

get the requested dam permit for the previous application and he would provide a copy. Mr. Manuel EM asked if there was anything in the Subdivision or Zoning Regulations that limits the number of lots that can be served by one driveway. Both Mrs. Emminger and Attorney Jaber said there was not. Mr. Manuel asked about the radius of curve and Mr. Mazzucco said he did not label that. Mr. Manuel said he was concerned about fire truck access. Mr. Mazzucco said the previous application was approved this way. Mrs. Emminger pointed out that the Fire Marshals did not like it although they did finally give them an okay. Mr. Urice asked for a summary of the differences between this and the previous application. Attorney Jaber said they would try to get the needed letters for next meeting.

Mr. Deeb made a motion to continue the public hearing. Mr. Urice seconded the motion and it was passed unanimously.

Crystal Beach Development Corp. – Application for Revised Site Plan for Special Exception Use (Poets Landing f/k/a Crystal Beach) in the RR-10 Zone – 16 Hayestown Rd. (#IO9078) – SE #616. Has EIC Approval

Mr. Keller read the legal notice. Attorney Paul Jaber spoke in favor of this application. He said they had received approval for eighty condominium units in June of 2004, and have since purchased an additional piece of property. They are here tonight because they want to use the additional land for sixteen garages, which is an increase of about 6,000 sq.ft. He then introduced Earl Govens, the landscape architect, Ray Sullivan, the general architect and Steve Sullivan, PE. He said the property owner is also present this evening to answer questions. He said there will be no change to the number of parking spaces, just the addition of the garages. He said they also are eliminating the refuse building and putting in a two-way directional island. Both the Environmental Impact Commission and the Candlewood Lake Authority (CLA) wanted them to maintain a certain amount of impervious pavement.

Earl Govens then discussed the change to the entrance which was widened to accommodate the fire vehicles, but they wanted it to look better also. He said he would submit a phasing plan to the Planning Office before the next meeting. He added that they had eliminated the refuse building and totally enclosed the refuse area so it was much smaller. The additional land consisted of approximately a 5,600 sq.ft. parcel, about a fifth of an acre. The CLA asked them to keep the increase of impervious pavement to 25%, but they actually reduced it from 23% to 19%.

Ray Sullivan said this is an ongoing project and is laid out similar to Crystal Bay. There was a change in the ADA regulations which requires that every unit in a building must be adaptable to ADA codes. Previously, it was just required that one unit had to be, so all of the bathrooms and hallways had to be made larger. They also changed to steel framing for buildings, which requires bracing that also makes hallways wider. The new garages are same height as the existing ones. The total unit increase was about a foot per unit and some of the on-grade spaces were eliminated. Mr. Blaszk asked if the pool house size had changed. Mr. Sullivan said yes, but it was never a definite size. He continued that when they actually looked at what it would do, they discovered it needed to be a little bit bigger. He said the applicant had met with the Fire Marshal and the new entrance was designed per their requirements.

Before Mr. Keller asked if there was anyone to speak in opposition, he asked if them to confine their comments to this specific application not the previously approved one. He then asked if there was anyone to speak in opposition to this application and there was no one.

CONTINUATION OF PUBLIC HEARING:

Kenosia Plaza LLC – Application for Special Exception for Storage, Sale or Repair of Construction Equipment “Edward Ehrbar Inc.” in the IL-40 Zone – 40-42 Kenosia Ave. (#E17085 #E17086) – SE #641. Public hearing opened December 21, 2005 – first 35 days were up 1/25/06 - Extension granted to 3/1/06. This project has received approval from EIC.

Mike Mazzucco said the thing we had been waiting for was the Engineering comments, which were received today. He said they are mostly technical in nature and they will have no problem addressing them. He offered to answer any questions. Mr. Urice asked what the Commission’s recourse is, if they close the hearing tonight. Mrs. Emminger said she went through the items with Brian Morgenroth from the Engineering Department today and these are fairly standard things, nothing that will change or affect the building. She said it has always been this Commission’s policy to condition the approval by having the Zoning Enforcement Officer hold the zoning permit until all of the issues have been addressed. Mrs. Emminger said she had prepared a resolution including this standard conditioning language. She added that even when they satisfy these issues, they still need to get approval of the Floodplain permit before any permits will be issued. Mr. Blaszkowski made a motion to close the public hearing. Mr. Deeb seconded the motion. Mr. Manuel made a motion to move this to Old Business. Mr. Blaszkowski seconded the motion and it was passed unanimously.

BRT Kennedy LLC – Application for Special Exception for Apartment House/Garden Apartments/Retail Space “Kennedy Place” in the C-CBD Zone – 1 Kennedy Ave. (#H14356 & #H13289) – SE #642. Public hearing opened January 18, 2006 – 35 days will be up 2/22/06. Extension granted to 3/29/06. This project has received approval from EIC.

Attorney Paul Jaber spoke in favor of this application. At the last meeting, they addressed the City Traffic Engineer’s comments. They have the final design of the roundabout as approved by Mr. Mohammed also. Jane Didona said there was very little change from the last time. They had Elm St. as one-way and he wanted it changed to two-way. There now is a dedicated right-turn onto Spring St., a pedestrian crosswalk at New St. and the traffic circle was moved back ten feet. Mr. Blaszkowski asked if there will be phasing plan for all of these traffic improvements. Attorney Jaber said Mr. Mohammed would have to make that determination, but it would probably be a condition of approval. Mr. Urice said he wants something to look at that will show how it will look since this will define this part of town. Dan Bertram said they thought about this at first and tried to provide a view from all angles by preparing the scale model. Mr. Manuel said it is really nice but it doesn’t show it in relationship to things around it. Mr. Urice said it doesn’t give him a feel for how it will look. Mr. Keller asked if there is anyway possible to give them something that will show the relationship to other buildings in area. Mr. Manuel said they want one overall perspective from the street level. Mr. Keller suggested they prepare a view from the traffic circle showing the structure behind it. Ms. Didona said they are not going to get the sense from a sketch or rendering like they can get it from the model. The model is the best way to get essence of total project. She said if they do what the Commission is asking for, all it will be is the circle with trees behind it. Mr. Manuel asked that they put some model vehicles in so they can see the contrast. Mr. Keller asked about the density and the phasing, specifically what will happen if the units don’t sell. Mr. Bertram said the front building being finished first is the primary focal point. Next will be the parking garage. All of the phases are designed to be able to survive independently. Mr. Keller said he doesn’t want this to turn into ugly. Mr. Bertram said the size of this is what makes it work; size is one of the greatest assets about this project. Mr. Manuel asked if they will cap the whole thing first. Mr.

8-24 Referral/February 7th CC Agenda Item 28 – Request for Sewer and Water Extension/1 Kennedy Ave. (H14356 & #H13289). This item will be tabled until decision is made on Special Exception application.

This is a standard request for the extension of sewer and water service for the Kennedy Place project. Because the special exception application is presently under review by the Commission, this will be tabled until the decision is made. Mr. Urice made a motion to table this item. Mr. Blaszkowski seconded the motion and it was passed unanimously.

8-24 Referral/February 7th CC Agenda Item 32 – Petition from Westville Estates regarding lot #F14123.

This is a petition from residents of Chelsea Drive, members of the Westville Estates Community Association, for the City to acquire ownership of three parcels (including two with detention ponds and one designated for open space). These parcels are currently the responsibility of the Association and were required by the Planning Commission as part of their 1997 approval of this development. In 2004, the Common Council voted to take no action on a similar request. The Planning Commission gave a negative recommendation on that request. The Engineering Department also gave a negative recommendation at that time. There is a tremendous amount of correspondence regarding this matter. Mr. Urice said the City should not take responsibility for this since the ownership and maintenance of the detention systems through a homeowner's association were part of the original approval of the subdivision by the Planning Commission in 1997. Mr. Manuel said there has been no compelling reason presented to change those conditions of approval. Mr. Urice made a motion to give this a negative recommendation. Mr. Blaszkowski seconded the motion and it was passed unanimously.

8-24 Referral/February 7th CC Agenda Item 33 – Dimitri Chaber et al, 55 Newtown Rd.

This property abuts the Public Works Complex on Newtown Rd. The City is considering moving the entrance/driveway to a across from the intersection of Newtown Rd. and Old Newtown Rd. and to have CT DOT make intersection improvements to improve safety and traffic flow. The owners of the subject property propose to share the new entrance/driveway, but some exchange of property may be necessary. This is still conceptual in nature and there are not yet any plans so it is difficult to determine the scope of the proposal and the amount of land that may be impacted. The funding for this new driveway was not included in the proposed CIP for FY 06/07, so this request has yet to be funded by the City.

Mr. Manuel made a motion to give this a negative recommendation because it is not ready to be acted on until after the plans are prepared and the funds are appropriated. There was no second, so Mr. Manuel withdrew his motion. Mr. Urice then made a motion to give this a positive recommendation subject to the Common Council appropriating funds for it. Mr. Blaszkowski seconded the motion and it was passed unanimously.

8-24 Referral/February 7th CC Agenda Item 34 – Request for Easement for Well/30 Middle River Rd.

The house at this site has its well located about 1.2 feet over its property line on adjacent City property. The owners are in the process of selling their house and have requested an easement on City to address this situation. The well has been in the present location for over 25 years. Mr. Urice made a motion to give this a positive recommendation subject to an easement

