

**Town of Willington
Planning and Zoning Commission
Meeting Minutes
September 20, 2022 – 7:30 PM**

Note: This hybrid meeting was held at Hall Memorial School and via Zoom.

A. Call to Order

W. Parsell called the special meeting to order at 7:30 PM.

B. Roll Call/ Seating of Alternates

Members Present:

Rebeca Sinosky
Doug Roberts
Joe Hall
Andy Marco
Walter Parsell
Bob Shabot
John Tehan

Also Present:

Michael D'Amato, Zoning Agent
Christopher Roberts, Assistant Land Use Agent
Ken Slater PZC Attorney

C. Applications for Receipt

None

D. Public Hearing

1. PZ-22-10: Zone Change Application: R80 to SDZ related to a Zone Change and Concept Plan application per Section 12.15.4(b). 0 River Rd (MBL 34 009-0A, 34 009-0B, 34 009- 0C). Owner: Barnini Circle Associates LLC (1/3) & Perleon LLC (1/3) Alsyd LLC (1/6) Breng LLC 1/6 Applicant: Thomas Cody

W. Parsell said that it was time for the applicant to respond.

Thomas Cody introduced himself as the attorney for the applicant NHG acquisitions LLC. He explained that he would be responding to questions and comments from the previous nights of public hearing.

He explained that this project was a joint effort between Hillwood and the New Haven Group.

He gave an outline of his presentation. He explained to the commission how the application fits into the SDZ regulations and where they were in the process. He explained that the next steps would be a wetlands application, special permit including more public hearings, as well as several state level applications/approvals. He noted that one important part of the SDZ regulation is that if the applicant does not obtain a special permit within one year the SDZ zone expires and reverts to the previous zone which in this case would be R-80. He listed the number of studies that would be required as part of the

special permit application process. T. Cody showed the commission the maps illustrating the parcels and the proposed zone changes. He highlighted the plan of conservation and development and used it to explain why this zone was appropriate for the area. He explained the anticipated fiscal impact and explained its importance. T. Cody stated that neither Hillwood nor New Haven Group were seeking a tax abatement. He explained that even if another entity such as a tenant asked for a tax abatement it would be the town's decision to grant it. T. Cody compared the current zone to the proposed zone. He showed a conceptual residential subdivision on the subject parcels and explained the impacts of such a proposal. T. Cody introduced Geoff Fitzgerald from Bohler Engineering.

G. Fitzgerald explained the water and sewer impacts on the proposed warehouse and compared it to a conceptual residential subdivision. He spoke about the watersheds in the area of the proposed warehouse. He showed some examples of similar buildings and explained to the commission that they have experience with designing buildings to look appropriate. He spoke about the use of the building and the type of activity that would occur there. J. Fitzgerald spoke about the geotechnical aspects of the site and spoke about the potential of Brimfield Schist on the site. He explained that they have experience working with this type of rock and other difficult geological factors. He explained that they are well versed in geotechnical engineering. He responded to the concern for crumbling foundations and regarding blasting.

Kevin Solli introduced himself as a professional traffic engineer from Solli engineering. He explained the traffic engineering process. He explained the process of a traffic impact study. He explained the state review process and all the steps required. He addressed concerns brought up about traffic improvements. He addressed concerns with the traffic analysis being done using the land use code for a warehouse rather than a fulfillment center. G. Fitzgerald then introduced Nate Kirschner.

Nate Kirschner introduced himself from Hillwood. He explained the building would be a warehouse and would be used for storage of products. He spoke about the layout of the building. He explained that a building would not be built without a tenant. He reiterated the caution and sensitivity to the public the company takes when blasting.

T. Cody gave a summary of the application. T. Cody responded to comments from Ralph Tulis regarding the applications completeness. T. Cody responded to R. Tulis' points and explained why the application was complete.

W. Parsell noted similar facilities in Pennsylvania and that the employees that were coming from other areas. He mentioned concerns about the ability of the proposed warehouse to staff the facility locally. He asked if they have seen these issues in other facilities built by the company.

N. Kirschner explained that local high-density areas like Manchester and Willimantic are what would provide the workforce. He said that local is a subjective term. He explained that what they look at is highway access and the workforce. He concluded that they were confident that the area had enough workforce, and the jobs would pay enough to draw in workers to support the warehouse.

T. Cody handed out copies of the presentation and schematic floor plan to the commission.

R. Sinosky asked why the Mobil station was being rezoned. T. Cody answered that it was included within the application but that their team had no intent to purchase or develop this site.

J. Tehan asked what a person's recourse would be if the aquifer was affected even after studies having been done. T. Cody explained that the applicant would do everything in their power to prevent anything from happening. He explained that there are at least a half a dozen land uses that could pose a threat to the aquifer that are closer than the proposed site to the aquifer protection area. He said they had the benefit of having the modern techniques available to understand, monitor and manage issues.

J. Tehan stated that that did not fully answer his question and asked what his recourse would be should something happen to the aquifer.

T. Cody responded that any contamination of ground water is subject to enforcement from the State of CT and DEEP (Department of Energy and Environmental Protection). He said that in the unlikely event that contamination would occur there would be enforcement action from the state.

J. Tehan noted the use of propane to heat the building and said that this was not sustainable. He asked if they had considered more sustainable options like solar panels or heat pumps.

N. Kirschner said they were exploring it and if the technology could accommodate it, they would certainly be open to it should the application be approved.

B. Shabot asked if they had ever built a warehouse with a green roof. N. Kirshner said that from his experience green roofs tend to be problematic structurally speaking he said to his knowledge Hillwood has not done one before. He added that it was something they would explore during the special permit process. B. Shabot noted on the plans that they had the well field on the eastern corner of the site near the Conant Brook. He asked if they had considered an alternate watercourse. He explained that UConn had once dried up the headwaters of the Fenton River from using the water. He asked what their plan would be if the Conant brook went dry. N. Kirschner said that well location would be explored in their studies if they were to go further. In terms of the brook running dry, he said that this would be addressed in their geophysical assessment, and they would produce an alternate plan. He stated that there had been talks with Connecticut Water on bringing domestic water to the site, but it was too early to speak to it. B. Shabot asked what the conceptual residential plan was based on. T. Cody said it was not based on any extensive analysis it was just to show logistics on how the site could be divided up into residential lots. T. Cody noted that a significant difference between what happened at UConn was that that was a stratified drift aquifer and different geology and impacts. B. Shabot said there would be slower infiltration on their site. T. Cody stated that there would be a focus on water storage and there would be a more metered release of water compared to the higher demand of something like a dormitory. B. Shabot asked how this would be monitored with an absentee landlord. G. Fitzgerald made the point that the proposed water usage for this project would be much smaller than what UConn draws from the Fenton River. B. Shabot said this stream was smaller than the Fenton River as well.

W. Parsell Motioned to close the public hearing. J Tehan seconded. **All in Favor. Motion Passed.**

2. PZ-22-11: Special Permit Application for Expansion of Home Occupation to add propane delivery at 163 Ruby Rd. Applicant/Owner: David Lytwyn.

No Discussion.

Application Continued to October 4, 2022.

3. PZ-22-13: Text Amendment Application pertaining to modifications to the Strategic Development Zone (Section 12.15). Applicant: James Marshall

No Discussion.

Application Continued to October 4, 2022.

E. New Business

1. PZ-22-10: Zone Change Application: R80 to SDZ related to a Zone Change and Concept Plan application per Section 12.15.4(b). 0 River Rd (MBL 34 009-0A, 34 009-0B, 34 009- 0C). Owner: Barnini Circle Associates LLC (1/3) & Perleon LLC (1/3) Alsyd LLC (1/6) Breng LLC 1/6 Applicant: Thomas Cody

M. D'Amato explained that draft motions to approve and deny had been prepared for consideration by the Commission which included the potential necessary findings that the Commission could then add to.

At 9:01 pm W. Parsell stated the Commission would break for 5 minutes to collect their thoughts.

W. Parsell called the meeting to order again at 9:05 pm and explained that there were two motions in front of the Commission, one to approve and one to deny.

W. Parsell made a motion to deny ***PZ-22-10: Zone Change Application: R80 to SDZ related to a Zone Change and Concept Plan application per Section 12.15.4(b). 0 River Rd (MBL 34 009-0A, 34 009-0B, 34 009- 0C). Owner: Barnini Circle Associates LLC (1/3) & Perleon LLC (1/3) Alsyd LLC (1/6) Breng LLC 1/6 Applicant: Thomas Cody*** J. Tehan seconded. **All in Favor. Motion Passed.**

A. Marco stated that he thinks it deserves additional discussion. W. Parsell stated the findings were that the size scale and use were inappropriate. A. Marco noted that the PZC is tasked with promoting public health, safety, and welfare without depriving the owner of alternate use of the property. He stated that there is a letter on file from the landowner stating that he has an alternate use of the property. He noted that there are people in favor of this, but few spoke out. He said that this proposal does not support public health safety and welfare and he supports the denial.

W. Parsell read some of the findings in the motion. He stated the size scale and use were not in consistent with the POCD. He elaborated on this point. He noted the overwhelming outcry from the public against this.

Ken Slater suggested that W. Parsell propose including the findings he read in an amended motion.

W. Parsell motioned to include the findings in the motion to deny PZ-22-10.

1. Findings: The size, scale and use included within the application materials for the proposed zone change and as depicted in the conceptual site plan seek to establish a development which is not consistent with the Plan of Conservation and Development, the comprehensive plan of zoning in the Town of Willington, and the considerations for approving a strategic development zone pursuant to Section 12.15 of the Zoning Regulations

J. Tehan Seconded. **All in Favor. Motion Passed.**

F. Unfinished Business

1. PZ-22-14: Text Amendment Application, pertaining to the prohibition of Cannabis Establishments (Section 13). Applicant: Willington Planning & Zoning Commission

No Discussion

Postponed to October 4th

G. Approval of Minutes

1. September 6, 2022,

J. Tehan motioned to approve the minutes. R. Sinosky seconded. **All in Favor. Motion Passed.**

2. September 13, 2022

R. Sinosky motioned to approve. B. Shabot Seconded. **J. Tehan abstained. All others in Favor. Motion Passed.**

H. Public Participation (for items not listed on the agenda):

Linda Hothan noted that her name was misspelled. She said that no one in town deserves to be treated with disrespect and that staff should be respectful.

A resident spoke about her disappointment with the conduct of the citizens in town and the lack of respect on social media.

Melissa Miller thanked the board and commended them for providing an online option for the meetings. She apologized for her conduct at the last meeting.

I. Correspondence

None

J. Staff Report/Discussion

None

K. Adjournment

W. Parsell adjourned the meeting at 9:17 PM.

Respectfully Submitted,

Chris Roberts, Assistant Land Use Agent

