

**PLANNING COMMISSION MEETING
WEDNESDAY, FEBRUARY 22, 2017
TOWN HALL 7:00 P.M.**

Present: Chairman Michael Orefice, Roland Perreault, William Starr, Paul Roche, Alternate Member Debra Freidus and Land Use Coordinator Polly Redmond

Absent: Lee Hall and Michael Rewenko

PUBLIC HEARING - continued

1. OPEN HEARING – ESTABLISH QUORUM.

Chairman Orefice called the hearing to order at 7:02 p.m. All regular members present are seated with Alternate Member D. Freidus seated for L. Hall.

2. PICKETT BROOK PROPERTY, LLC – APPLICATION FOR TWO-LOT RESUBDIVISION, LOT 21, EQUESTRIAN ESTATES SUBDIVISION, PLYMOUTH ROAD. APPLICATION INCLUDES CONSTRUCTION OF A PORTION OF BREAK MAIDEN LANE OUT TO PLYMOUTH ROAD.

Chairman Orefice acknowledges receipt of correspondence from Highway Supervisor John Fredsall dated 2/15/17. The letter offers his comments after reviewing the street construction design of Break Maiden Lane on plans prepared by R.R. Hiltbrand Engineers and Surveyors dated 10/3/16 and he also gives his response to comments from W.M.C. Engineers' 2/7/17 report. Members of the Commission and Atty. William Tracy have received copies of all correspondence. Members of the Inland Wetlands Commission have also received copies of all correspondence.

Atty. William J. Tracy, Furey, Donovan, Tracy & Daly, P.C., Bristol, CT is present to represent along with Jared Braddock, Project Manager, Supreme Industries/Pickett Brook Property, LLC. Atty. Tracy submits a bond estimate for road construction of Break Maiden Lane in the amount of \$376,235.83 stating that it was also sent to W.M.C. Engineers today. He provides a copy of a marked up colored site plan for viewing and discussion purposes only; it is not entered into the record. He will use this plan tonight to comment on John Fredsall's and W.M.C. Engineers' comments.

WMC Comment 1) Soften the slope from Station 8+50 to 13+50 to more closely resemble the natural grade. J. Fredsall has commented that he has no issue with this proposal from a road construction perspective. Atty. Tracy states that this would be done. **WMC Comment 2)** Consider the installation of timber guide rail between Stations 12+00 to 14+00 in the area of the pond. J. Fredsall has commented that there is a slope standard that must be met before guide rails of any type are needed and that this area does not appear to meet this standard, thus no rail is required, and with the pond more than 40 feet from the curb line makes having a guide rail even more unnecessary. He leaves the decision to require a guide rail up to the Planning Commission and if they so choose to require one he would discourage the use of timber rail from a cost and maintenance point. Atty. Tracy states that WMC Engineers has concurred with J. Fredsall and so it is not being shown on the marked up plan presented. **WMC Comment 3)** Consider the use of "Cape Cod" curbing due to the close proximity to the wetlands and pond for amphibian and reptile passage. J. Fredsall has commented that this curbing does not meet the Town's specifications for road construction. Atty. Tracy states that this type of curbing will not be used. **WMC Comment 4)** Consider expanding the snow shelf width in the vicinity of the rock cut between Stations 7+00 to 8+25 as the overall height of rock cut approaches 20 feet. J. Fredsall has commented that he is in complete agreement with this suggestion. With a cut approaching 20 feet in height for a length of road more than 100 feet, any extra space for piling snow without having to move it makes sense.

Atty. Tracy states that John Fredsall had other comments regarding under drains at the east end of the road and his concern about the private drain on the side of the road where the agricultural building is located.

This is found in J. Fredsall's 2/15/17 letter under **Comment 4**: The 24 inch yard drain that is shown at approximately 8.25 will be on and mostly benefit private property. The discharge piping is shown as being right on the edge of the street line. If there is no benefit to the proposed road, he recommends this be moved further off the street line so the Town would not be responsible for any maintenance. If the engineer believes this system is benefiting the road, then an easement to the Town will have to be included so the Town would have the right to access the system in the event any maintenance is needed. Atty. Tracy states that it is strictly a private drain to intercept drainage before it gets to the road and that R. Hiltbrand, R. R. Hiltbrand Engineers, has said that the swale would be moved northerly, off the street line and onto private property.

John Fredsall's Comment 3) The 6 inch pipe, stone filled to the surface under drain that is to be constructed on the south side of the road from 2.25 to 6.00 as is shown on the plan indicates it will discharge across the road into the area of a small wetland. He advises that this curtain drain will pick up salt residue and oils from the road that is in the snow when it is plowed off the road and he is not sure this is the type of water that should be deposited into sensitive wetlands. He states that perhaps it would be better to treat this as storm water and discharge into catch basin 6+50LT but if the plan stays as shown, he recommends the pipe crossing the street be a minimum scheduled 35 and sleeved in a larger schedule 35 pipe so it could be more easily replaced should it become plugged or collapses. Atty. Tracy states that they have now altered the detail so the top of the drainage would be top soiled (6 inches) and sealed from the surface which will act as a filter. Water feeding the vernal pool would be clean and clear. He states that revisions to the plans will include the pipe to be sleeved inside another pipe.

Atty. Tracy refers to **John Fredsall's Comment 1)** which states that he sees nothing on the plan showing how this section of Break Maiden Lane will be terminated. The current Subdivision Regulations require a cul-de-sac be built at the end of the street whether it's permanent or temporary if the road is to be extended at a later date. Ending the road at an intersection is an option but would require an exception from the Planning Commission. He states he would really like to see Steeple Chase Road constructed out to Fox Hunt Way just as soon as possible as this would solve all issues and make the whole area safer having two ways in and out of this large subdivision. Atty. Tracy states that since construction of this section of road has to include the drainage basin, and it is part of Phase 3 of Equestrian Estates, construction to the intersection of Steeple Chase Road and Break Maiden Lane will need to be completed as being proposed in this application.

John Fredsall's Comment 2) That the storm drainage for this proposed street terminates at a detention basin that is not within the confines of this project. The basin will have to be completed before the storm sewer can be constructed. This comment has been addressed above. Chairman Orefice questions whether all unapproved roads within this subdivision will be brought before the town for road acceptance all at the same time with Atty. Tracy stating he believes they will all be brought to town meeting together. Chairman Orefice states that in terms of acceptance of the roads, and with the idea they are all proposed to be accepted at the same time, if it happened that Break Maiden Lane was developed ahead of Steeple Chase Road and it came before the town to accept Break Maiden Lane, the Planning Commission would want to see some sort of cul-de-sac at the end that is not being proposed because at some point the roads will connect. Chairman Orefice feels that the town would be hard pressed to accept Break Maiden Lane with just an end without having some sort of turnaround for plowing, etc. He states if the developer could incorporate all of this in requesting acceptance of the roads at the same time then there would be no issue. The issue, he says, would be asking for town approval of the road without any cul-de-sac unless Break Maiden Lane was extended to become a cul-de-sac. Atty. Tracy states that prior Subdivision approval by the Planning Commission granted the temporary turnaround which was to be the intersection of Break Maiden Lane and Steeple Chase Road coming in from Fox Hunt Way but now the road will be coming in from Plymouth Road with the same temporary turnaround and then the connection to Fox Hunt Way would be made.

Atty. Tracy states that the bond estimate submitted includes the work through the intersection and includes the drainage basin through to the intersection and that this drainage basin is more critical to Break Maiden Lane. W. Starr questions whether Break Maiden Lane will be paved to the drainage system and to an end with no cul-de-sac with Atty. Tracy stating that the thinking is to leave the intersection, the paved part, so people won't get the idea to drive down further in and turnaround until the connections have been made. But the base work and the drainage work is going to have to happen at the same time.

Chairman Orefice questions if the portion of Break Maiden Lane northeast to the intersection of Steeple Chase Road and Break Maiden Lane has been previously approved as a cul-de-sac with Atty. Tracy replying, yes, to the temporary cul-de-sac. P. Roche questions whether an exception from the Commission would be required as John Fredsall stated in his letter with Atty. Tracy stating the original subdivision approval did include the granting of an exception/waiver for the temporary turnaround and now the developer is just asking for a temporary turnaround from the different direction of coming in from Plymouth Road. Chairman Orefice clarifies that the intersection of Break Maiden Lane and Steeple Chase Road will not have a cul-de-sac with Atty. Tracy stating, no, it will be just an intersection. Chairman Orefice states, without a cul-de-sac, he questions if Break Maiden Lane can be extended to a point where at least a town snow plows and emergency vehicles can enter and turnaround with Atty. Tracy stating he doesn't see any problem with that.

Atty. Tracy states that the expiration of the Subdivision approval is set to expire on December 31, 2017 so it is his hope not to have to come back requesting any further extensions in order to complete the Subdivision of Equestrian Estates.

P. Roche suggests that the hearing should be continued in order to get final word from Highway Supervisor John Fredsall and also to receive W.M.C. Engineering comments on the bond estimate. Atty. Tracy has prepared and submits a letter, dated 2/22/17, consenting to an extension of the time in which to close the public hearing for the full balance of the statutory period available.

Chairman Orefice states that hopefully these roads will be brought to town meeting at the same time and that there will not be a long cul-de-sac. He adds that if the two roads don't come to town meeting at the same time, there should be some kind of turnaround capability at the end. With that said, he has no other issues with comments made by Highway Supervisor John Fredsall. Atty. Tracy states that the bonding calculations include road construction to the intersection of Break Maiden Lane and Steeple Chase Road.

3. CONTINUE OR CLOSE HEARING.

P. Roche **motioned** to continue the public hearing to Wednesday, March 8, 2017 at 7:00 p.m. in the town hall in order to receive more input from Highway Supervisor John Fredsall in terms of the cul-de-sac and to receive W.M.C. Engineering comments on the bond estimate. R. Perreault seconded the motion and it passed unanimously. Atty. Tracy states that he will contact John Fredsall.

REGULAR MEETING

1. OPEN MEETING – ESTABLISH QUORUM.

Chairman Orefice called the meeting to order at 7:34 p.m. All regular members present are seated with Alternate Member D. Freidus seated for L. Hall.

2. **APPROVE MINUTES OF PREVIOUS MEETINGS: 2/8/17**

P. Roche **motioned** to approve the minutes of the previous meeting, seconded by W. Starr. Motion passed unanimously.

3. **DISCUSSION/POSSIBLE DECISION – PICKETT BROOK PROPERTY, LLC - TWO-LOT RESUBDIVISION, LOT 21, EQUESTRIAN ESTATES SUBDIVISION, PLYMOUTH ROAD INCLUDING CONSTRUCTION OF A PORTION OF BREAK MAIDEN LANE OUT TO PLYMOUTH ROAD.**

No discussion.

4. **OLD BUSINESS.**

LUC Redmond informs the Commission that Samuel Johnson, 505 Hill Road, who was before the Planning Commission on 12/14/16 for a lot line revision, returned to the Land Use office and presented a Property Boundary Survey dated November 2016 that shows two parcels of land. One parcel being 505 Hill Road and the second parcel, adjoining to the south of the 505 Hill Road property, containing 1.518 acres. Both parcels are owned by Samuel Johnson and his sisters and brothers as listed on the survey. The parcels are described in a deed recorded in the land records under Volume 187, page 826 being the same premises as conveyed by a Quit Claim Deed recorded January 19, 1960. This date precedes the incorporation of the Harwinton Subdivision Regulations of September 30, 1961. Mr. Johnson has filed this map in the land records today. A plan presented for review tonight prepared by Samuel P. Bertaccini, Jr. dated February 2017 shows the lot line revision. This revision involves the 1.518 acre strip of land shown on the November 2016 map. Parcel A, containing 0.570 acres, shall be joined to Assessors Map B3-02-0005 (vacant land) giving that lot a total acreage of 69.292. Parcel B, containing 0.948 acres, shall be joined to 505 Hill Road giving that lot a total acreage of 11.063 acres. P. Roche **motioned** that the plan presented dated February 2017 is a lot line revision and not a subdivision, seconded by W. Starr. Motion passed unanimously.

5. **NEW BUSINESS.**

None.

6. **ANY OTHER BUSINESS.**

None.

7. **CORRESPONDENCE.**

None.

8. **INVOICES.**

None.

9. **ADJOURN.**

P. Roche **motioned** to adjourn the meeting at 7:40 p.m., seconded by W. Starr. Motion passed unanimously.

Respectfully submitted,

Polly Redmond
Land Use Coordinator

RECEIVED FOR RECORD AT HARWINTON CT
ON 02/28/17 AT 11:54 AM
ATTEST NANCY E. ELDRIDGE TOWN CLERK