

**May 16, 2011**

**MINUTES: THE PLANNING & ZONING COMMISSION**, Town of Hamden, held a Public Hearing and Special Meeting on Tuesday, May 10, 2011, at 7:00 p.m. in Hamden High School, Room C107, Dixwell Avenue, Hamden and the following was reviewed:

Commissioner in attendance:

Joe McDonough, Chairman  
Ann Altman  
Brack Poitier  
Peter Reynolds  
Jonathan Cesare  
Ryszard Szczypek

Staff in attendance:

Leslie Creane, Town Planner  
Dan Kops, Assistant Town Planner  
Tim Lee, Assistant Town Attorney  
Peggy Craft, Acting Clerk  
Lisa Raccio, Stenographer

Chairman McDonough called the meeting to order at 7:00 PM. The clerk read the Public Hearing items into the record. Mr. McDonough introduced the panel and reviewed the Public Hearing procedures.

**2. Special Permit 11-1178/WS**

2856-2862 Whitney Avenue, T-4 Zone

Carrot Patch Daycare

Suzanne Miller, Applicant

*Public Hearing continued from the April 26, 2011 meeting*

*Deadline to close Public Hearing May 31, 2011*

Attorney Joan Molloy, of the Laughlin Fitzgerald Law Firm located in Hamden and Wallingford, the applicant's attorney addressed the Commission.

Attorney Malloy said she represents Suzanne Miller, the owner of Carrot Patch Daycare. Ms. Miller is applying for a Special Permit to open a day care facility at 2856-2862 Whitney Avenue. This property is the former estate of William English.

Ms. Molloy said the applicant proposes to open a daycare for 56 children at this location. She provided a revised set of plans which are being submitted as a result of staff comments and questions raised by Commission members.

Ms. Molloy displayed the plans and pointed out the old barn location which will be the daycare facility. Ms. Molloy said, as stated in previous discussions, there is a common driveway. She explained how cars will enter the parking lot, and signage with directions to turn to the right. There are now four parking spaces as requested by the Town Engineer. She said the plan indicates where parents will park and enter the building.

Ms. Molloy said there will be a painted crosswalk, and showed where the primary parking for the staff will be. She further explained employee parking and the crosswalk. They have added a guardrail. Ms. Molloy pointed out an alternate location for the stop sign, and added that the applicant is proposing to put in a painted stop bar which will be a visual indication to stop. She discussed the stop sign at Whitney Avenue. She said the Department of Transportation wants it pushed back onto their property. She said the alternative would be a painted stop bar.

Ms. Molloy presented a photo board showing the driveway to the parking area and daycare. She provided a copy of all the photos to the clerk for the record. Ms. Molloy explained the photos. She said the driveway is 18 feet wide, and said there is plenty of room for a turn around in the driveway.

Ms. Molloy said she was requested to provide information on the height of the block wall in the parking area. It is 2 ½ feet high. She pointed this out in the photo, and explained that the wall declines and not all of it is 2 ½ feet.

She has met with staff, and asked the engineers if there were any statistics to show that a paved driveway and turnaround are safer than gravel. No statistics were found. She added that the parking area will be paved.

Ms. Molloy said Attorney Einhorn, the Charlton Hill Association's attorney, sent a letter to the State Traffic Commission asking if this application requires a State Traffic Commission Review. She said the STC sent a letter stating that no STC approval is required. She submitted the letter to the clerk.

Next, she said that staff wanted a change made to the entrance, and a fence and gates were added to the playground contract. There is also a change from the first meeting regarding the landscaping. She said the area on the western edge of the site is well vegetated and she didn't think plants would survive. She said plants will be added if needed.

Ms. Molloy submitted photos of the interior of the barn to the clerk.

She said during the last meeting there were comments about extensive renovations that would be needed to turn the barn into a daycare facility. Ms. Molloy showed photos of the inside of the barn. She pointed out that this is a finished structure, and few changes are needed to make it into a daycare facility. It will be cleaned and painted and fire doors will be added. Ms. Molloy said she felt it was important for the Commissioner to see that this is a finished interior.

Next, Ms. Molloy discussed the playground, and showed photos of the site prior to the work being completed. She said this is not a dark and dreary area. She said there is lots of sun. She said she wanted to illustrate this to show why the applicant wanted this location and why it will be successful.

She displayed photos looking up at Charlton Hill. She pointed out the playground, and explained that with the level of vegetation it would be hard to see the building looking down from Charlton Hill. She said she doesn't think much vegetation will be needed there to create a buffer.

She showed aerial photos and the level of vegetation.

She was asked to put in topo on the plans between the upper and lower driveways and also to show snow storage.

Next, she introduced a rendering of the playground area next to the entrance of the building and a sample letter from Carrot Patch which will be given to parents explaining drop offs and parking.

Ms. Molloy explained the rendering of the playground and the artist rendering.

Ms. Molloy said the next big issue that was discussed at the last meeting was traffic. She said she will turn the presentation over to Traffic Engineer Jim Bubaris.

Mr. Bubaris introduced himself and said he is the principle of Bubaris Traffic Consultants in Cheshire. He has prepared the traffic study follow up, and also read staff comments. He said he is in agreement with everything in the traffic study. He pointed out that the police departments in all towns in Connecticut submit accident records and files to the Department of Transportation on an annual basis. The DOT is the records keeper of these statistics. The most recent data used by the DOT is the three years between 2006 and 2008. Mr. Bubaris said that based on the information from the DOT, there were eight accidents at the subject site, six at the driveway of Our Lady of Mount Carmel Church and Whitney Avenue and six at the Route 40 intersection with Whitney Avenue. He said looking at the data there is not a specific pattern or type of accident. He said he looked to see if this was indicative of a problem, but found no indication of a recurring problem. He said there are 23,000 cars that travel on Whitney Avenue daily. He added that this is a very low accident volume.

Mr. Bubaris said the SLOSS Report produced by the State summarizes all accidents for a given period. This summary is also for the period 2006 to 2008. He said the report creates a list of possible problem locations that need to be investigated and corrective action taken. It gives probable accident rates for particular intersection. This data is used to determine problem accident rates. None of these intersections showed up on this report. He said this means they don't need any corrective action. Mr. Bubaris said he does not find the traffic accident rate a problem. He said this will not be exasperated by the daycare.

Mr. Bubaris said there is a misconception about daycare facilities. He said they are compared to schools, where there is a high volume of traffic in the morning and afternoon. He said there are many parents who drive kids to school. He said that's how schools operate; there is a surge in the morning and again in the afternoon. He said with daycare facilities, coming in and leaving is not concentrated in a half hour, but it is spread out over two hours in the morning and two hours in afternoon. He said there is a mental image of 56 cars coming in and 56 cars leaving which is not the case.

Mr. Bubaris said going back to the accident data, of the eight accidents at the site driveway, only one occurred during the PM peak. The remainder of the accidents occurred during the rest of the day. He added that this is not an accident situation and he does not expect it to skyrocket.

Mr. McDonagh asked if there were any questions from the Commissioners.

Mr. Szczypek said on Exhibit 5 it states that during peak AM time there are 46 trips, and 46 trips during PM peak time. He said this would indicate there are 23 trips in and 23 trips out. He said if the applicant proposes to have 56 children enrolled how does this relates to 23 trips. Mr. Bubaris said they don't all come in within one hour or go out in one hour. He said Traffic Engineers look at peak hour and how it operates. If they can show there is not a problem during peak time, there won't be a problem the rest of the day. He said the 23 trips are during peak travel time, the remainder is outside the peak travel time

There was further discussion regarding the traffic study.

Ms. Altman discussed how these figures are reached. She said based on these figures it works out to 2.5 minutes per car.

Ms. Altman said Mr. Einhorn has a traffic report that objects to this. Mr. Bubaris was asked if he used actual cars to measure traffic on Whitney Avenue.

Mr. McDonagh said Mr. Bubaris' study shows Charlton Hill eastbound would deteriorate from C to D. There was a discussion regarding these ratings. Mr. Bubaris said the AM rating is B to C, and PM is C to D. Mr. McDonagh said the report shows AM Peak is C to D, and the rating in the evening is already D. Mr. Bubaris acknowledged the figures Mr. McDonagh noted, and added that this was not a bad level of service on a State Highway.

Ms. Altman read the first two paragraphs of Mr. Spears, report. She said she has gone to the site, and had to do a three point turn to get around. She returned a second time, and again had to make a three point turn out of the parking space. She said this area is very tight.

Ms. Altman next asked how a dump truck could enter to empty a dumpster.

Ms. Molloy said Mr. Spears' reports states that the driveway is 13 feet wide. She added that some information in Mr. Spears' report is not accurate. She provided photographic evidence that turns can be made. They will also create more space by removing material and building a low block wall. She added that regarding the radius on the circle, she has a memo from the Town Engineer stating that he has no objections and the Engineering Department is satisfied. .

Ms. Molloy said regarding Ms. Altman's question about the dumpster, they will not be putting in a large dumpster. She said a large truck will not have to enter the property.

Mr. McDonagh asked if there were any more questions for Mr. Bubaris. There were none.

Ms. Molloy said she contacted the Hamden Police Department and obtained an incident report for this area from August 2010 thru April 2011. She said there were 32 incidents of all types. These included medical and animal calls. There were four incidents in the two hour peak in the AM and four in afternoon peak time.

Ms. Molloy said she asked her client to do an analysis based on the daycare she presently operates. This facility has 46 children enrolled.

She said there are five families with more than one child enrolled. There are another five families that would like to enroll a second child, but there are presently no openings.

She said there is a sign-in form with all the children's names listed, and the times they come in and the times they leave.

A copy of the sign-in sheet was given to the clerk.

Ms. Molloy said the analysis dates are February 7<sup>th</sup> thru April 29<sup>th</sup> of this year. Ms. Molloy asked the applicant to compile two reports; one looking at sign-ins over a three month period, and one for a random week. This analysis shows drop-offs during the time periods started at 7 AM and pickups during the time period starting at 4:00 PM. Ms. Molloy said based upon the existing daycare, this shows that the children don't all come at the same time or leave at the same time. She said all the children are picked up by 6:00 PM. She said she thinks this proves that the 23 trips that Mr. Bubaris cited are legitimately being spread out over a two hour period.

Ms. Molloy said she would like to reserve time to comment on the public comments and the Commissioner's comments.

Chairman McDonagh called a short break at this time.

When the meeting was resumed, Mr. McDonagh asked if there was anyone who wished to speak in favor of this application. He asked the speakers to give their names and addresses. He asked all speakers to be brief, and asked the audience to not interrupt.

Mr. McDonagh said lots of communications regarding this application has been received, both in favor and opposed. Mr. McDonagh read the names of the people who had sent in letters for and against this application.

Jean Marie Sanchez, 76 Greens Ridge Road addressed the Commission. She said one her of children goes to the Carrot Patch Daycare. She said her older child also attended Carrot Patch. Ms. Sanchez said that all the entities that we trust with our safety have stated that they do not oppose this application, and if we entrust them with our lives, shouldn't we take their recommendations seriously. She added that it only takes two to three minutes for most parents to drop off their children. She said husband takes only two and a half minutes to drop their child off. She said she doesn't see this as being an issue or causing pile-ups.

Lindy Dunae said she has written a letter in support of the opening of Carrot Patch Daycare on Whitney Avenue. She presently has two Children in Ms. Miller's other facility. She said both she and her husband who is a police officer in another town are impressed with the level of safety at Carrot Patch. She also cited studies that show the importance of quality daycare. She said this is a family owned business that provides employment and support for families. She said all the issues have been addressed with plans and reports. She added that all the reports support the use of this facility as a daycare.

Colleen Barnett, 28 Williamson Road said she supports this application. Her son attended Carrot Patch and her daughter is currently enrolled. She pointed out how difficult it was to find quality daycare to allow her and her husband to work. She said she adds a face to the numbers. She said he child has gotten an excellent education at Carrot Patch. She said she doesn't think of this as an application for a new small business, she thinks of it as a facility for families.

Dan Knudson, 1401 Hartford Turnpike, North Haven said he grew up in Hamden, and said he has no vested interest in this application. He is a small business owner and wants to support other small business owners. As a parent he know the difficulty of finding daycare and feels this application meets Planning and Zoning requirement and should be approved.

Melissa Carleglio, 40 West Todd Street said her child attended Carrot Patch for over three years. She said her son has done so well there, that when she resigned her job she kept him enrolled. She supports the new location, and echoes the sentiments of the other parents. She said that she thinks this is a beautiful location and a great environment.

Larry Barkasion of Cheshire a professor at SCSU submitted a petition signed by 46 parents of children in Carrot Patch Daycare. Mr. Barkasion read the petition in support of opening Carrot Patch Daycare at the Whitney Avenue location. He said he thinks that daycare centers create negative images. He said Suzanne does not run this kind of facility, and the parents are not that kind of parents. He said this is a good day care; it is well run, and the parents are conscientious and drive carefully. He added that they would be excellent neighbors.

Diane Crockett of 90 Old Ridge Highway asked the Commission to support this application. She said she could testify to the high quality of care at Carrot Patch. She has one child enrolled and will send her second child there. She said the people hired are educated and help the kids develop. She said safety is their highest

priority, and the teacher to child ratio is higher than in other daycares. Ms. Crockett works in the environmental field and said that cars are not allowed to idle at Ms. Miller's request.

Roxanne Lopez of Hamden said she has two daughters who have been with Carrot Patch for three. She said she and her husband are both educators and are proud Hamden residents. They are happy to live and own a home in Hamden, and they want their kids to grow up in and be educated in Hamden. She discussed children getting a good preschool education, and said they chose Carrot Patch because it is a warm place and they want more families to have a facility like this for their children. Ms. Lopez hopes that the Commission takes this as support of Carrot Patch and Hamden.

Brian Garsden of 25 Millbrook Rd, North Haven said he seconds what has already been said. He added that he teaches Political Science at Yale, and has met young couples who are concerned about finding good daycare. He discussed the "NIMBY" (not in my backyard) syndrome.

Sarah Rizutto an employee of Carrot Patch said there has never been a traffic issue or problem at the facility where she works. She added that there have not been problems with backups.

Eleanor Boyle of Birth to Three, a former employee of Carrot Patch, said she spent many years getting her Master's Degree at SCSU. She said she had nothing prepared, but wanted to speak to the quality of care at Carrot Patch. She said she worked with Suzanne and Nicole, and knew them to respond to every complaint and concern. She said they both look objectively at problems. She said this will be the case with any facility they open.

Hester VandeRhoer said she should be somewhere else this evening, but this is so important she felt she had to be here. She said she would not presume to tell the Commissioners how to do their jobs, but wants to say that as a resident, she has expectation that the Commission should focus on real issues. She discussed finding quality child care as opposed to bad child care. She said Carrot Patch always provided fantastic day care for both her kids. She said the staff at Carrot Patch went to great lengths to provide good examples for the children. She said they accommodated the parents and the children were happy at the end of the day. She has been involved with Carrot Patch for over five years, and there have never been any traffic issues. She added that all the parents drive safely.

Melissa Johns an employee at Carrot Patch said the parents feel their kids are safe, and don't worry about them during the day. She said many parents are doctors, professors and educators, who take care of people. She added that it would be difficult for them to concentrate on their work if they are worried about the children and are concentrating on whether their kids are safe.

Jessica Root also an employee of Carrot Patch said she is in agreement with all the parents and her co-workers Sarah and Melissa.

Mary English said her father owns the barn, and she was raised on the property. She is a kindergarten teacher and loves children. She said this facility offers more than just a drop-off. She explained the program in kindergarten and is very proud of this planned facility. She said she grew up there and had many wonderful times playing in the yard and woods.

Devon Miller, Suzanne Miller's son addressed the Commission. Mr. Miller discussed the need for quality day care. He also said that concerns regarding added time for commutes is not as important as quality daycare.

Next, Attorney Jeffrey Einhorn, representative of the Charlton Hill Association presented a letter from Steve Cardello, of Village Green Condominiums. Mr. Cardello's letter states the formal objection to this application by the 38 residents of Village Green Condominiums.

Mr. Einhorn said no one is opposed to daycare in Hamden. He said this could be the best facility in the State, but this has to do with the regulations for a special permit. Mr. Einhorn stated that he knows how important good daycare is for the community, but this is irrelevant to the decision of the board. He said the zoning regulations set forth the use and terms of approval. He added that it is necessary in this type of situation that neighbors get along. He said many of the supporters of this application will use Carrot Patch for a couple of years, but Charlton Hill residents will be using their homes for life. He acknowledged that this type of facility is important for jobs and children, but it is equally important to the 92 units at Charlton Hill and the 38 units in Village Green that are opposed to the higher traffic use in the area.

Mr. Einhorn said Ms. Molloy gave a good presentation, but said this does not set standard for the 38 incidents. He said these things are random. No one knows when an emergency will happen. He said emergency vehicles need access to Charlton Hill. He added that Charlton Hill Drive is private. The Carrot Patch driveway is 18 feet if you count gravel, dirt and grass. He said this is an old cart path and is an unapproved road that is not paved and has no drainage. The road would have to carry the daycare staff, 56 children, emergency vehicles, etc. He said this is very high use for a one acre parcel. He said they would be accessing the site on a private driveway. He said the association has not agreed to any signs for public safety. He said they did sit down and try to work it out, but they have now agreed to disagree. He added that four parking spaces for 56 kids are not enough. He said this is not against those who support quality daycare.

Mr. Einhorn asked to reserve his time.

Traffic Consultant David Spears was introduced by Attorney Einhorn.

David Spears said he is employed by DLS Traffic Engineers in Windsor.

Mr. Spears said he disagrees with the figures provided in Mr. Bubaris' report regarding the amount of traffic and the number of accidents. Mr. Spear said of the 27 accidents reported in this area, more than half were turning accidents. He said that introducing more traffic turning could increase the number of turning accidents.

Mr. Spears said there was no detail on intersection sight distances in Mr. Bubaris' report. He discussed sight lines on Charlton Hill Drive, and said it is difficult to see coming down Charlton Hill with a speed of 20 MPH. He added that the distance required to stop when traveling at 20 MPH is 220 feet. He said the current sight lines do not provide this distance. He also discussed the speed limit of 40 MPH at the intersection of Charlton Hill Drive and Whitney Avenue. He has observed cars traveling at speeds of 40 to 50 MPH. He said the sight distance at this intersection is 550 feet to the left. He said the required sight distance at the observed speeds would be 650 MPH. He said this information has not been provided by the applicant.

Next, Mr. Spears discussed the parking and internal situation. He said the site plan shows limited access. He said there is now an 18 foot access way to the parking area. He added that when he did his inspection it was dirt and grass. He said it was necessary to do some minor improvements for the 18 foot access way. He also said that the plan only provides four spaces and one handicapped space.

Mr. Spears said the data provided by Ms. Molloy shows that demand for parking in the afternoon is over four spaces for the peak period. He added that this was for 10 less children than proposed at the Whitney Avenue site. He added that seven parking spaces would be needed at this time. This is three spaces short of what is needed. He said this will cause parking in the turn around area and the driveway. He also said this will make it difficult if parents are parking in the remote parking area and are walking down the driveway. He said passenger cars could get in and make the turn in the circle, but bigger vehicles would have difficulty turning around. He added that a full size fire truck could not turn around. He stated that this would be hazardous for large vehicle.

He said the traffic volume has to be clarified; the sight lines need to be analyzed and documented to show that there is enough sight line distance; and internal circulation must be improved to provide use for proposed facility.

Mr. McDonagh asked if there were any questions from the Commissioners.

Ms. Altman said she is concerned about emergency vehicles when a couple of cars are dropping off or picking up. She said there is not good access to the building if a problem occurred. Ms. Altman asked Mr. Spears if there is enough space. Mr. Spears said once an emergency vehicle is in there, cars could not get in or out. He said a normal fire truck could probably park and get their apparatus to the site if they had a long hose.

Mr. McDonagh said he has driven down Charlton Hill a couple of dozen times. He asked if anyone could drive 20 MPH considering the curves. He said it is posted for 10 MPH, and asked what the sight line distance would be for that speed. Mr. Spears said about 110 feet.

Next, Mr. Einhorn asked to reserve his time for the next Public Hearing.

He said regarding the data presented, he would cross examine if he were in court. He said how reliable is this data as far as dropping off and picking up is concerned. He noted that it could be plus or minus 20 minutes. .

Mr. Einhorn said he feels there will be a problem in the winter on a gravel road with no drainage and poor sight lines. He said passenger cars will not be visible if plows leave a berm. He added that additional staff and parent parking down hill without lined parking spaces will be a problem. He also asked how the site will be accessed in the winter with snow, etc. Mr. Einhorn said this proposal is not safe and is a bad idea for children and Charlton Hill.

Mr. McDonagh asked Charlton Hill speakers to be brief and respectful.

Mr. McDonagh asked if there was anyone who wished to speak against the application.

Bernice Gilman, 44 Charlton Hill said nobody who spoke in favor of this application spoke about traffic coming down the road. She said she went to see Carrot Patch Daycare on Johnson Road. She said it seems like a wonderful facility that was approved on Johnson Road, a residential city road. Charlton Hill is a private road. She said if parking is permitted at the book store this will cause additional pedestrian traffic which will be hazardous.

Mary Colonna, 46 Charlton Hill said she is in favor of quality daycare. She said she has four children and 14 grandchildren. She said dropping off and picking kids up at daycare is not a two minute process. She said she is also concerned with quality daycare and opportunities for small business, but she wants access to her road. She said she recently witnessed a car going through a red light at the Route 40 Connector. She added that statistics being what they are, this is an accident waiting to happen.

Bill Bassett, 41 Charlton Hill said he has seen recent remarks in the newspaper about the Charlton Hill residents being older. He said maybe they should be called experienced. He said coming up and down the driveway can be scary. He doesn't know how many seconds it takes to pull out onto Whitney, but he is scared when trying. He said this is a very scary intersection, and this should be taken into consideration when making this decision.

He also said that snow and rain add to the time it takes to get in and out. He said Grandpas know things like that. He is concerned about the number of people talking in favor of this application. He said this is a neighborhood situation, and is not about the quality of daycare. He said this is a neighborhood consideration,

and poses a real problem, adding that this is setting up an ongoing conflict between neighbors. He added that he doesn't think either Charlton Hill or Carrot Patch want it this way. He asked the Commissioners to keep this in mind.

George Englehart, 34 Charlton Hill said this proposal and the opposition are not about the quality of the program. He said the more he hears the more he is impressed with the daycare. He said the issue is location. He said he has trouble understanding this proposal for property usage which is being imposed on another property. He said this rests on the ability to use this private roadway and the problem of needing to use other areas for parking. There will be parents with children crossing the road continually. He said there is not adequate parking. He said Charlton Hill Road is necessary for this project. He also discussed the problems with the intersection. He said adding parents with children along with bad weather will cause this to be unsafe for the parents and children and the Charlton Hill residents accessing their homes.

Ron Carrano, 78 Charlton Hill said that in the early morning cars line up at the ATM at the bank. He asked if during winter conditions is Charlton Hill responsible for taking care of the road. He said the road can become very slick and slippery in the winter. He asked who is responsible and where does the liability rest. He said this is an issue that should be considered.

Frank Gillan, 36 Charlton Hill said for a special permit the public is invited to make germane comments. He said as of the past Friday night the documents that were available were from two weeks ago. He said tonight new documents have been submitted. He said Charlton Hill never had a chance to review these documents to see if they are complete and then make germane comments. He asked when the new documents will be available. Mr. McDonagh said the Public Hearing will be continued to May 24<sup>th</sup> and the public will have an opportunity to review the documents before then.

Vincent Colonna, 46 Charlton Hill said he has been a resident of Charlton Hill since 1968. He said he echoes the comments regarding the ATM and drive in teller, and asked to add this as one more factor against this application.

Carolyn Englehart, 34 Charlton Hill said this is a regulatory agency. She said she is an educator and doesn't think attention to speed in dropping children off is great parenting. She said this property could involve four business, 130 homes, a bank, a store and a potential daycare. She suggested a computer simulation of all vehicles associated with these facilities be done. She feels this would be very beneficial.

Maria Straub, 67 Charlton Hill stated she is against this application due to the traffic hazards it creates.

Claire Garvey, 45 Charlton Hill asked about the food that will be served to the children during the day, and how trash will be handled. She also asked how large the playground will be. She questioned the information on Page 6 of the handout stating that all work will be completed by May 10, 2016. Mr. McDonagh explained that this is a legal requirement. The applicant must be given five years to complete the project. He added that most are done before the five years. Ms. Garvey also question why the daycare is leaving Johnson Road.

William Reilly, 29 Charlton Hill said he has been a resident of Charlton Hill for 37 years. He said no one disagrees with the type of service and the value of Carrot Patch. He said this is not the issue. He added that traffic remains the issue. He said he is concerned with the traffic conditions and safety on Whitney Avenue. He is also concerned with parking trucks in the driveway and business being conducted at the bank. He asked if fire trucks can turn into the driveway, and where fire hydrants are located.

Mary Lou Phillips, 32 Charlton Hill said regarding the down hill driveway speed, no one exits at 10 MPH. She said 10 MPH can't be used to judge the sight lines. She said the down hill speed is 15 or 20 MPH. She

discussed the snow removal area on the plan. She said the excess snow area is not level, it is graded. She said if we have another winter like the past one, the sight lines will be seriously impaired.

The Public Hearing was continued to May 24<sup>th</sup>.

### **3. Location Approval 11-22**

1822 State Street, T-4 Zone

Used Vehicle Sales

Michael P. Maturo, Applicant

Assistant Town Planner Dan Kops read the recommendations of the Planning & Zoning Department.

The Planning and Zoning Staff recommend approval of Location Approval 11-22, based on the following plans:

“Site Plan Map Prepared for Thomas Meyerholz, 1822 State Street,” prepared by Gordon Bilides, dated January 13, 2006.

With the following conditions:

- C.** All hazardous materials and waste chemicals should be stored on-site on an impervious floor with some form of secondary containment.
- D.** Waste material should be disposed of by a licensed waste hauler in accordance with all applicable federal, state and local regulations. If stored outside the containers should be within some form of secondary containment and sheltered from precipitation.
- E.** Waste oil tanks should be stored above ground on a bermed impervious surface capable of containing at least 110% of the volume of the tanks. The tanks should be stored indoors or, if outdoors protected by a roof .
- F.** Solid waste material should be stored in an appropriately sized, covered solid waste dumpster or other watertight container that is plugged to prevent the release of any liquids.
- G.** All vehicle washing should be conducted indoors.
- H.** All servicing of vehicles should be conducted indoors on an impervious surface.
- I.** There should be absolutely no discharges of motor vehicle fluids or detergent chemicals to the environment.
- J.** Any vehicles that are leaking automotive fluids should be stored inside the garage or at minimum on an impervious surface where the leaks can be contained and cleaned up.
- K.** Scrap metal or other parts in contact with lubricant should be stored in a watertight container to prevent the accumulation and contamination of stormwater.
- L.** All catch basins with sumps should be inspected at least three times a year. Sediment and debris should be removed at least twice a year or as soon as deposits are within six inches of the outlet.
- M.** Conditions 1-10 should be placed on the survey submitted to the Connecticut Department of Motor Vehicles.
- N.** Prior to the issuance of a Zoning Permit a copy of the revised survey should be submitted to the
- O.** Planning and Zoning Department.
- P.** A Zoning Permit must be obtained prior to the commencement of any work and to opening the business.

**Commissioner Altman motioned to approve Location Approval 11-22 with all conditions detailed in Assistant Town Planner Kops’ recommendations. Commissioner Portier seconded the motion that passed unanimously.**

### **4. Site Plan 11-1468/WS**

60 Skiff Street, T-5 Zone

Liquor Store  
Levent Kiranlioglu, Applicant

Assistant Town Planner Dan Kops read the recommendations of the Planning & Zoning Department.

The application meets the Site Plan Objectives specified in Section 720.5, and should not have an adverse impact on the health, safety and welfare of the public. Staff therefore recommend approval of Site Plan 10-1467/WS

based on the following plans:

'Elevation Plan Showing Relocated Door at 60 Skiff Street,"  
Brown & Associates Surveying dated 3/29/11, and "Proposed Monro Muffler, Site  
Plan," prepared by Anthony V. Giordano & Associates, revised 12./17/92.

with the following conditions:

- A. A Zoning Permit must be obtained.
- B. All work must be completed by May 10, 2016.

**5. Commissioner Altman motioned to approve Site Plan 11-1468/WS with all conditions detailed in Assistant Town Planner Kops' recommendations. Commissioner seconded the motion that passed unanimously.**

#### **6. Old Business/New Business**

- 1. Review minutes of April 26, 2011

Chairman McDonagh noted that Commissioner Cesare's name had been omitted on the April 26<sup>th</sup> Minutes.

It was also noted that Attorney Molloy's name had been incorrectly spelled Malloy throughout the Minutes, and the name of her firm had also been incorrectly spelled.

**Commissioner Altman motioned to accept the Minutes of the April 26, 2011 Meeting as amended. Commissioner Szczypek seconded the motion that passed unanimously.**

#### **7. Adjournment**

There was no further business to come before the Commission and Chairman McDonagh called for a motion to adjourn. **Commissioner Altman motioned to accept the Minutes of the April 26, 2011 Meeting as amended. Commissioner Szczypek seconded the motion that passed unanimously.** Chairman McDonagh adjourned the meeting at 9:55 PM.

Submitted by:

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Peggy Craft, Acting Commission Clerk