

**PLANNING AND ZONING COMMISSION
TOWN OF ASHFORD
REGULAR MEETING
October 13, 2015**

PRESENT: Jeff Silver-Smith (Chairman), Bruce DePercio, Alex Hastillo, Doug Jenne, Tim Moran, Gerry Nagy, Tom Paul (alt.), Richard Williams, Nord Yakovleff, Bob Zaicek, Michael Gardner (Zoning Enforcement Officer), and Francine Hodovan (Recording Secretary).

Guests: Joe Williams, Erin Fredette and Kevin Thatcher ; William and Nancy Darcy; Janet Bellamy; Harold Eastwood and Tammy Kruger.

1. Call to Order: The October 13, 2015 regular meeting of the Ashford Planning Commission was called to order by Chairman Jeff Silver-Smith at 7:00 p.m.

2. Seating of Alternates: Mr. Moran was seated for Mr. Hyde and Mr. DePercio was seated for Mr. Brauch. Chairman Silver-Smith welcomed Mr. Doug Jenne to the Board as the newest alternate, although he was not seated this evening.

3. Review of Meeting Minutes for September 14, 2015 Regular Meeting:

MR. ZAICEK MOVED AND MR. NAGY SECONDED A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF THE P&ZC OF SEPTEMBER 14, 2015 AS WRITTEN. VOTING FOR: SILVER-SMITH, DEPERCIO, HASTILLO, MORAN, NAGY, PAUL, WILLIAMS, YAKOVLEFF AND ZAICEK. VOTING AGAINST: NONE. ABSTAINING: NONE. MOTION PASSED 9 TO 0.

4. Bills: Ms. Hodovan submitted a bill for tonight's meeting which was signed by Chairman Silver-Smith.

5. Correspondence: Letter from Sage and Halloran: hold for Updat3e on Cumberland Farms, Inc. Application.

6. Old Business:

A. 1. Update on Cumberland Farms, Inc. Application: Attorney Joe Williams from Shipman & Goodwin presented the changes that have been made since the P&ZC meeting on September 14, 2015, based on discussion at that meeting. He stated that 1.) IWWC received their application on October 6, 2015 and will hold off on any decisions or recommendations until their next regularly scheduled meeting on November 3, 2015. 2.) It was clarified that Cumberland's retail store is to be considered the primary use for this application for expansion and the gas station is the secondary use. 3.) An updated letter written by Joe Williams dated October 13, 2015, with comments for tonight's presentation was provided. A hydrology report was provided by Kevin Thatcher in which it was explained that storm water will drain to the highway. This has been revised per the IWWC letter dated 09/09/2015 and a NECCOG subsequent review on 09/28/15. Also contained in the letter is a revised description of the sidewalks and the one-way entrance restriction on the west side driveway.

Mr. Thatcher stated that there will be more runoff in the storm system and less in the subsurface system with no surface discharge (up to a 10-year storm event). The hydraulic separator will keep water runoff clean. A path will connect to the library parking lot with 9 stairs and 2 full 30' ramps with a retaining wall, the landscaping subject to directives by IWWC. The extended sidewalk will make a continuous path to the entrance of the store, all of which will be paved. It was noted that on the 8-1/2 x 11" plan provided that the west driveway will be a right turn only entry to deter normal vehicular traffic that will also be an entrance for delivery trucks. Signage will be provided at the highway and on the property. The east entrance is both an entry and exit.

Ms. Fredette stated that the reason for the west side being an entrance only is that the sight lines coming from the hill make it difficult to see and therefore dangerous. There will be a grade change to approximately 4 feet higher which will make the disturbance of the 2 sister utility poles less of a challenge and the sight distances from the highway will meet the requirements of the DOT.

Correspondence from Sage and Halloran was presented by Chairman Silver-Smith agreeing with the findings that the convenience store is the primary use of this expansion and the service (gas) station is secondary.

Mr. Silver-Smith then requested that the agenda be changed to move "Public Comments" to this portion of the meeting and because there were no objections, questions and comments were entertained from the public.

A. 2. Mr. Bill Darcy, owner of 35 Pompey Hollow Road (the adjoining property that is part of the new proposed package, stated that he submitted a 4-page letter to the P&ZC from which he made the following comments:

- This expansion is consistent with the current P&ZC regulations and the POCD.
- This expansion creates better services to the residents of Ashford on an already very well used business).
- The upgrade to the business is significantly more attractive, and will add visual appeal.
- The proposed application will improve the environment as he will no longer be burning 10 cords of wood every winter, the store will be replacing 2 old septic systems with state-of-the-art new ones, as well as new gas tanks, etc.
- Cumberlands will be investing \$2.7 million which will create more commercial taxes than the town is currently receiving and is revenue that is very much needed in Ashford.
- This expansion promotes economic development and goes along with the EDC and CERC which state that the town should retain existing businesses, help the expansion of existing businesses and help new businesses.
- The view from the outside of the ease with which this expansion is made will be an incentive for new businesses who are thinking of coming to Ashford.

He also stated that his home is an "old" home, not an "historic" house. He said that it is not a special house that needs to have special consideration taken before it is demolished. There is nothing special about it that needs to be saved for posterity or any other thing. He did note that it was once a general store with a dance hall upstairs but that there is more utility in building a new, modern building rather than preserving an old house, which is what was done when the town built the Town Hall and when the Baptist Church made its improvements.

Ms. Janet Bellamy asked about the projected increase in traffic and its impact on library traffic. It was noted that Cumberlands is not a "destination spot" and its traffic is created by pass-by trips of people who are already on the road. The study that was done showed that there may be 25 more cars during morning peak traffic from 7:30 to 8:30 a.m., and possibly 34 more cars during afternoon peak traffic from 4:30 to 5:30 p.m. It was also noted that the library driveway will now be farther away from the entrances and exit to Cumberlands which should serve to diffuse any traffic blockages.

Delivery for food and fuel will come from the West in conjunction with their fleet services plan. Other than being a full-service store, other services being offered will be public restrooms, a pizza shop, other items available for sale as in the Mansfield store (at Routes 44 and 195 in Storrs). There will be ovens for heating food, a better coffee bar with other drinks and an increased number of staff projected to be up from 10 to 12 to 15 or 16.

Mr. DePercio also questioned security upgrades and cameras and it was reported that currently the police state that Cumberlands' system is one of the better systems but they will be adding more cameras and the site will be better lit and therefore more visible from the road. The only new signage will be "Do Not Enter" signs at the west driveway and any other will be focused down on the site so that the site remains Dark Sky Compliant.

Chairman Silver-Smith again stated that no action will be taken tonight since P&ZC will have to wait for an opinion from IWWC, but he hopes that there will be a decision at the next meeting with continued public comment after the IWWC determination.

B. Plan of Conservation Development (POCD) Discussion: Richard Williams stated that a clean draft was finished by the September 29, 2015 deadline for submission to the BOS, P&ZC and the Town Clerk. It is also available for public review in the Building Office as well as in the Town Clerk's office. He noted that it can also be found online on the Our Town-Our Future Facebook page and website as well. The legal requirement is to post it by November 11, 2015. There will be time for Public Comment at the November 16, 2015 BOS meeting.

Both Richard Williams and Mr. Silver-Smith stated that the Town is indebted to the dedicated few who worked and gave time every two weeks (and sometimes more) since last May until September to create this more than 50 page document. The P&ZC was encouraged to read the document over and look at the accuracy of the statements. If anyone has any enhancements for the document please let Richard Williams or Mr. Silver-Smith know. This is to be considered a living document that will be reviewed on an on-going basis not just every ten years by the P&ZC or a subgroup. If anyone feels that there are subjects that were not included that should be, please let the POCD Committee know. This document which must be adopted and filed with the State can always be enhanced and improved.

7. New Business: None.

8. Zoning Enforcement Officer's Report: Mr. Gardner thanked everyone, particularly Mr. Silver-Smith and Mr. Hastillo, for their help taking care of the zoning office while he was away. He stated that there is nothing new on the horizon. He did comment that the Connecticut DOT will not comment on driveways or the proposed Cumberlands project until the Town approves it.

Mr. Silver-Smith stated that Mr. Gardner has identified a learning opportunity for the Commission. On October 24, 2015 CLEAR, in conjunction with UConn, will present legal aspects of P&ZC decision making. He said that he will send out the information. The cost and expenses are all reimbursable so save all receipts if you decide to go (certificate and receipts).

9. Other Business: None.

10. Public Comments: Moved to item A.2. (see above).

11. Adjournment: MR. ZAICEK MOVED AND MR. YAKOVLEFF SECONDED A MOTION TO ADJOURN. VOTING FOR: SILVER-SMITH, DEPERCIO, HASTILLO, MORAN, NAGY, PAUL, WILLIAMS, YAKOVLEFF AND ZAICEK. VOTING AGAINST: NONE. ABSTAINING: NONE. MOTION PASSED 9 TO 0.

The October 13, 2015 meeting of the Ashford Planning and Zoning Commission adjourned at 8:08 p.m.

Respectfully submitted,

Francine Hodovan
Recording Secretary