

**COVENTRY PLANNING AND ZONING COMMISSION
MINUTES
MONDAY, OCTOBER 25, 2021**

CALL TO ORDER

By: Jobbagy

Time: 7:02 p.m.

Place: Virtual

ROLL CALL:

		PRESENT	ABSENT
REGULAR MEMBERS:	Steven Hall, Secretary		X
	Bill Jobbagy, Chairperson - remote	X	
	Ed Marek - remote	X	
	Christine Pattee, Vice Chairperson - remote	X	
	Darby Pollansky - remote	X	
ALTERNATE MEMBERS:	Bob Burrington - remote	X	
	Carol Polsky - remote	X	
	Arianna Mouradijan		X
STAFF:	Eric Trott, Town Planner	X	

Jobbagy seated Polsky for Hall.

AUDIENCE OF CITIZENS:

No one wished to speak.

PUBLIC HEARINGS:

None

OLD BUSINESS:

None

NEW BUSINESS:

1. Public informational meeting on a Town of Coventry application to the State of CT DEEP for a Recreational Trails Grant proposal involving Nathan Hale Road and Bear Swamp Road

Staff said the DEEP trails grant is due on Monday. In 2016 Coventry filed a DEEP Recreation Trails grant for the Nathan Hale feasibility study for a linear trail on previous CT DOT property. The focus is to look at ways to use this low hanging fruits trail. Some forest management is being done on the property. These are baby steps to provide for a low impact trail reflecting and respecting natural trails and the abutting neighbors. We also looked at using roadways that have been discontinued but continue to have easements over them and improving pedestrian right-of-ways.

Todd Penney, Town Engineer/Wetlands Agent, has worked on design drawings. This presentation is to show the public what has been designed and hear feedback or suggestions for improvement. Penney went through the presentation of the proposed Nathan Hale Greenway over the Route 6 expressway properties that were given back to Coventry. Penney shared the 2016 aerial map that is the base mapping for the proposal going into the grant submission. The conceptual layout of the trail was done by the BSC Group. The greenway gets close to the Coventry line on Skinner and Long Hill roads. Andover was not interested in being part of the study as they are looking at another way of getting down the Route 6 corridor. The plan calls for making improvements to the 6' wide trail along the old roadbed of Nathan Hale Road. This is a recreational right-of-way for the town of Coventry. The plan will also be connecting to the sidewalk infrastructure from the Holy Grove in front of the Nathan Hale Homestead to the LOTCIP job of sidewalks and other improvements down to the rotary. On parts of the trail system it will be sharing the roads given the volume of traffic and the road shoulders

Resident of 29 Cassidy Hill Road - asked if the trails goes through hunting areas of the forest? Trott said yes.

Regina Malsbary, Nathan Hale Road - said she is glad to hear it will be 6' wide. Her concerns are what the surface it going to be and where are people going to park; she hopes not on her driveway. Penney said the trail will have a stone dust surface; it will not be paved. We will barricade that end of the trail with boulders to prevent vehicular traffic. Part of the application will include a better system for the DPW to do biannual maintenance. Sometime bollards are used to barricade the trail; these can be lowered for maintenance or emergency access.

Norm Potter, Nathan Hale Road - spoke about the stretch from the Homestead. He placed boulders there. He needs that road to get to the top of the property and for maintenance. It is constant that people are messing with his property. DPW has never been in there. The gate and millings were put in by Potter. He could not get a pothole on the road fixed by DPW. DPW will have to be a little more meticulous with the maintenance. Penney said we are adding infrastructure that will require maintenance by the town.

Gary Berger, Nathan Hale Road - Bear Swamp Road has some piping on Rufus Brook for

his property. How is the proposed plan to cross the brook and cross the wetlands? Penney said they will be a similar crossing type that was installed on his property.

Bonnie Dugay, 312 Woodbridge Road - She has a question about the portion that is going in front of her house. Woodbridge is a very tight street that is hard to walk on. Now people will be walking by in front of and in back of her house. She has been trying to work with the town to have the trail pushed away from her bedroom. Are sidewalks going in on Woodbridge? Is Woodbridge Road going to be widened? Dugay is in favor of trails but there should be privacy for residents as well. She is not sure how people are going to walk on Woodbridge Road. Penney said we are not planning on having people walk on Woodbridge Road for this trail. The skid trail was moved over and away from Dugay's property. Penney went out with a forester hired for the timber harvest. The ash trees are dying but we want to get the value out of the ash trees that are still there. Penney does not know how we are going to cross the river right now. This is a concept for the Nathan Hale Greenway that BSC laid out. Crossing the river would be require a \$1 mill. bridge. The connection to get south into Andover is not part of this grant submission. Dugay said she would like the town to keep her and the neighbors informed. The town was good about pushing the trail back when she shared her concern. She said the trails are nice for residents to have a place to walk. She enjoys her privacy, too. Please keep us informed. Penney said with the wet summer harvesting was put on hold because of the damage that could have been done had the harvesting continue.

PZC Member Pattee asked about the Dr. Lance Stewart Memorial Forest Trail near the DPW. Penney said that trail does not connect to any of this plan. This is going to be a multi-use trail.

Resident of 29 Cassidy Hill Road - asked what the next steps are? Staff said the design will be submitted and the outcome will determine what happens after that.

Regina Malsbary, 409 Nathan Hale Road - asked about any planned parking and where near the Nathan Hale Road end? Staff said Penney will get to that with the actual design. This proposal is due November 1, 2021. The application goes to the DEEP and they decide on a short list of projects for the grants. At that stage DEEP will be looking for additional information toward a final design. Issues with neighbors will be considered at that time. DPW will have some work for the 80/20 grant. We have two years for that stage.

Penney continued with the presentation saying the design is proposing to use the existing parking area at the Homestead with minor improvements. The parking will remain gravel. This trail will meander through and utilize the existing roadbed that has been there for a long time. The roadbeds can be seen in the 1934 aerials from DEEP. The trail basically

follows roughly the existing roadbed. The trail has not been maintained until the Potter's frontage. Maintenance will include cutting out the soft materials, doing some excavation of that material, and then building the surface with stone dust. Some leak-offs will be added in. The trail will continue along the right-of-way with the Potters and the Malsbarys as the abutters. There is some work to be done on an old ditch that has been filled in. Twelve inch culverts will be added in to convey the flow and allow the trail to be continuous through these areas. The Potters have done some significant improvements along the access point. Some fine grading will be done to help with getting the storm water off. Heading into the southeasterly direction along Nathan Hale Road will be the start of the

Share the Road signage.

Regina Malsbary - said the parking at the Homestead is bigger and utilized. She has parking concerns about where Nathan Hale Road and her property abuts. Penney said no parking is proposed in this area. Malsbary said people are already coming in and when the improvements are made it will be more people. That trail is literally going to be on the property line and 10' from the driveway; there will be people parking there. Penney said we can look at how to prevent parking or formalize parking and work with the neighbors to make the situation better.

Unidentified person - Are horses going to be allowed? ATV sometimes go out there. Staff said no motorized vehicles are allowed. ATVs are not allowed. That is not the intention. There will be barriers or bollards to deter motorized vehicles.

Penney shared the PDFs. These are concept plans. Nothing more formal will be done on the design until DEEP gives approval on the grant. At the end of Bear Swamp Road the concept is to add in a couple of parking spaces; Coventry will work with Andover on that. A granite town line monument is proposed. The trail will be a 6' wide stone dust one after some fine grading is done, some leak-offs are added in, and full reconstruction done. The trail is roughly the street line of Bear Swamp Road that follows the stone wall. The area is being monitored by DEEP. The cost estimates are: \$160k for the Nathan Hale Road portion; \$110k for Bear Swamp Road from the town line to Rufus Brook portion; and \$28k from Rufus Brook to Nathan Hale Road portion. The estimated total cost is \$550k.

Unidentified person - asked how the brook will be crossed. It does get fairly deep. Penney said a culvert will be put in staying in the town's right-of-way. Penney said a wetlands permit will be needed for the activity impacting the corridor. The culvert installation has caused backwater in the area. The trail has to be built up so it does not get inundated. Penney does not know yet if an Army Corps of Engineer permit is needed. Penney does not see the project being in wetlands anywhere else but until the area is mapped we don't really know.

Gary Berger - said that trail way has a brook along the roadbed and disperses on the way down and goes to the pipe in his driveway. Penney said the plan is proposing a ditch. Some retaining walls may be needed on this portion of the trail.

PZC Member Polsky asked for clarification of Regina Malsbary concern about the parking. This will be a straight trail as shown. People will show up on both ends to use it. How is that concern going to be handled on the Nathan Hale Road end? Staff said no parking is being proposed because we don't want people parking there. The question is how to mitigate it as it is happening. The Town will work with the neighbors for an amenable approach to deal with this. Penney said a meeting can be set up with Staff, the Town Manager, himself, and the Malsbarys before the end of the week to try to work something out. Penney said he doesn't know how to deal with this. What legal rights does the town have to add parking there? We have legal rights for the trail. No parking is currently being proposed at that end right now. We will need to come up with a solution quickly to be able to finish the application and get it submitted for November 1, 2021. Staff said the parking does raise a legal issue. This is an internal question, a question for the Town Manager, and a question for the Town Attorney. The neighbors bring up some great points. The current proposal is saying we want people to park over at the established parking at the Homestead.

Unidentified speaker - said Norm and I can talk more with the Town about parking if the Town gets the grant per the proposed plan. Perhaps parking for 2 -3 cars can be designed then. Staff said he will defer this legal right question to the Town Manager with a ballpark cost to accommodate a few parking spots. Staff said he appreciates the cooperative nature of the neighbors.

PZC Member Pattee said she very impressed by the willingness of people who have to live with this and to make it work. Thank you to those citizens.

Motion: The Coventry Planning and Zoning Commission endorses the Town of Coventry's grant application to the State of CT DEEP to seek funds to construct sections of trail associated with the Nathan Hale Greenway project. Specifically, on a section of Nathan Hale Road and Bear Swamp Road that are subject to recreational easements. Projects such as this are recommended in the Plan of Conservation and Development in Section 6 'Land and Water Resources' subsection B, recommendation #9.

By: Pattee

Friendly amendment suggested by Jobbagy and accepted by Pattee: With particular consideration for parking at either end of the trail.

Seconded: Polsky

Discussion: Pattee thanked Jobbagy for adding the information about the parking.

Voting:

For: Pollansky Pattee, Marek, Jobbagy, Polsky

Against: None

Abstain: None

2. Continued review of the proposed grid scale energy project of East Point Energy located on North River Road

Staff said that Scott Connuck, East Point, presented the project under development back in June. He returns with updates and changes to the project. This is under the jurisdiction of the Siting Council; they come before the PZC as a courtesy.

Scott Connuck said the new information is changing the back up capability from two hours to four hours and the wetland delineation uncovered extensive state wetlands. The landowner cannot allow us to move to another parcel. The scope of the project was moved as much as possible to minimize the wetlands impact but there could be as much as .3 acres of direct wetlands impact. A stormwater retention pond is proposed to mitigate that impact. Local feedback is important for what the plan is trying to do. Staff said that puts the project ~100' closer to the road. Connuck asked of the PZC has a preferred screening? Staff said fenced screening with slats would make the project difficult to see but would that method accelerate the noise? Connuck said he cannot answer that with 100% certainty but he thinks the fence will limit noise more than not having a fence. The loudest part of these systems is the commercial HVAC systems.

Staff said the original plan called for a natural buffer and some fencing. Staff thinks the screening should be no less than that. The natural buffer should be deer and drought resistant with the planting offset for a staggering effect. Jobbagy said the height is important, too. The site is below the road line a bit. Connuck says it does drop off 5' or so and then flattens out.

Pattee said she is in support of this project. Since the Siting Council makes the final decision should the PZC say something that can be taken back to the council? Staff said it is still in the design process. Connuck has indicated they are going back to redesign. When East Point comes back with the redesign the PZC can provide a reflection on a support statement.

3. Lot line modification request of Donna Roberts for the property located at 271 Skyview Drive

Staff shared the plans for the proposed lot line modification request. This is simple proposal to correct an odd shaped parcel and allows the owner to accommodate an accessory building - a garage. The mother-in-law lives next door and conveyed to them 8.31 acres.

Motion: The Coventry Planning and Zoning Commission approves the lot line modification proposal of Donna Roberts for the property located at 271 Skyview Drive as indicated in the plan prepared by Andrew Bushnell Associates for the subject property, dated November 20, 2020.

By: Pattee

Seconded: Marek

Voting:

For: Pollansky Pattee, Marek, Polsky, Jobbagy

Against: None

Abstain: None

Staff asked Jobbagy if the enforcement matter can be held next as there may be people in the audience interested in that matter and save the Adoption of Minutes for afterwards. Jobbagy agreed.

DECISIONS:

None

ADOPTION OF MINUTES:

1. September 27, 2021

Motion: The Coventry Planning and Zoning Commission approves the minutes of the September 27, 2021, meeting.

With the following corrections:

Page 4, first paragraph, second sentence - remove "Trott said the".

Page 4, sixth paragraph - strike from the document.

By: Pattee

Seconded: Pollansky

Voting:

For: Pollansky Pattee, Marek, Jobbagy, Polsky

Against: None

Abstain: None

COMMUNICATIONS:

Staff indicated that application 21-08 - Dr. David Jenkins - has been filed and will be heard at a December meeting.

STAFF REPORTS:

None

ENFORCEMENT:

1. Status of Cassidy Hill Winery - special permit compliance

Staff prepared a memo that he read through. There has been a permit issued for the winery and another permit for outdoor events. Indoor events are not part of the outdoor events.

An issue is there has been more parking taking place than what was approved. The owners must have a new plan prepared for the feasible parking to reflect that which is taking place. The Chipkins don't want to pursue an off-site parking option. The owners have asked for a couple more weeks to look at these options. They will return in November to talk about where they would like to go to be brought into compliance. Based on the concerns of the neighborhood a plan is needed to ensure the winery remain in compliance over time.

Jobbagy said it sounds like the owners have some follow up with modifications to the permits. Staff said it could be a special permit amendment with input from the public. The solution is trying to achieve balance with the PZC, the neighbors, and the Chipkins.

Pollansky asked if having the Chipkins return to the PZC November gives them enough time to consult with their professional. Staff said they do need to hire consultants and give an update at the next meeting.

ACKNOWLEDGEMENTS:

None

ADJOURNMENT:

Jobbyg adjourned the meeting at 9:14 p.m.

Respectfully Submitted,

Yvonne B. Filip

Yvonne B. Filip, PZC Recording Secretary

PLEASE NOTE: These minutes are not official until approved by the Planning and Zoning Commission at the next Commission meeting. Please see the next Commission meeting minutes for approval or changes to these minutes.