

NEWINGTON TOWN PLAN AND ZONING COMMISSION

February 21, 2007

Special Meeting

Vice-Chairman William Cariseo called the special meeting of the Newington Town Plan and Zoning Commission to order at 7:00 p.m. in Conference Room 3 at the Newington Town Hall, 131 Cedar Street, Newington, Connecticut

**I. ROLL CALL**

Commissioners Present

Commissioner Cariseo  
Commissioner Fox  
Commissioner Kornichuk  
Commissioner Pruet  
Commissioner Schatz

Commissioners Absent

Chairman Camilli  
Commissioner Ganley  
Commissioner Andersen  
Commissioner Prestage

Staff Present

Ed Meehan, Town Planner

**II. PUBLIC HEARINGS**

- A. **PETITION 69-06 68 Maple Hill Avenue and 80 Maple Hill Avenue, Greene Associates, LLC, c/o Vincent F. Sabatini, One Market Square, Newington, CT 06111 Donna DiMauro and Hollis Kobayashi owners, request for 10 lot subdivision, R-12 District. NOTE: THIS HEARING WILL BE CONTINUED TO FEBRUARY 28, 2007.**
- B. **PETITION 74-06 Assessor's Map SE 307, 1987 and 2169, known as 119 Deming Street, Frank A. Accarpio and Thomas Accarpio owners, Deming Street Development, LLC, 312 Murphy Road, Hartford, CT 06114 represented by Attorney Timothy Sullivan, 9 High Road, Berlin, CT 06037 request for Special Exception Section 3.19.2 (23 detached residential units) PD Zone District. Continued from January 24, 2007.**

Attorney Sullivan: Good evening, Attorney Timothy Sullivan on behalf of the applicant, Deming Street Development, LLC. Alan Nafis is putting up the new print and will go over some of the changes that have been made since we were last here. I did meet with the Town Engineer, rather the Town Planner, and reviewed the changes. I think everybody knows that the property is at 119 Deming Street, it's 7.381 acres, the property is located in a planned development zone. We aren't going to belabor some of the things that we went over the last time. I would like to emphasize the changes that have been made to the proposal. One the board right now, is both the proposed development as well as the landscape plan. Just a, I apologize, I've been under the weather for the last twenty-four hours, so I'm going to be very, very brief, and turn it over to Alan, so I don't collapse on everybody up here, but with a second unit, originally, the proposal was for a

single unit, a common unit throughout the entire development, we submitted architectural plans which show that there is a second unit being added to the development now that will be interspersed along the private road. All garages are set back thirty-five feet from the road which is the standard of the regulations. The spacing of the units has been increased to a minimum of at least twenty feet. There are now internal sidewalks, there is an internal sidewalk running the length of the road, of the private road. We have added on the interior a gazebo, with a walking path for recreation. We are making changes to the landscape rendering. Originally we had shown an entrance way, the last time we were here I had a color print of a proposed entrance way, for, we'll call it Deming Farms. We are re-locating that to the northern entrance, and the rendering will be available at the next meeting. It will be on both sides, it will be primarily a stone wall, stone base with some picket fencing and it's going to be two really nice signs bordering, straddling the private road on the north side entrance, and at the next meeting I will have a condominium document for the Commission which I will bring to the Commission's attention, where in the condominium documents, we are restricting the use to an active adult community of age 55 and older. At this time I will turn it over to Alan just to go over the specifics from the changes we made.

Alan Nafis: Good evening Mr. Chairman, Members of the Commission, my name is Alan Nafis, A-N Consulting Engineers, the engineers on this project, the site engineers. I'm going to go over what the changes are, I know that we have been in a public hearing and have gone through a lot of things, but I will point out what hasn't changed and what has changed so I won't hopefully take up any more time than I have to. The roadway is the same, the same entrance way on both sides, the same loop road around the development. The one change that we did make, because of, we haven't yet looked into a sight line from here is to make this a right in, and a right only at this entrance way here, so that we don't have to concern ourselves with cars going off to the left, and the sight distance coming up this way. We still feel that we can get that sight distance at some point, but that property is kind of in a flux, and we're kind of not being able to deal with it exactly, because what is going to happen is this one pole is going to have to move back about ten feet to make that work. So the roadway is the same, all the utilities, drainage is all the same, wetland creation areas, the dry swale, the water quality swale I should say is all the same, the limits of our grading have not changed, unless this is pulled up a little bit but I think the limit is still the same, we did make some changes there. I mean, the big change is we took out four units, so we have nineteen units on this site now, and we were able to spread them out a little bit to a minimum of twenty feet, some of them have more, and also move the units back in all these areas so they have a more wide open look here. The one thing that we did have to do in moving these back here is, we do have a wall back here now for the backyards, you know, what we needed for the flattening for the backyards, we have a fence on top of the wall, and you can see we have a row of screening trees along it, in front of the fence area as well. As Tim had pointed out, we did put the interior sidewalk in, we did put in the walk through the site, and the gazebo in the middle of the site. It did allow us to loosen up some of the grading in here, it's not quite as steep, we don't have anything graded within a four to one, and that is here, most of the area is much flatter than that, which is nice because we do get rid of that one to one slope that's as you go down by the old farm there, and back here behind the wall, we do grade down a bit behind the wall, that's probably a two to one slope back there, it's a little steeper and then we have three to four, three to one in the cut area up here, so it's all mowable, obviously, it's not that steep. Between the houses we are able to keep it generally six to one, sometimes larger, these are for the houses that have the walkout basements below them.

I'll go over the landscape plan a little bit, it looks a little nicer, that's thirty scale, this is forty scale so it gives you a bigger picture of the site itself, they have the trees spread out along the road, which is kind of standard in this type of development, planting trees, there will be a lot of trees, I don't know, there are probably a few nice trees in this area, but if you put the sidewalk in here, I think all those existing trees are coming down so that we are planting a row again, across the Deming Street frontage, so that we do maintain sort of a barrier between the road and the

development itself. A little more screening trees when we get to the edges of the roadway, for the two houses right at the end, a fairly nice setback here with some more screening trees back in here. One thing that doesn't show is the, we are looking at the pump station down in that area, for the sanitary sewer, obviously the details of that have to be worked out with MDC but he did not pick that up, he would be landscaping around that. I'm anticipating an underground unit, fenced in with trees, evergreens around it, but that we will get picked up by the landscape architect, it's just not shown here. Then, just planting throughout the area to make the place look nice. I do have, and I don't know if the sign.....that was submitted with your package.

Attorney Sullivan: Yes, that actually is going to change a little, we're going to go with more rock wall along the base with some picket fencing and probably a couple of more of these stone pillars, interspersed. There is going to be a lot more stone involved, the landscape architect is still working on it.

Alan Nafis: Okay, and that is coming off at an angle, down both sides of the road with a sign face facing, angling out towards the road itself.

Attorney Sullivan: There is going to be a lot more stone than you see here.

Alan Nafis: I think that is the changes that we have put in here, I'll take any questions. Did I miss anything?

Vice-Chairman Cariseo: Do you want to start, Ed?

Ed Meehan: I think there are still some loose ends that the Commission needs to get, like the details that you are talking about, but let me just start with this sanitary pump station. I think that is important because of its proximity to that unit that backs towards Deming, and also the fact that it is in that sidewalk area. If that is partially above ground, how is that going to affect that persons, I'll call it yard area, I know that it is common area, but where they live, and also the sight lines in that area?

Alan Nafis: Well, it's not going to affect the sight lines, it's well back here, it's, I don't have my scale here, but probably fifteen, twenty feet, behind the right of way line, which is another twenty feet behind the edge of the roadway there, so the sight distance is not going to be an issue. It's roughly fifty or sixty feet from this house, the pathway is before that. We did anticipate putting additional screening around the side of the house for that area, but again, we would also screen around the fence itself. I mean there is also a possibility, and this is negotiating with MDC that they will be looking for grinder pumps, and maybe we won't have something down there.

Ed Meehan: I was going to ask you, is there any other place in town that has something like this?

Alan Nafis: Underground pump station?

Ed Meehan: Yes.

Alan Nafis: I don't know.

Ed Meehan: I know across the street...

Alan Nafis: I have never worked on anything that had something....

Ed Meehan: I know the Willows, that little cul-de-sac across the street, those are all grinder pumps.

Alan Nafis: Those are all grinder pumps, five houses I think.

Ed Meehan: Okay, that was one of my questions, the other question is the area of the proposed retaining wall, can that be eliminated, either the wall eliminated or maybe even a unit eliminated and leave the natural buffer, it's fairly substantial in that corner, that the placing of the wall and the grading would remove those large trees, and that is the corner of the site that backs right up to the Walgreen's parking lot. If Commission members have driven up the Berlin Turnpike, you can look right into the site, even this time of year without vegetation on the trees. With the wall, you are proposing the removal of those trees, this site is just going to have it's backside right onto the parking lot and the Berlin Turnpike.

Alan Nafis: Well, I think that is a little exaggerated, maybe but the tree line, right now, is roughly here. We are actually pushing the tree line back maybe fifteen to twenty feet to put that in there, but I would like to show you, we put a composite together so that you can see how the two, now remember when we came in here, one of our goals here was to keep this hill, which we were able to keep there. The edge of the grading is about here, our proposed edge of grading is here, you have about a hundred feet through this area here that is going to be untouched between the two of them. Now granted.....

Ed Meehan: That drops straight downhill.

Alan Nafis: No, it kind of goes like this. It goes down, into here, and then it goes up to Walgreens, and these houses are actually, probably the first floor is a couple feet higher than the first floor of Walgreens. One of the reasons that we are proposing to put the row of trees along this area here is to help with more screening, in fact, we are going to put some evergreens along there, versus the trees that are up there which aren't offering much at all.

Ed Meehan: Well, I guess the point that I am making is that to put that wall in you are going to have to take trees that are twenty-five, thirty feet out, and plant ten or fourteen foot trees. The area is already lower than the parking lot up at Walgreens, and it's right, it lines up right with this retaining wall, right in here, so, everything, you look right in here at the back of the site and maybe a unit has to be removed, or maybe the wall. It's an age restricted, so the issue of a backyard for kids playing is maybe not a concern. It's a suggestion to consider. The other question that I had was if that, if you do get the sight lines for the southern loop, would it be, I think that would be an area where you would also put your proposed entry signage too, if that becomes two way. I mean, if you get your sight lines, why don't you put, wouldn't you have entrance signs at both entrances to the....

Attorney Sullivan: We could, whether we wanted to have a total of four or not might be overdoing it. I don't know.

Ed Meehan: Well, you have to be careful on the south one with the sight lines, you wouldn't have one on the right side, but maybe near that pump station.

Attorney Sullivan: Maybe as a screen at the pump station. We could probably put one here, screen the pump station, and we could also put on here as well. We would remove the one on this side.

Ed Meehan: You wouldn't need both sides.

Attorney Sullivan: We wouldn't need that side, and this side, if they were coming from this direction, they would turn.

Ed Meehan: I would be a little concerned about that right in, right out, we see that that is not always followed in town, and given that this is age restricted, and sight lines are so limited, with the speeds there, the horizontal vertical curve, a visitor or somebody decides to go out the wrong way, that could be pretty dangerous in that corner.

Alan Nafis: Well, we did have the traffic engineer look at it, and his suggestion was we could make this a little tighter for them.

Ed Meehan: When will you know if you have easements on the adjacent property?

Attorney Sullivan: Well the issue is, as Alan stated, the uncertainty with the property next door, as to who is actually in control of the property and what is going to happen to that property. Until that is resolved, we are really in a holding pattern.

Ed Meehan: I think it's important, it's a busy street, carrying more traffic every day because of what goes on in that end of town, it's an important safety consideration. I think the plans have come a long way since the last time we met.

Attorney Sullivan: It is certainly our intention to get a two way, but like we said, because of the issues with the property owner, until they resolve their issues, we have a hold on that, but it is our intention to go forward and try to get that, but the time table is just beyond our control.

Ed Meehan: Okay. Is there any overflow parking any where in here where you could, as we have in other developments, visitor parking, which is one of the things that we had talked about earlier.

Alan Nafis: Yeah, well, we have thirty-five and forty foot driveways, I mean we have enough parking in the driveways for quite a few cars.

Attorney Sullivan: There's two car garages, two car driveways.

Alan Nafis: And a standard town twenty-eight foot wide road. I mean, we could throw more pavement in between the houses, I just thought that wasn't what you want to see. I don't think that is what we would want to see.

Attorney Sullivan: They are very large two car garages, two car driveways.

Alan Nafis: Driveways that are a minimum of thirty-five foot wide.

Attorney Sullivan: You also have this as a full town spec road, even though it's going to be a private road, and you could have parking on either side of the road as well.

Ed Meehan: Are all of the garages two car, or are some of them one?

Attorney Sullivan: I believe they are all two.

Ed Meehan: The architectural style, you only offer the two, is there any opportunity to get a little bit more variety on the architectural, the Commission members have the plans in front of them, and basically, like we have Fennwyck Estates, which is the same type of age restricted, and offers I think four different styles.

Attorney Sullivan: Well, there are two different styles, but there is also, we are flipping garages, so there is going to be a different look, even among the styles because of the way we are facing the garage, and there is also going to be different color patterns as well, for the units. We are trying to have a diverse development.

Ed Meehan: Last question I have, I know that you are going to give the Commission the documents prior to the next public hearing on the 28<sup>th</sup>, but what gives the right to restrict this to fifty-five and older? Is it a federal statute on this, I mean.....

Attorney Sullivan: There is federal law on this, that it is not discriminatory, the law has changed in the last few years making it actually easier, because there were some discrimination complaints, saying that you were favoring older people, say with these age fifty-five developments and discriminating against other children, families, whatever. There is federal law which does allow this now, has always allowed it, and we're going to, it's just a private restriction which is permitted by federal law.

Ed Meehan: Can you give us some information on that when you submit your documents, just maybe, whatever you have.

Attorney Sullivan: Sure.

Ed Meehan: So that we know that we are acting properly.

Attorney Sullivan: Yep.

Ed Meehan: And then, you have the, I know that the town engineer has given you comments, on February 16<sup>th</sup>, you responded to my staff comments, the Commission members have those in front of them, and I will continue to go through the plans between now and the 28<sup>th</sup>. We have an extension to the 28<sup>th</sup>?

Attorney Sullivan: We have an extension to the 28<sup>th</sup>, but I just, I believe that we have additional time after the 28<sup>th</sup>, if necessary.

Ed Meehan: With a public hearing we do.

Attorney Sullivan: I haven't calculated how much additional time.....

Ed Meehan: I can check that for you, but I don't believe that we have used up the full additional sixty-five days yet.

Attorney Sullivan: No, we would have until at least March 14<sup>th</sup>, I believe, but I could check and verify that.

Ed Meehan: Okay, but we are definitely okay through the 28<sup>th</sup>.

Attorney Sullivan: We are definitely okay through the 28<sup>th</sup>.

Ed Meehan: Okay. The Commission members are seeing these cold, for the first time.

Attorney Sullivan: The public hearing was opened on December 20th, okay, and you have sixty-five days to close the public hearing,

Ed Meehan: We have thirty-five days, but we can borrow so to speak from that sixty-five day extension bank for any one of the time periods. I know we are okay to the 28<sup>th</sup>.

Attorney Sullivan: January 20<sup>th</sup>, we have, we are good through, I believe, March, but I will check that.

Ed Meehan: And you are all set with the Conservation Commission, the wetlands have already acted on this.

Attorney Sullivan: Yes.

Ed Meehan: So that time frame doesn't come into play. I know that the Commission gave the applicant an interpretation of the uses in this zone as far as the spacing and the setbacks and they tried to address that, and I think the message that was conveyed was that the Commission wanted to see a more upscale development here, with several embellishments, so, they have started to address those issues. That's all I have.

Vice-Chairman Cariseo: Do any of the Commissioners have anything that they would like to ask?

Commissioner Schatz: The only thing I've got is, you've come a long way, that's for sure. In the right direction.

Attorney Sullivan: I believe that we have enough days through March 28<sup>th</sup>, to keep the public hearing open.

Ed Meehan: Through March 28<sup>th</sup>, okay.

Attorney Sullivan: We opened the public hearing on December 20<sup>th</sup>, and just using round numbers, thirty days would give us to January 20<sup>th</sup>, and we have thirty-five which would push us to January 25<sup>th</sup>, and then from January 25<sup>th</sup>, we would have an additional sixty-five days of extension time that we can use, either to continue the public hearing, or, if we have time left, add onto the thirty-five day period to make a decision after closing the public hearing.

Ed Meehan: Okay. I've got your extension letter to the 28<sup>th</sup>. I'll check my count, and confirm it with you.

Attorney Sullivan: Okay. And I believe, we will probably ask to keep the public hearing open on the 28<sup>th</sup>, as well, next week, only because Alan and Joe Perraginni will not be available that night. I will be here, and there will be another engineer here, representing the applicant, but it is my inclination not to close, or ask not to close the public hearing unless our engineer is here, in case any issues arise.

Ed Meehan: Okay, that gives us some more time to look at them at staff level and get your comments back.

Attorney Sullivan: We need to respond to the latest comments as well, we just received the comments today, right Alan?

Alan Nafis: I just found them in my office tonight.

Attorney Sullivan: Okay, or a day or two ago, whatever it was.

Commissioner Pruett: If I can just ask Alan a question here. To pick up on what Ed said, and I mentioned last time, is there any possibility of like in here, maybe some kind of parking, or, is that possible? I think that would be an attractive feature for a development like that to have visitor parking.

Attorney Sullivan: Well, we are creating a wetlands mitigation area there and....

Alan Nafis: We have a drain coming down here, we would be pushing the grade out to get some parking, there's probably physically some room there, but it's going to take up a lot more room, and I'm not sure putting parking in that area is attracting, I mean, we're not my understanding of the development, they are not trying to attract visitors to come in and sit and look at their wetlands, I mean, visitors are going to want to come in and go to the people they are coming to visit I would think. So, if you wanted more parking like I said, we could throw parking spaces in, but I think we've got a lot with the double garages and with the thirty-five feet parking driveways and, but I don't think that, down here, because it is the wetland area and because it is so far from everything, I'm not sure if that is where you would want to put it.

Ed Meehan: Are you working with the post office on a central mailbox system?

Attorney Sullivan: Actually the post office approved individual mail boxes.

Ed Meehan: So you have nineteen individual mail boxes?

Attorney Sullivan: Rural, not on the unit, but a rural mailbox at the driveway.

Vice-Chairman Cariseo: People can park on both sides of that street and still get through?

Alan Nafis: Have you been to one of my parties? They do it. No, you're right, we probably wouldn't want to encourage parking on both sides of the street, I think one, you certainly wouldn't have any problems with it, but if they were parked on both sides, again, it's a nineteen unit active adult community, you aren't going to see a lot of traffic wandering through here.

Vice Chairman Cariseo: Well, somebody had a Christmas party or.....

Alan Nafis: It's as wide as our road is, and you know what that's like, so.....

Vice Chairman Cariseo: Anybody else?

Commissioner Fox: The only thing that does concern me, and the Chairman mentioned it at the first public hearing, as the Town Planner mentioned the visibility from the Berlin Turnpike, from Walgreens. I hope that they can do something with, whatever they can, to screen it.

Alan Nafis: Well, I can understand it, and I can see what you are talking about, but I'll be quite honest with you, you go over to the development right at the end of Deming Road, we're five hundred feet from the turnpike here, we're over a hundred feet to the Walgreens, and this is, while it is mostly deciduous trees, it is all treed through this area, there is a low point down here, and our intent is to screen it through this area here, so.....

Attorney Sullivan: Heavy evergreen vegetation along here that should act as a screen, evergreen vegetation doesn't exist today. It's mostly deciduous, I don't know what type of tree is there, but it's not an evergreen tree. I think with this elevation, the top of this elevation is approximately the same elevation as the first floor of Walgreens, so it's comparable, so this vegetation should serve to screen the units very well.

Alan Nafis: And when you get to this area here, that's where we have that hill still sitting there, so that is screened total.

Vice Chairman Cariseo: Anybody else? Anyone from the public wishing to speak in favor of this application? Anyone against? We will keep this open.

Attorney Sullivan: Before you move on, we are number one under New Business as well for the site plan, we can do that. We're going to be next up anyway.

III. **PUBLIC PARTICIPATION** (relative to items not listed on the Agenda-each speaker limited to two minutes.

None.

IV. **MINUTES.**

January 24, 2007

Commissioner Kornichuk moved to accept the minutes of the January 24, 2007 regular meeting. The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with five voting YES.

V. **COMMUNICATIONS AND REPORTS**

Ed Meehan: I copied the Commission with a memo that was sent to the Town Manager as part of the fiscal year of '07-'08 budget recommending an increase in the land use fees to be discussed in my next budget meeting. We have been keeping track the last year, given the legal costs and the fact that DEP takes a bite out of every land use fee, we are running about three or four thousand dollars in the red in our costs, so we did a little survey of neighboring towns, and we are below what our neighbors charge for site plan review and for special exceptions which are the most prevalent applications you have before you. Once in a while you get a zone map, or a zone amendment, maybe once or twice a year, but I think those fees are fair and will help re-coop or at least keep us even with the cost we are bearing right now. That will be going before the Town Council.

VI. **NEW BUSINESS**

- A. **PETITION 75-06 Assessor's Map SE 307, 1987 and 2169, known as 119 Deming Street, Frank A. Accarpio and Thomas Accarpio owners, Deming Street Development, LLC, 312 Murphy Road, Hartford, CT 06114 represented by Attorney Timothy Sullivan, 9 High Road, Berlin, CT 06037 request for Site Plan approval Section 5.3 (23 detached residential units), PD Zone District. Inland Wetlands Report required. Continued from January 24, 2007.**

Attorney Sullivan: Good evening again, Attorney Timothy Sullivan on behalf of the applicant. Once again, Al Nafis is going to go over some of the changes to the site plan. There aren't a lot since we were here the last, at the December 20<sup>th</sup> public hearing, when we first reviewed these site plan issues.

Alan Nafis: I think I went over all the site plan, I'm not quite sure, do you want me to repeat everything that I just said, I couldn't remember it anyway. I don't know what other issues there are to discuss in terms of the site plan.

Ed Meehan: I think the site plan has been pretty well summarized during the public hearing process. Of all the comments, I think the most significant one the Commission members should keep in mind is the safe sight lines on Deming Street. The other ones are issues of design nature that can be cleaned up on the plans and somewhat of a value judgment nature on the issue of the buffer between the back of the site and Walgreens. Maybe the Commission members should go down and take a look at that for themselves. I think of everything that really is before you right now, the issue of safety of people living in this area, people on Deming Street should be considered relative to the sight lines.

Commissioner Fox: What about the street lighting, Alan?

Alan Nafis: Oh yeah. We do have the street lighting. It is shown on the landscaping plan, on the inside of the roadway. It is only on one side with enough to light the whole road. It's a sixteen foot high, we do have a detail of what the lanterns are going to look like, ten foot high, directed lanterns so there is no spill over. This is the lantern type that we are using, right there. An ornamental street fixture, like I said, it's sixteen feet high with the cutoffs that direct the light where we want to use it. The other thing that I might want to mention is we are proposing, along the walkway, bother lights, shown right here. Thirty-two inch high bother lights just going right along the pathway here.

Commissioner Fox: Thank you.

Vice Chairman Cariseo: Anything else? Thank you.

**B. PETITION 78-06 751 Russell Road and corner of East Cedar Street, known as Lowe Manufacturing, Cedar Mountain, LLC owner, Hunter Development Company, LLC, P.O. Box 366 East Longmeadow, MA 01028 applicant, represented by Attorney Michael A. Zizka, Murtha-Cullina, LLP, 125 Asylum Street, Hartford, CT 06103-3469, request for Site Plan approval Section 5.3 gas station use and convenience store, I Zone District. Inland Wetlands Agency Report required. Continued from January 24, 2007.**

Carrie Olson: Good evening, I'm Carrie Olson of the law firm of Murtha-Cullina, I'm standing in for Michael Zizka tonight, I hope you're not all terrible disappointed, but, the main reason that we wanted to speak with Town Planner Meehan before hand is that based on a determination by the Inland Wetlands Commission last evening, you may or may not be aware, that a Conservation application was approved, and it's going to require a slight modification to the plan that we have submitted here for your consideration. In addition to that, we have not yet received any formal staff comments based on the most recent modification, so what we were thinking was tonight show you the minor modifications that we intended to make to these plans, to request a continuance and to come back before you with the final site plans, with the final staff comments, and be able to address all of the Commission's concerns regarding the site plan at that time. So with that, I'll turn it over to Mr. Cordera who will show you exactly the modifications that will be made.

Phil Cordera: Thank you. For the record, Phil Cordera from Allen and Majors Associates, site engineers for the project. As indicated, last evening, we received our Inland Wetland approval for site development which included construction of this roadway that runs within one hundred feet of

the jurisdictional inland wetland line. As such it will require a slight modification of the plans that are in front of you this evening. The plans that are in front of you indicate a roadway that would stop just short of the hundred foot wetland line and then turn into the proposed gas station/convenience store area. Because we now do have our approvals in place with Inland Wetlands, that change in direction will no longer be required. The roadway will then continue as shown on the, as previously indicated, so the road will not deviate into the gas station. The only other slight modification that will take place is that the retaining wall that is shown along here will be adjusted now to meet the retaining wall location approved from the Inland Wetland Commission, which is fifty feet back from this point. Those are the only two modifications required to these plans relative to the new approvals from the Inland Wetlands Commission.

Carrie Olson: I guess at this point, given the very minor modifications, essentially the movement of those two lines at the top of the plan, as well as the wall, as he indicated, we still deem that it is appropriate at this point to make those final modifications and submit them to Mr. Meehan for his final comments. We understand that engineering has no further comments on the plans, I don't think that those minor modifications are going to change that, but perhaps Mr. Meehan can give the Commission some insight, but basically our feeling is that we should have final plans that have been reviewed by staff, and so again we would be thinking a continuance to the next meeting.

Vice Chairman Cariseo: Ed?

Ed Meehan: I think that there are a lot of questions that this raises, particularly procedurally more than anything else. This will be the fourth so called modification of these plans. It sounds like you are going back to the version of the plans that were submitted back on November 22<sup>nd</sup>, which basically replicated what the Commission denied as far as the gas station/convenience store. The Commission did not deny the access road to the hotel, the restaurant, and the retail part of this development, but I think this is more than a little minor modification. I mean, I would think you should withdraw the application you have before the Commission, and resubmit. Submit a clean set of site plan drawings, now that you have Inland Wetlands approval, and get a set of final drawings before the Commission. We've had, as I mentioned, the 22<sup>nd</sup> drawings, we've had drawings dated in January, and then two weeks ago, drawings came in on February 2<sup>nd</sup>, and they were different than what was before the Conservation Commission which were the original drawings that go back to last July. You have covered that base with Conservation, now you want to come back to Planning and Zoning, so I think that you need to submit a fresh set of drawings, and not just call it a minor revision.

The second thing I would point out, and maybe Commission members have the same questions, and want to jump in on this, what are you asking the Commission to do? You have a set of plans before, are you going to go forward with this project and fulfill the site plan and the zone change and the zone amendment which the Commission made to basically have a mixed commercial use development here. It sounds like with this road now going back to the original design that is your intention, but you know, I still don't have a sense of what the timing is on that, whether you know, the questions came up before, we'd end up with just a gas station here, and then maybe the rest of the commercial development some time in the future. Your traffic people aren't here tonight, which is very critical, and the reason why the gas station was denied was concern over public safety and traffic, not just the layout of this road. It was the access off this site, on the road, that was a concern of the Planning and Zoning Commission. So, I think you need to tell us a little bit more, okay, you are going to revise the plans, you are going to go back to the original layout of the road to serve the rest of this site, but is it your intention to build the rest of the project? The other thing that we have communicated to you, and maybe you don't want to respond because of your legal strategies, the Town Attorney has recommended as this applicant did before, that this requires a Special Exception, for a gas station use. Let's put that on the table now, if you don't

want to do it, that's fine, that's up to you, but that also brings into play a whole different public hearing process and time line. I think those are some of the things that I have on my mind, procedurally, I mean, we can deal with the site plan changes, we can deal with the engineer, he may have, I think he has most of his drainage questions either in writing or addressed with the folks at Allen Majors, I know that they have been communicating. If we are going back to the original layout of that road, we will look at it again, there's been no changes in the grade, there's been no changes in the width, okay, it's pretty easy to look at, but we are back to traffic, and I think that needs to be presented to the Commission again, is traffic. That's what I would recommend to the Commission. You start, take this plan off the table, come in and give us a fresh set of drawings. You say they are minor, but this has been going on since November, it seems like we have been playing, I hate to be crass about it, but someone keeps moving the board around here.

Carrie Olson: Well, if I could respond, I would like to qualify that it's my understanding, please correct me Michael, if I'm wrong, but these most recent plans that were submitted for staff comment, actually were revised in response to the last go around of staff comments, so these are not the same plans from last November, am I correct?

Phil Caldero: Correct, they have been revised to address staff review comments.

Carrie Olson: So, essentially what has happened is the site plan has evolved based on staff comments to the point where we have submitted what you see before you, and then had the Inland Wetlands Commission approve the Conservation application last night, which essentially all it does is put the road back that was approved prior, so I really do feel that these are very minor modifications, and this isn't a whole new set of plans, but rather plans that have been revised in response to staff comments, so we certainly feel that the modifications are minor, again we are removing, I'll go through it again, we are removing a couple of lines. I don't believe that there are any grading issues that you.....

Phil Caldero: There will not be, and it will be grading similar to what has already been seen, so as indicated, we are considering it minor. It's already been reviewed.

Ed Meehan: It wasn't a staff comment to take the road out, that was the applicant's decision to shorten the road to avoid the set of plans coming to Planning and Zoning, staying out of the hundred foot upland review area.

Carrie Olson: Understood.

Ed Meehan: That wasn't a staff comment.

Carrie Olson: Absolutely understood, but since then I think, you mentioned the January plans, the February plans, and again, those plans were revised in accordance with staff comments so, you know, again our feeling is that these plans have been responsive, and have evolved appropriately, based on staff comments, and at this point, all we essentially want to do is take out a couple of lines and put back a road that this Commission had previously approved, and that the Inland Wetlands Commission has now also approved.

Ed Meehan: What does that do to the time line that this Commission is obligated to act on? What time line are you using that this Commission needs to be aware of going forward?

Carrie Olson: Okay, well first of all, I think that we all agree that clearly the deadline is at least until March 16<sup>th</sup>, and certainly after March 16<sup>th</sup>, we have up to another sixty-five days with which to work if additional time is required. And again, we are asking to come back here next regularly

scheduled meeting, which I understand is next week. I don't know if it's possible, I mean, I know that we can get the plans in by Friday, the question is whether we can get the final staff comments back in time for the next hearing, or meeting rather. We want to make sure that everything is final and that we do have the final staff comments and have an opportunity to respond to any final staff comments. Again, I think you mentioned three or four things as we were standing in the hallway, those are things that we can modify and submit to you by Friday. With respect to the other concerns that you raised, I guess with respect to the legal opinion, the traffic issues, I tried to write as fast as I could, again, I think we would be in a very good position at the next meeting to address all of those concerns at one meeting, rather than breaking it up into various piecemeal discussions. Again, we feel that it should be surrounded by you know, the knowledge that we are looking at the final site plan, with final staff comments.

Ed Meehan: Well, that only gives the Commission two meetings to look at this, the 28<sup>th</sup>, and then they would have to vote on March 14<sup>th</sup>, unless the applicant would grant an extension for some part of that sixty-five days. There are a lot of other petitions on the Commission's scheduling agenda that have been waiting in line also, so I can't guarantee that myself, or the town engineer would have comments for the 28<sup>th</sup>. I gave Mr. Frisbee two or three things that I saw on these plans that are very simple, very simple changes, but it's up to the Commission as to how the Commission sees this, I think you are going back to what you submitted back in November and to me, that is pretty much starting over again, but, that's how I see it. If you get the plans in by next Wednesday, the clock starts on the 28<sup>th</sup>. Your sixty-five days starts then. It's up to the Commission.

Commissioner Kornichuk: I just have one question. Now what is different between this plan, and the original plan that we had at the end of last year, with this roadway, going back to the way it was on the original Hunter Development. We denied this gas station, now we're back with the gas station before us again, that's the part we denied, and the part of it that was the change was the roadway. Now the roadway is going back to the original way, to me it feels like it's an end around, they are trying to slide this gas station in.

Ed Meehan: The only change that I see is the elimination of the double drive around the back of the convenience store. The other changes, as the attorney says, are the result of staff input on some fine tuning of the drainage, some questions on the layout, mostly engineering questions, and then the plans were changed late last fall, well, you voted on November 20<sup>th</sup>, I think prior to that the internal driveway system was changed with a right turn in, and the closing of one of the driveways, that is what you voted on. Other than, looking at this, you are right, it's the exact same plan except for the double driveway, and some deferred parking along the edge of that, one of the driveways around the back on the convenience store. That's why I said, it's a discussion of the traffic engineer coming in, presenting their information, if they have new information or trying to educate the Commission and convince you otherwise from the reasons that you denied it last time.

Commissioner Kornichuk: Well I was one that wasn't happy with the traffic on the last one, and I went by that area tonight at quarter to four, and the traffic was piled up onto the highway. What's this going to do, I don't know. I won't say anything more.

Ed Meehan: Well, this is a new application. Whether, whatever time line they end up doing, it's a new application, so you need to revisit it again, and they have the opportunity to present their traffic all over again, it may be exactly the same, but that is their right to do it. We have to give them the benefit of that right, but to answer your question, it's only the double driveway as far as I can see.

Commissioner Fox: When we denied the gas station, we also denied the zone change, is that correct?

Ed Meehan: No, the zone change, there were two zone changes. The amendment to the regulations to increase the height of hotels, the petitioner, Hunter Development put that in, that was approved. That became effective January 15<sup>th</sup>. The change from industrial to Berlin Turnpike Business Zone was going to be effective upon the signing of the site plan.

Commissioner Fox: Okay. Actually, what I would like to know is, how is this going to make the traffic any different? We're still going to have a traffic problem, and like Commissioner Kornichuk, who was the first to bring it up, it was mentioned, the location of the traffic light, especially in the winter would have a queue of vehicles going east, still on the hill, when they start, they could be sliding. I came around the corner from Russell Road, after sitting there for about ten or fifteen minutes, actually on the turnpike, and I was almost blinded by the sun. Now, this of course is a seasonal thing, but still, people are going to be swinging into the gas station, people are going to be coming around here, and maybe not seeing them swing in, so I still am extremely worried about the traffic safety, the safety of the pass through traffic and those going in and out.

Carrie Olson: Well, I think we would be prepared again to address a lot of the traffic issues next time, but I think that I would also comment that you know, there is already an application that has been preliminarily approved before the state Department of Transportation addressing this very issue. And I think they are working with the state DOT to deflect any kind of traffic concerns that the state might have with respect to the road, so I think that I think there are some discussions with the traffic light, but we would have our traffic engineer here next time.

Commissioner Fox: Thank you.

Commissioner Schatz: You know, we're not against development, because we went ahead and approved the whole thing, other than the gas station, with the concerns of traffic, and we have a gas station, which is Mobil, down at the other end of the, you know, Cedar Street, which is a nightmare in the evening and the morning when the traffic is through there, it's a mess down there, because I go by there everyday. You know, I'm trying to understand what we are really looking, all of a sudden we said, okay, you've got the rest of the development, well, is the rest of the development six years from now, or, when does the spade go in the ground, if this was approved, what would be built first? I mean, I would think the whole development would be built, but I'm not a contractor and I don't develop sites like that, but you know, it's like, you approve something, and then nothing happens. It sits there, and sits there and sits there.

Carrie Olson: You are talking about the other approval for the rest of the development?

Commissioner Schatz: Well, they are going to be tied together, right?

Carrie Olson: Absolutely they are tied together. Absolutely.

Commissioner Schatz: Well, if you said, well okay, this is what we are going to do, and this is the safety features, and this is going to be worked out, for all we know, the gas station will sit there and Lowe's Manufacturing will still stand.

Carrie Olson: So your questions are about the phasing of the project, if any phasing.

Commissioner Schatz: Yeah, it would be nice to know what is going on.

Carrie Olson: I don't know if the applicant has any set plans on that, I don't know that he has thought about, I think his concern right now is getting all of the necessary approvals.

Commissioner Schatz: The object of it is, it's like a little mystery going on, and I don't care for that. I like straight forward, come in, say, okay, we want a gas station, hotel, boom, boom, boom, and there are other developments in town that came into two meetings, and they are being built. So, this is like a dance, and I would like to get right town to the bare bones, okay, this is what we are going to do, and this is how we are going to do it, and then just lay everything on the table. Thank you.

Carrie Olson: Well, I think that is exactly what we are trying to do.

Commissioner Schatz: Good, it would be a massive improvement with a hotel and all that, I mean, come on, good for the town.

Ed Meehan: Well, I think before the applicant leaves, they need direction. What do you want to tell them, the applicant's attorney, Ms. Olson, is saying that they feel that these are minor changes and they would revise the plans, have them back by the end of this week, prior to the 28<sup>th</sup>, and they would like to stay on the schedule that the date of receipt of the plans that have been filed and received on January 10<sup>th</sup>, and the sixty-five days ends March 16<sup>th</sup>, are the calendar dates that they want to go by. It gives you the 28<sup>th</sup>, and the 14<sup>th</sup>, the 28<sup>th</sup> of February and the 14<sup>th</sup> of March to hear this, a presentation at two meetings, you could, and I don't think she is saying, is it a drop dead on the 14<sup>th</sup>, if the Commission wants more time? Is the applicant willing to consider that?

Carrie Olson: We would consider an extension of time, we haven't discussed exactly what extensions, but....

Ed Meehan: Well, it may not be the full sixty-five days, but maybe another two weeks, this board meets every two weeks. That's one option, the other option is to say, go back to square one, start over with everything and the clock starts on the 28<sup>th</sup>. Probably end up just about the same place, just about.

Commissioner Fox: I think the application as far as, we're going to have to see modified plans anyway, so I think it would benefit both sides if they did withdraw it, and come in with a new application, and then it's like starting fresh, am I wrong?

Ed Meehan: No, the plans, it's more procedural than substantive. The plans aren't going to change that much, but procedurally you are starting fresh, and you have a fresh time clock.

Commissioner Fox: That was my point, thank you. That's my opinion.

Vice Chairman Cariseo: And that is what the Town Attorney said.

Ed Meehan: No, the only thing that the Town Attorney offered three comments, that they certainly have the right to reapply, submit a new site plan, that the zone, because it hasn't become effective yet, is in the I zone, the Industrial, and third, that in his opinion, Section 6.11 under the zoning regulations, auto related uses, would require this applicant to also submit a Special Exception application as they did in their original filings. If they don't want to do that, that's up to them, but....

Carrie Olson: I have to say, we really don't want to have to withdraw this application and start over. We really believe that if we make these minor modifications and appear before you next

week, at your meeting, with our traffic engineer, that anything that we would possibly have submitted to you, pursuant to a new application would be before you. Again, the changes are so minor we're just not in a position where we want to start over at this point.

Vice Chairman Cariseo: What is the Commission's favor on this?

Ed Meehan: Well, I don't think you can tell them that they have to withdraw. You can suggest it, and they can take it under advice, but you can't make them withdraw. They have an application before you, which they have paid the fee, that's.....

Carrie Olson: If there were significant changes, if we were revising this plan completely, you know, I'd be the first one to say, we should withdraw and start over, for everyone's benefit, but we are really right there, and I think that we should be permitted to revise them and move forward.

Commissioner Fox: That being said, Ms. Olson, I would rather see you reapply.

Carrie Olson: I appreciate that, but....

Commissioner Schatz: Through the Chairman, to Ed, now we approved the zone change, and that is an approval based on when the documents are signed, if I'm right.

Ed Meehan: When the site plan is signed.

Commissioner Schatz: Site plan, right, that we approved. So does that make all that land the I zone now?

Ed Meehan: Right now it's in the I zone, but once the site plan is signed, whether it's with a gas station or without a gas station, it goes to the Berlin Turnpike Business Zone and that zone permits the hotel and it permits the retail, it permits the bank, it permits the restaurant. If they weren't in the Berlin Turnpike Business Zone, the retail and the bank would require Special Exceptions and you couldn't do a hotel.

Commissioner Schatz: In the Industrial zone.

Ed Meehan: In the Industrial zone, you could do a restaurant by Special Exception. So that's why as you said earlier, the Commission worked with this applicant to get this site, it's a good looking site, a gateway site. You have reservations about traffic safety, you guys know your town, it's up to you. They've got to convince you otherwise.

Commissioner Schatz: I think we all have great respect for the developer on this, there is no doubt about that, I never felt in any conversations privately, or just talking, we have great respect for this developer, but we would like to see something go forward.

Carrie Olson: Well, that is the plan. With all the appropriate approvals, that is the plan.

Ed Meehan: Okay, they are sticking with their plan, you have two meetings, and come March 14<sup>th</sup>, they haven't said that they wouldn't withhold an extension, just keep that in the back of your mind. I think they need to bring their experts next meeting, along with the revisions, and convince you of the traffic safety of this project. I didn't see anything where the Commission had a problem with the layout, it was with the land use, the gas station land use, and the traffic which follows that type of land use.

Commissioner Fox: And as you say Ed, who are we to say, you will do this, but now evidently you are embarking on a course where you are not going to reapply, and let the chips fall where they may.

Carrie Olson: Well, again I think, with all due respect, if we were significantly changing the plans, then I think the only appropriate thing to do would be withdraw, but we are not, under these circumstances. It really doesn't make any sense for us to start over, all it does it delay the beginning of construction, which I think all of you have said, you already feel that this whole project has been left in limbo. Once this gas station is approved, the project goes forward.

Commissioner Fox: Including the rest of it.

Carrie Olson: Right, that's the plan. I'm not trying to be disrespectful again, if there were major revisions, I would be the first one to advise him to withdraw, but under the circumstances, I don't think it is appropriate.

Commissioner Fox: Thank you.

Carrie Olson: Thank you. So, it will be next week then?

Ed Meehan: It will be continued under New Business as a site plan presentation. The burden is back on your guys to get the revised plans in.

Carrie Olson: Thank you very much.

## **VII. OLD BUSINESS**

### **A. PETITION 06-07 2207 Berlin Turnpike, Summit Motel, Neel, LLC owner, Kayshik Patel, applicant, 2207 Berlin Turnpike, Newington, CT 06111 request for Special Exception Section 6.2.4 pylon sign. Public hearing closed January 24, 2007. Sixty five day decision period ends March 30, 2007.**

Commissioner Kornichuk moved that Petition 06-07 2207 Berlin Turnpike, Summit Motel, Neel, LLC owner, Kayshik Patel, applicant, 2207 Berlin Turnpike, Newington, CT 06111 request for Special Exception Section 6.2.4 pylon sign, be approved.

Approval is based on the sign design presented to the Commission at public hearing January 24, 2007 with total height of 12 feet, 48 sq. ft. preside and internally illuminated.

Prior to the construction of the sign the applicant shall obtain zoning and building permits.

The motion was seconded by Commissioner Fox. The vote was unanimously in favor of the motion, with five voting YES.

Vice Chairman Cariseo: Motion carries.

**VIII. PETITIONS FOR SCHEDULING (TPZ February 28, 2007 and March 14, 2007)**

- A. PETITION 03-07 262 Brocklett Street, John G. Formato, 798 Southing Road, Kensington, CT 06037 owner and applicant, represented by Alan Bongiovanni, BGI Lane Surveyors, 170 Pane Road, Newington, CT 06111 request for Zone Map Amendment, R-12 District to B-BT District. Schedule for public hearing February 14, 2007.
- B. PETITION 04-07 262 Brocklett Street, John G. Formato, 798 Southing Road, Kensington, CT 06037 owner and applicant, represented by Alan Bongiovanni, BGI Lane Surveyors, 170 Pane Road, Newington, CT 06111 request for Site Plan Approval Section 5.3 to construct a 7,275 sq. ft. business office building, B-BT District (requested.) Schedule for presentation February 14, 2007.
- C. PETITION 04-07 42 Maple Hill Avenue, Antonio Pinho and Jose Pinho owners and applicants represented by Antonio Pinho, 52 Wolf Pit Road, Farmington, CT 06032 request for Special Exception Section 6.7 Interior Lot, R-12 District. Schedule for public hearing February 28, 2007.
- D. PETITION 07-07 426 Hartford Avenue, Alex Kosovski, owner and applicant, represented by Attorney Fincent F. Sabatini, One Market Square, Newington, CT 06111 request for Certificate of Location, Dealer and Repairers License, CGS 14-54, Section 6.11.7, I Zone District. Schedule for Public Hearing March 14, 2007.
- E. PETITION 08-07 426 Hartford Avenue, Alex Kosovski, owner and applicant, represented by Attorney Fincent F. Sabatini, One Market Square, Newington, CT 06111 request for Special Permit Section 6.11 Sale of Motor Vehicles, I Zone District. Schedule for Public Hearing March 14, 2007.
- F. PETITION 09-07 426 Hartford Avenue, Alex Kosovski, owner and applicant, represented by Attorney Fincent F. Sabatini, One Market Square, Newington, CT 06111 request for Site Plan Modification, auto related use, I Zone District. Schedule for presentation March 14, 2007.
- G. PETITION 10-07 114 Richard Street, Frank Giangrave, 128 Richard Street, Newington, CT 06111 owner and applicant, request for Amendment of Special Exception, Interior Lot Section 6.7, R-20 Zone District. Schedule for Public Hearing March 14, 2007.

Ed Meehan: You are going to have Maple Hill, 68-80 Maple Hill again, which they should be wrapping up the public hearing that night, soil testing has been done, some of the engineering comments have been shared back and forth with A-N Engineers; Brockett Street is a zone change, I would recommend that you keep that on, I think you are okay. I was going to try to get the Kiwanis on for their flea market hearing, but you could maybe hear that the 14<sup>th</sup>, and vote the same night. It's the traditional flea market, they're not going to start until April anyway. So, if you hold with the applicants you have, you will have Maple Hill, Deming Street, Hunter, that's three, Brockett is four, and Maple Hill, 42 Maple Hill, Interior lot is five. Some of those are double applications though. I think you will be all right. Deming should start wrapping up, the details. We have to get the legal notices, this is a short time, we can always cancel them, but we can't add. I'll talk to Al Cohen at Kiwanis.

Commissioner Fox: Well, that shouldn't be a big deal.

Ed Meehan: No, they are going to come in and ask about their dates, and location.

Commissioner Kornichuk: It's not like they take a long time, they're up here five minutes.

Ed Meehan: The only other application that is not listed on the agenda is there is an accessory in-law apartment which came in after the agenda went out, for Vineyard. That would be something that you could probably do on the 14<sup>th</sup> of March. That's it.

**IX. PUBLIC PARTICIPATION**  
(For items not listed on agenda)

None.

**X. REMARKS BY COMMISSIONERS**

Commissioner Kornichuk: Boy, that looks like a spring at the bottom of Bayberry with all that snow and everything.

Ed Meehan: Catch basin is clogged, I understand. That is what the town engineer told me the last time I asked.

Commissioner Kornichuk: If it comes up a little higher, I'm going to park my car there and let it wash the underside.

**XI. STAFF REPORT**

Ed Meehan: Just quickly, I've been in contact with Pat Snow over at Premier Development about the issue of trees and the subdivision bond for Rockledge and New Britain Avenue. He has only heard back from one or two property owners. He sent the letter out asking the folks who bought his lots to provide him with a thousand dollars to plant trees. Not unexpected, no one is jumping at that offer. That was the contract that he had with the lot buyers. He asked me the other day, what would the Commission do, and I said, we can discuss this in March because we're getting close to the planting season by then, but there are a couple of options. I would share this with the Commission, and maybe talk with Steve Nassau, the Town Attorney is if Snow is voluntarily release the money, the bond money for the trees to a fund that the town would set up for new trees in public areas. Either town center, schools, parks, or, it's time to re-prune the trees in the center. Do something that would affect the trees. Or, if he didn't do it voluntarily, you could call the bond, but then you are obligated under the bond agreement to try to plant, and so now you become the contractor for twenty-six houses. Very difficult, so that's why I want to talk to....

Commissioner Fox: Especially since they will be sitting at their windows with shotguns.

Ed Meehan: Yeah, they have utilities, they have sprinkler systems, they have established lawns.

Vice Chairman Cariseo: I would think you would send them a notice and say, we have called the bond, we've got the money to plant your two trees, if you would like them, we will put them in, if you don't sign off, and that's it.

Commissioner Fox: And use it for the benefit....

Ed Meehan: Use it for the benefit for other places in town. It's about thirty thousand dollars worth of trees, approximately. That is the status of that. Waverly, which is Premier Development is coming along better, the message has gotten out to people that it's planting season, before you get a c.o., you have to get a tree in. Some of the trees are not necessarily two and a half inch caliper, there's a couple of lots there they have more expensive specimen trees, they have a weeping cherry, or a dogwood, or something, choke cherry.

Vice Chairman Cariseo: I went by there the other day, there is one house there that looks like the rising sun. It's huge.

Ed Meehan: The other things I had in my notes, we have not released the bond for Waverly. We are going to hold that bond obviously through this winter season. Town Engineer has directed Premier to provide coring samples of the road base, the road went in very late last year, December, when they were rolling out the process, so we're concerned about settlement, and also, if you've been on that road, you have noticed very high manholes, catch basins, it's more than your typical leveling course, you have to go back in and lower the basins, and the manholes, or you put a lot of pavement in there, and bring them up, so that is going to be monitored this spring. We're holding, I think it's \$240,000 on that. That's the status of that development.

## **XII. ADJOURNMENT**

Commissioner Kornichuk moved to adjourn the meeting. The motion was seconded by Commissioner Pruett. The meeting was adjourned at 8:15 p.m.

Respectfully submitted,

Norine Addis,  
Recording Secretary