

**COVENTRY PLANNING AND ZONING COMMISSION  
MINUTES  
MONDAY, APRIL 11, 2022**

**CALL TO ORDER**

By: Jobbagy

Time: 7:04 p.m.

Place: Hybrid

**ROLL CALL:**

		<b>PRESENT</b>	<b>ABSENT</b>
<b>REGULAR MEMBERS:</b>	Steven Hall, Secretary		X
	Bill Jobbagy, Chairperson - remote	X	
	Ed Marek		X
	Christine Pattee, Vice Chairperson	X	
	Darby Pollansky – remote (present at 7:12 p.m.)	X	
<b>ALTERNATE MEMBERS:</b>	Bob Burrington - remote	X	
	Carol Polsky - remote	X	
	Arianna Mouradijan		X
<b>STAFF:</b>	Eric Trott, Town Planner	X	

Public Hearing, item 2 was heard first with Burrington and Polsky seated.

Pollansky arrived and was seated for the remainder of the meeting after Public Hearing, item 2 presentation was completed; Polsky was unseated.

**AUDIENCE OF CITIZENS:**

No one was present to speak on a non-agenda item.

**PUBLIC HEARINGS:**

- #22-1S – special Permit application of Coventry Donuts, LLC to modify the drive-thru and parking area at Dunkin Donuts; property located at 3516 main Street (Map 10, Block 16, Lot 2) – Commercial Zone.**

Peter Daddeo, representing the owners, was present remotely. Derek and Ethan Pacheco, owners, were present remotely.

Daddeo: There was a staff concern that the landscaping plan did not meet the design guidelines. Fran Knights, Landscape Designer, of EAQuinn provided verification that the plantings proposed do comply with the design guidelines. If there are specific species of concern that is a variance from the guideline that can be modified. Staff: Half of the species listed on the plans did not comply. If they are substituting species that are viable for the area and are a native species that should be indicated.

Daddeo: Another staff comment was about the lighting plan. The plan did not specify the existing lamps and the new lamps. We are only adding one to two new lamps. If there is one that is shedding light we are okay with modifying that too. Staff: We need a certification stating the lightening plan meets the appropriate section of the zoning regulations. Daddeo: The recalculations that were submitted provide that certification.

Daddeo: We are adding very little impervious area. Staff: Comments from the Town Engineer on the resubmitted plans have not been provided yet. That can be a condition of approval.

Daddeo: We have submitted the affidavit that the public hearing sign was installed.

Staff: The fixtures for the revised patio area have been received. The plan identifies an area for an informational kiosk and is noted for possible use in the future.

Pattee: Requested the owners consider actually installing the informational kiosk during construction. The Town would benefit from having a permanent kiosk at this hugely successful Dunkin'. This is a request, not a requirement. Ethan Pacheco: We have the space allotted for it. Jobbagy and Pollansky: Thinks the space allotment is sufficient.

Audience of Citizens:

No one wished to comment.

The public hearing is closed.

**2. #22-3 – Subdivision application of Bushnell Associates for owner, Zachary N. Studenroth for a 2-lot subdivision at 445 Goose Lane (Assessor's Account No. R06044) – GR-40 Zone.**

Andrew Bushnell, Professional Engineer and Land Surveyor of Bushnell Associates, was present. This property is abutted to the west and north by the Skungamaug Golf

Course. The overall site is 14.39 acre. The lots will be 5 acres and 9.93 acres. There are wetlands on the property and an existing pond behind the house. The nature of the wetlands is that it continues off the property to the golf course. A private conservation easement is proposed to the south of 2 acres in size. The topography is sloping downhill to the west from Goose Lane. The house placement is conceptual on the plans but the driveway location is fixed because it is at the top of the hill and because of the sight lines. Primary and secondary septic locations were found and a secondary reserve area of the existing house have been approved by the Eastern Highlands Health District. The private well location is shown. We have received a non-jurisdictional ruling from the Inland Wetlands Agency. Some of the existing stone wall will be taken down to put in the driveway. A note has been made to the plan to preserve the stone wall wherever possible. The review from the State Archeologist is outstanding; we hope to receive that within two to three weeks. No comments have been received from the Town Engineer.

Pollansky: Can you show where the archeologic points are? Bushnell: At the four corners of the house and the septic areas. The review is done on the disturbed areas only. Pollansky: It would be interesting to see if anything is found as that whole area is remarkable.

Audience of Citizens:

No one wished to comment.

The hearing is continued until the next meeting.

**3. #22-4 - Subdivision application of Bushnell Associates for owners, Robert and Mary Kortmann for a 2-lot Family Resubdivision at 430 Talcott Hill Road (Assessor's Account No. R02961) – GR-40 Zone.**

Andrew Bushnell, Bushnell Associates, was present. This parcel is 21.2 acres that the Kortmann's had the original house built in the 1980s. The new house site will be of 1.20 acres. The Kortmann's will move to the new home on the smaller lot and convey the existing house to their son. There is frontage and access to the lots will be on Talcott Hill Road. They also have frontage on South River Road. This parcel has a portion is in the GR-40 Zone and a portion in the River Aquifer Zone. It is bounded by State of Connecticut property, Town of Coventry open space, and some neighbors. The wetlands are shown. There will be a slight bit of grading in that area for the reserve septic area. We have gone to the Inland Wetlands Agency. Eastern Highlands Health District gave approval for the septic system and well. The property has been determined to be significant in the Diversity database for wood turtles and spotted turtle. Dr. Kortmann together a detailed plan to mitigate work in the upland review area of the wetlands to include the removal of invasives in order to establish other species around the wetlands. We have proposed a grading easement from lot 1 to construct the driveway for lot 2. There is a drainage swale along the road. The new driveway will need a culvert at the road; we are proposing creating a more defined channel for the water coming off the road. The water will end up at the same spot in

the wetlands on lot 2. This has been discussed with Todd Penney, Town Engineer. Dr. Kortmann will facilitate that with the lot development. We have submitted a request to the State Archeological as this could be a significant area. Dr. Kortmann has hired a consultant to see if there is anything there. The report should be available in a two to three week timeframe.

Jobbagy: The slope of the land is downward to the left, correct? The runoff will go toward the wetlands, not the street? Bushnell: Yes.

Pattee: Appreciates the wildlife biologist observation. She also appreciates how Dr. Kortmann has looked after the land.

Staff: This is a family subdivision. In a case like this open space is not required as Bushnell mentioned. The public hearing sign was posted. There are historical rights of the Town to drainage for the road.

Audience of Citizens:

No one wished to comment.

The public hearing is continued.

**OLD BUSINESS:**

None

**NEW BUSINESS:**

None

**DECISIONS:**

**Motion:** The Coventry Planning and Zoning Commission approves application #22-1S – Special Permit of Coventry Donuts, LLC to modify the drive-thru and parking area at Dunkin Donuts; property located at 3516 Main Street (Map 10, Block 16, Lot 2) – Commercial Zone.

With the following conditions:

- The landscape plan shall be modified to conform to the commercial district design guidelines.
- The landscape site plan shall be modified to provide for expanded buffering between the patio area and the driveway laneway to Staff's satisfaction.
- The applicant shall submit a certificate of compliance demonstrating that they are consistent with Section 5.02.07g criteria in the zoning regulations.

- The Town Engineer shall approve the final plans with respect to his memo dated February 24, 2022.

Reason for Decision:

The application complies with the applicable criteria.

By: Pattee

Seconded: Pollansky

Voting:

For: Pattee, Burrington, Pollansky, Jobbagy

Against: None

Abstain: None

### **ADOPTION OF MINUTES:**

#### **1. March 28, 2022**

**Motion:** The Coventry Planning and Zoning Commission approves the minutes of the March 28, 2022, meeting.

By: Pollansky

Seconded: Pattee

Voting:

For: Pattee, Burrington, Pollansky, Jobbagy

Against: None

Abstain: None

### **COMMUNICATIONS:**

#### **1. Town of Columbia – Zoning Regulations amendments**

Staff: Columbia is making a few changes for cannabis, multi-family dwellings, and in the driveway sections. Columbia's regulations for cannabis have been added to our file of how abutting towns are handling cannabis.

### **STAFF REPORTS:**

#### **1. Cannabis Establishment regulations – status**

Staff: A meeting was rescheduled. Work is continuing on the draft regulations.

#### **2. Accessory Dwelling Units regulations – draft revision preparation**

Staff: not had the time to draft these.

#### **3. Housing Affordability Plan – Community workshop – March 30 – review**

Staff: Twenty-five people attended in person and on Zoom. The consultant did a good job with the presentation. Some feedback was received from those in attendance. There should be a public hearing in mid-May. If we need additional time beyond the June 1, 2022, deadline we can ask for an extension.

**ENFORCEMENT:**

**1. Update Cassidy Hill Winery – questions from citizen**

Staff: Gave the questions in writing to the Members and the operators of the winery. Staff discussed this with the Town Attorney. Staff does not agree with the citizen’s suggestion that the use that had been established by the permit has been abandoned. Since September 2021 the PZC has acknowledged the events have been a social gathering accessory to a winery. The Chipkins will have to modify the special permit and come into compliance. It is not the Commission’s intention to extinguish the use. Pattee and Jobbagy: Agree with Staff’s comments. Pollansky: That was her understanding and what the Chipkins have done. Burrington: He agrees after looking at the information. Polsky: Agrees.

Staff: The Chipkins have hired an attorney to assist in bringing the property into compliance and are taking steps with the PZC to modify the special permit. A site plan modernizing for the application will be filed. They will come to the PZC under preliminary discussion and then proceed with special permit application.

Audience of Citizens:

Brian Murray, Cassidy Hill Road: The Liquor Commission has an order that beverages are to not go off the porch. Staff: That is a concern to be addressed to the Liquor Commission. Before the PZC is for holding the events as an accessory use to the winery. The Chipkins have to be approved here first and then go to the Liquor Commission.

**ACKNOWLEDGEMENTS:**

None

**ADJOURNMENT:**

Jobbagy adjourned the meeting at 8:07 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.