fire Marshall that the fire hydrant be installed within 50 feet and be acceptable to the Fire Marshall; number 8, that the lighting plan that is submitted be modified to be in conformance and be acceptable to the Town Engineer; and number 9, that deliveries and trash be scheduled between a 9:00 am and 4:00 pm timeframe and details for the trash enclosure be specified. In addition, items 1 through 4, and items 7 and 8 shall be subject to final staff review.

(i. Site plan review, 73 Old County Road)

The applicant's translator apologized for being late due to traffic.

Ms. Rodriguez discussed her report dated December 8, 2014. She commented that she has received no comments from the Police Chief regarding this application. Mr. Szepanski asked if not having comments from the Police Chief would be a deterrent from the commission acting this evening. Chairman Zimnoch replied that normally it would be but this is an existing location for a business. Mr. Gannuscio asked Ms. Rodriguez if she has discussed this application with the Police Chief. She responded that he is aware of the clarifications to the regulation and that the application has come forward. Mr. Gannuscio stated he could see this going forward tonight with a vote lacking Police Chief comments because of the conditioning and the extended use now versus what it used to be.

Chairman Zimnoch reiterated to the applicant that all employees must have a license. This is a requirement and is the only way the business is allowed to be in this location. Chairman Zimnoch pointed out that the sign will have to be approved by Ms. Rodriguez. Mr. Steele asked how many employees there will be. To start, there will be two, with possibly more if business is good.

Chairman Zimnoch asked commission members for their thoughts. Mr. Gannuscio and Mr. Szepanski have a lot of concerns, given what's happened in this area of town over the last few years. Mr. Forschino disagreed. He feels massage gets a bad name, and doesn't feel there will be problems. He also believes the location is fantastic. Ms. Brengi commented that as long as the business is run exactly like it's supposed to be run, there should be no issues.

It was **MOVED** (Forschino) and **SECONDED** (Gannuscio) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission approve the site plan for 73 Old County Road with the conditions that any change in signage goes back to staff for approval and that massage therapists must maintain a license.

VI. Action on Closed Public Hearing Items (none)

VII. Old Business

A. Discussion with Commission and Staff

i. Zoning regulations

a. Section 1102 (Distribution of Materials), and Section 1201 (Fee Schedule)

Ms. Rodriguez stated she talked to some towns and also Yankee Signs. A number of people did say that 18 x 24 is the typical size. She will continue to call a few places to get a comparison of costs. Options that were discussed

were: double-sided; wire frame; charge a refundable deposit for the sign; have the applicant purchase the sign, and number of signs to order. The best option seemed to be 25 signs (18 x 24, double-sided, wire with step stake) at \$12.50 each, for a total of \$312.50. Chairman Zimnoch noted that this will need to be budgeted for in the PZC budget. Ms. Rodriguez asked if there was a way under Section 1103A-3 to word that so this procedure could be implemented before the policy to have someone rent a sign had to be in place.

She realized probably not because the cost would have to be added into the fee structure. Some changes that she added are: “shall purchase and post” and instead of “building official” “Building, Planning and Zoning Office.”

A discussion took place regarding the location of the sign. One suggestion was: “No more than 10 feet behind the street property line and perpendicular to the street line.” It was decided that corner lots should have two signs. Another consideration: Instead of “visible from a public street,” “within 10 feet of the street line of every street frontage.”

A discussion took place regarding the amount to charge for a deposit for the sign. Twenty or 25 dollars was discussed. It was agreed not to put the cost in the regulation. Ms. Rodriguez suggested disclosing there is a potential fee and then indicating, “as established.” Chairman Zimnoch stated he would check to see how much money is in the budget.

ii. Subdivision regulations (none)

B. Action Items (none)

VIII. New Business

A. Public Input (none)

B. Receive New Applications (none)

C. Informal Discussions (none)

D. Calendar of Meetings

A calendar of meetings was distributed to commission members.

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission adopt the proposed 2015 meeting dates as its schedule for the upcoming year as distributed.

E. Action Items

i. Election of Officers

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission continue the “Election of Officers” to the January 2015 meeting.

IX. Communications and Bills (none)

X. Adjournment

It was **MOVED** (Gannuscio) and **SECONDED** (Zimnoch) and **PASSED** (Unanimous, 5-0) that the Planning and Zoning Commission adjourn the December 8, 2014 meeting at 9:17 pm.

Respectfully submitted,

*Debbie Seymour
Recording Secretary*